

**CHAPTER 240**

AN ACT to amend 5.18 of the statutes, relating to declining nominations.

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

5.18 of the statutes is amended to read:

5.18 Any person nominated to office may decline the nomination by delivering to the officer with whom his certificate of nomination or nomination paper is filed, within one week after the last day on which nomination papers can be filed, or within one week after the primary election, a declination in writing signed and acknowledged by him, *provided that such declination may also be filed by a candidate for a city office within one week after the date of the spring primary election even though no primary was held for such city office.* Upon such declination or the death of a nominee or upon the occurrence of a vacancy after a primary from any other cause the vacancy may be filled by the committee representing the nominee's party, the chairman and secretary of which shall make and deliver to the proper officer for filing a certificate, duly signed, certified and sworn to, as required in case of original certificates, setting forth the cause of the vacancy, name of the new nominee, office for which nominated, and such other information as is required in case of original certificates. This certificate must be filed within 4 days after the declination is delivered or after notice of death and shall have the effect of an original certificate. If such declination, death or the permanent removal of a nominee take place after the ballots are printed and before election, the proper chairman of the committee above authorized to fill vacancies may make a nomination to fill the vacancy, and provide the election boards with pasters containing the name of such nominee only, which shall be pasted upon each of the official ballots by the ballot clerks, before signing their initials thereon and delivering them to voters. If the nominee die after the ballots are printed, and no nomination shall be made as herein provided, the votes cast for him shall be counted and returned, and if he shall receive a plurality the vacancy shall be filled as in case of vacancies occurring by death after election. There can be no vacancy in nomination prior to a party primary.

Approved July 28, 1959.

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