



State of Wisconsin
2023 - 2024 LEGISLATURE

LRB-3666/1
EVM:amn

2023 SENATE BILL 637

November 7, 2023 - Introduced by Senators HESSELBEIN, L. JOHNSON, AGARD, CARPENTER, LARSON, PFAFF, ROYS, SMITH, SPREITZER, TAYLOR and WIRCH, cosponsored by Representatives SHANKLAND, SINICKI, OHNSTAD, C. ANDERSON, J. ANDERSON, BARE, CABRERA, CLANCY, CONLEY, CONSIDINE, DOYLE, DRAKE, EMERSON, GOYKE, HAYWOOD, HONG, JACOBSON, JOERS, MADISON, MOORE OMOKUNDE, ORTIZ-VELEZ, PALMERI, RATCLIFF, SHELTON, SNODGRASS, STUBBS, SUBECK and VINING. Referred to Committee on Government Operations.

AUTHORS SUBJECT TO CHANGE

1 **AN ACT to repeal** 16.75 (1p), 16.855 (1p), 66.0901 (1) (ae), 66.0901 (1) (am),
2 66.0901 (6m) and 66.0901 (6s); and **to amend** 66.0901 (6) of the statutes;
3 **relating to:** project labor agreements and public contracts.

Analysis by the Legislative Reference Bureau

Under current law, the state and local units of government are prohibited from engaging in certain practices in letting bids for state procurement or public works contracts. Among these prohibitions, as established by 2017 Wisconsin Act 3, the state and local governments may not do any of the following in specifications for bids for the contracts: 1) require that a bidder enter into an agreement with a labor organization; 2) consider, when awarding a contract, whether a bidder has or has not entered into an agreement with a labor organization; or 3) require that a bidder enter into an agreement that requires that the bidder or bidder's employees become or remain members of a labor organization or pay any dues or fees to a labor organization. This bill repeals these bidding specification restrictions.

For further information see the state and local fiscal estimate, which will be printed as an appendix to this bill.

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

4 **SECTION 1.** 16.75 (1p) of the statutes is repealed.

SENATE BILL 637**SECTION 2**

1 **SECTION 2.** 16.855 (1p) of the statutes is repealed.

2 **SECTION 3.** 66.0901 (1) (ae) of the statutes is repealed.

3 **SECTION 4.** 66.0901 (1) (am) of the statutes is repealed.

4 **SECTION 5.** 66.0901 (6) of the statutes is amended to read:

5 66.0901 **(6)** SEPARATION OF CONTRACTS; CLASSIFICATION OF CONTRACTORS. In public
6 contracts for the construction, repair, remodeling or improvement of a public
7 building or structure, other than highway structures and facilities, a municipality
8 may bid projects based on a single or multiple division of the work. Public contracts
9 shall be awarded according to the division of work selected for bidding. ~~Except as~~
10 ~~provided in sub. (6m), the~~ The municipality may set out in any public contract
11 reasonable and lawful conditions as to the hours of labor, wages, residence, character
12 and classification of workers to be employed by any contractor, classify contractors
13 as to their financial responsibility, competency and ability to perform work and set
14 up a classified list of contractors. The municipality may reject the bid of any person,
15 if the person has not been classified for the kind or amount of work in the bid.

16 **SECTION 6.** 66.0901 (6m) of the statutes is repealed.

17 **SECTION 7.** 66.0901 (6s) of the statutes is repealed.

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(END)