



State of Wisconsin
2017 - 2018 LEGISLATURE

LRB-1370/1
KRP:jld

2017 ASSEMBLY BILL 7

January 12, 2017 - Introduced by Representative OTT, by request of Department of Employee Trust Funds. Referred to Committee on Judiciary.

1 **AN ACT to amend** 40.22 (2) (am) and 40.22 (2r) (intro.) of the statutes; **relating**
2 **to:** the determination of participating employee status under the Wisconsin
3 Retirement System (suggested as remedial legislation by the Department of
4 Employee Trust Funds).

Analysis by the Legislative Reference Bureau

This bill clarifies that an employee who was not participating in the Wisconsin Retirement System before July 1, 2011, and who is not expected to work at least two-thirds of full-time employment generally may not participate in WRS. Under current law, the standard that applies is whether the employee was initially employed on that date by an employer that participates in WRS.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

5 **SECTION 1.** 40.22 (2) (am) of the statutes is amended to read:
6 40.22 (2) (am) Except as provided in sub. (2r), the employee was initially
7 employed by not a participating employer ~~on or after~~ employee before July 1, 2011,

ASSEMBLY BILL 7**SECTION 1**

1 and is not expected to work at least two-thirds of what is considered full-time
2 employment by the department, as determined by rule.

3 **SECTION 2.** 40.22 (2r) (intro.) of the statutes is amended to read:

4 40.22 **(2r)** (intro.) An employee who was ~~initially employed by~~ not a
5 participating employer on or after employee before July 1, 2011, who is not expected
6 to work at least two-thirds of what is considered full-time employment by the
7 department, as determined by rule, and who is not otherwise excluded under sub. (2)
8 from becoming a participating employee shall become a participating employee if he
9 or she is subsequently employed by the state agency or other participating employer
10 for either of the following periods:

11 (END)