



Legislation Details (With Text)

File #: 23004 **Version:** 1 **Name:**

Type: Resolution **Status:** Passed

File created: 6/27/2011 **In control:** COMMON COUNCIL

On agenda: 11/29/2011 **Final action:** 11/29/2011

Enactment date: 12/2/2011 **Enactment #:** RES-11-00981

Title: Opposing Senate Bill 107 and the provisions that eliminate the authority of cities to enact equal opportunity and non-discrimination ordinances with respect to landlord-tenant relations.

Sponsors: Brian L. Solomon, Satya V. Rhodes-Conway, Marsha A. Rummel

Indexes:

Code sections:

Attachments: 1. <https://docs.legis.wisconsin.gov/2011/proposals/sb107>, 2. memo aca makes housing pre-emption bill.pdf, 3. sb 107 resolution draft.pdf, 4. sb 107 resolution 2nd draft.pdf

Date	Ver.	Action By	Action	Result
11/29/2011	1	COMMON COUNCIL	Adopt	Pass
11/21/2011	1	COMMON COUNCIL	Refer to a future Meeting to Adopt	
10/13/2011	1	EQUAL OPPORTUNITIES COMMISSION	Refer	
7/14/2011	1	EQUAL OPPORTUNITIES COMMISSION		

Title

Opposing Senate Bill 107 and the provisions that eliminate the authority of cities to enact equal opportunity and non-discrimination ordinances with respect to landlord-tenant relations.

Body

WHEREAS, the City of Madison is proud of its many actions to ensure equality and promote fairness; and

WHEREAS, City of Madison policy initiatives have been borrowed and replicated in other cities and communities throughout the state and across the nation; and

WHEREAS, many City of Madison initiatives provided innovative approaches that often led to new statewide or federal policy; and

WHEREAS, municipalities having the authority and the capacity to advance issues of interest and importance to the citizenry is an essential component of representative democracy; and

WHEREAS, cities are closest to the needs and interests of the people, many areas of public policy are best addressed at the municipal level; and

WHEREAS, the SB 107 legislation effectively precludes, prevents and pre-empts municipalities from enacting ordinances addressing issues associated with non-discrimination and equal opportunity practices in landlord-tenant relations; and

WHEREAS, this legislation will have a negative impact on the character and quality of life in the City of Madison and would have the effect of undoing more than forty years of city-based policy initiatives; and

WHEREAS, the following city ordinances that would be pre-empted should this legislation be enacted into law:

1. MGO 39.03(4)(a) and 32.12(7)(b): Prohibits landlords from requiring disclosure of social security numbers.
2. MGO 32.12(8): Prohibits landlords from showing apartment for re-rental until one-fourth of the lease term has passed.
3. MGO 32.12(7)(a): Prohibits landlords from denying an application for housing based solely on minimum income requirements.
4. MGO 39.03(4)(d): Prohibits landlords from denying housing on the basis of the tenant's conviction record, and limiting the time limit on certain excludable offenses to 2 years.
5. MGO 39.03(2)(II) and (4): Prohibits housing discrimination based on the tenant's legally derived income.
6. MGO 32.12(9) Prohibits renting out an apartment to future renters before one-fourth of the lease term has passed.

NOW, THEREFORE, BE IT RESOLVED that the City of Madison affirms its municipal right to enact local ordinances that serve to promote public health, well-being and quality of life within its jurisdiction; and

BE IT FURTHER RESOLVED that SB 107 has the impact of denying the express policy preferences that have been lawfully enacted by duly elected representatives at the local level; and

BE IT FINALLY RESOLVED that the City of Madison strongly opposes SB 107 or any other legislation that would undo ordinances, statutes, or policies that promote housing non-discrimination.

Fiscal Note

No action required.