



State of Wisconsin  
2011 - 2012 LEGISLATURE



LRBs0137/2  
JTK:nwn:ph

**SENATE SUBSTITUTE AMENDMENT 1,  
TO 2011 SENATE BILL 116**

June 8, 2011 – Offered by Senator LAZICH.

1     **AN ACT to repeal** 6.22 (4) (g), 6.221 (1), 6.221 (3) (b), 6.25 (2), 6.25 (3), 6.865 (3),  
2           6.865 (3m) (a), 6.865 (3m) (c) and 7.15 (1) (cs); **to renumber** 6.221 (4); **to**  
3           **renumber and amend** 5.02 (18), 6.221 (title), 6.221 (2), 6.221 (3) (a), 6.221 (5),  
4           6.221 (6), 6.25 (1) and 6.865 (3m) (b); **to consolidate, renumber and amend**  
5           6.25 (4) (intro.), (a) and (b); **to amend** 5.05 (13) (title), 5.15 (6) (b), 5.25 (3), 5.37  
6           (4), 5.62 (title), 5.62 (1), 5.62 (2), 5.62 (3), 5.62 (5), 6.22 (4) (a), 6.22 (4) (c), 6.22  
7           (4) (e), 6.22 (4) (f), 6.22 (5), 6.22 (6), 6.24 (1), 6.24 (2), 6.24 (4) (c), 6.36 (1) (a), 6.50  
8           (8), 6.86 (1) (a) (intro.), 6.86 (1) (a) 3., 6.86 (1) (ac), 6.86 (1) (b), 6.865 (title), 6.869,  
9           6.87 (3) (d), 6.87 (6), 6.875 (3), 6.88 (1), 6.88 (3) (b), 7.08 (2) (b), 7.08 (2) (c), 7.10  
10          (3) (a), 7.15 (1) (cm), 7.15 (1) (j), 7.51 (5) (b), 7.52 (3) (b), 7.60 (5) (a), 7.70 (3) (a),  
11          7.70 (3) (e) 1., 8.10 (1), 8.15 (title), 8.15 (1), 8.16 (1), 8.16 (7), 8.17 (1) (b), 8.17  
12          (4), 8.17 (5) (b), 8.19 (3), 8.20 (8) (a), 8.20 (8) (am), 8.20 (9), 8.37, 8.50 (intro.),  
13          8.50 (1) (d), 8.50 (2), 8.50 (3) (a), 8.50 (3) (b), 8.50 (3) (c), 8.50 (4) (b), 8.50 (4) (fm),

1 9.01 (1) (a) 1., 9.01 (1) (ag) 1., 9.01 (1) (ag) 1m., 9.01 (1) (ag) 2., 9.01 (1) (b) (intro.),  
2 10.01 (2) (d), 10.01 (2) (e), 10.02 (3) (b) 2m., 10.06 (1) (f), 10.06 (1) (h), 10.06 (1)  
3 (i), 10.06 (2) (gm), 10.06 (2) (h), 10.06 (2) (j), 10.06 (3) (cm), 11.06 (12) (a) 1., 11.26  
4 (17) (d), 11.31 (3m), 11.31 (7) (a), 11.50 (1) (a) 1., 11.50 (2) (b) 4., 11.50 (2) (b) 5.,  
5 11.50 (2) (c), 11.50 (2) (f), 11.50 (2) (i), 13.123 (3) (b) 1. a., 59.08 (7) (b), 59.10 (3)  
6 (cm) 2., 59.605 (3) (a) 1., 60.30 (1e) (b), 62.13 (6) (b), 66.0217 (7) (a) 3., 66.0219  
7 (4) (b), 66.0227 (3), 66.0305 (6) (b), 66.0307 (4) (e) 2., 66.0602 (4) (a), 66.0619  
8 (2m) (b), 66.0921 (2), 66.1113 (2) (g), 66.1113 (2) (h), 67.05 (6m) (b), 67.12 (12)  
9 (e) 5., 86.21 (2) (a), 92.11 (4) (c), 117.22 (2) (e), 120.02 (1), 120.02 (2) (a), 120.02  
10 (4), 121.91 (3) (a), 125.05 (1) (b) 5., 197.04 (1) (b), 229.824 (15) and 995.20; and  
11 **to create** 5.05 (13) (c) and (d), 6.22 (2) (e), 6.24 (4) (e), 6.25 (1) (b) and 6.25 (1)  
12 (c) of the statutes; **relating to:** the dates of the September primary and certain  
13 other election occurrences and absentee voting.

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### ***Analysis by the Legislative Reference Bureau***

This changes the date of the September primary from the 2nd Tuesday in September to the 2nd Tuesday in August and renames it to be the “Partisan Primary”. The substitute amendment also changes the dates of related election events to accommodate the change in the date of the primary. In elections for national office or special elections that are held concurrently with the general election, the substitute amendment provides for absentee ballots to be available to electors for at least a 47-day period before the election. Currently, the length of this period varies but it is generally a shorter period.

The substitute amendment also makes various changes in the laws pertaining to absentee voting. Most of the changes relate to absentee voting by military and overseas electors of this state. State law contains different definitions of the terms “military elector” and “overseas elector.” One set of definitions mirrors the definitions found in federal law. Under federal law, a “military elector” includes: 1) a member of a uniformed service on active duty who, by reason of that duty, is absent from the residence where the member is otherwise qualified to vote; 2) a member of the merchant marine who, by reason of service in the merchant marine, is absent from the residence where the member is otherwise qualified to vote; and 3) the spouse or dependent of any such member who, by reason of the duty or service of the member, is absent from the residence where the person is otherwise qualified to vote. The

federal definition of “overseas elector” includes an elector who resides outside the United States and who is qualified under federal law to vote in elections for national office in this state because the elector last resided in this state immediately prior to the elector’s departure from the United States. The other set of definitions applies for certain state purposes and includes all the persons who are included in the federal definitions but also includes other persons. The state definition of the term “military elector” includes: 1) members of a uniformed service who are not on active duty or who are not absent from their residences by reason of their service or both; 2) members of the merchant marine who are not absent from their residences; 3) civilian employees of the United States and civilians officially attached to a uniformed service who are serving outside the United States; 4) Peace Corps volunteers; and 5) spouses and dependents of these persons who are residing with or accompanying them. The state definition of “overseas elector” includes children of persons who qualify as overseas electors under federal law who are U.S. citizens at least 18 years of age, who are not disqualified from voting in this state, and who are not residents of this state. Significant provisions of the substitute amendment include:

1. Current law permits a military or overseas elector, as defined in state law, to cast a vote in any general election in which a federal office is to be filled by writing in the name of a candidate on a blank absentee ballot form prescribed by the U.S. government and returning the ballot to the appropriate municipal clerk or board of election commissioners. This substitute amendment permits a military elector, as defined by state law, to cast such a ballot at any election, including any primary election, at which a federal, state, or local office is to be filled and permits an overseas elector, as defined by state law, to cast such a ballot at any election, including any primary election, at which a federal office is to be filled. The substitute amendment also provides that a completed and signed federal write-in absentee ballot serves as an application for an absentee ballot and need not be accompanied by a separate application, as required currently.

2. This substitute amendment directs the Government Accountability Board (GAB), with the assistance of county and municipal clerks and boards of election commissioners, to designate at least one freely accessible means of electronic communication which shall be used to: 1) permit a military or overseas elector, as defined by federal law, to request a voter registration or absentee ballot application and to indicate whether he or she wishes to receive the application electronically or by mail; and 2) permit a municipal clerk or board of election commissioners to transmit an application to a military or overseas elector, as defined by federal law, electronically or by mail, as requested by the elector, together with related voting, balloting and election information. The substitute amendment also directs GAB, with the assistance of county and municipal clerks and boards of elections commissioners, to maintain a freely accessible system whereby a military or overseas elector, as defined by federal law, who casts an absentee ballot may ascertain whether the ballot has been received by the appropriate municipal clerk or board. No similar provisions exist currently.

3. Currently, an absentee ballot cast by an elector is void unless it is received at the polling place for the elector's residence by 8 p.m. on election night. However, state law provides that if an elector is a military elector, as defined by federal law, the elector has an additional ten days after the general election and seven days after the September primary for the elector's ballot to be received by his or her municipality if the ballot is postmarked by election day. This substitute amendment provides instead that all absentee electors except those voting in person have until 4 p.m. on the Friday after an election for their ballots to be received if the ballots are postmarked by election day.

4. Currently, the municipal clerk or board of election commissioners of each municipality must, upon request of any absentee elector, transmit an absentee ballot to the elector by electronic mail or facsimile transmission. This bill authorizes and requires a municipal clerk or board to transmit an absentee ballot electronically only to a military or overseas elector, as defined in federal law, upon request of such an elector.

5. Currently, an elector who is a military elector, as defined by state law, or an overseas elector, as defined by state law, and who applies for an absentee ballot no later than 30 days before an election may cast a blank write-in ballot at that election in lieu of the official printed ballot, for any candidates for federal office whose offices are contested at that election. The ballot is valid only if it is submitted from a location outside the United States. This substitute amendment permits such an elector to cast a blank write-in absentee ballot after official printed ballots become available if he or she applies for an absentee ballot no later than the latest time permitted for application for an absentee ballot under state law. The substitute amendment also permits a military elector to cast such a ballot even if the ballot is submitted from a location inside the United States, including the elector's permanent residence.

6. Currently, a military or overseas elector, as defined in state law, may cast a blank write-in absentee ballot under state law. In the case of military electors, the ballot may be used to vote for any candidate for state or local office. In the case of overseas electors, the ballot may only be used to vote for candidates for national office. This substitute amendment discontinues the state write-in absentee ballot for both groups of electors.

7. Currently, with certain exceptions, a military elector who requests an absentee ballot receives absentee ballots automatically for all elections unless the elector fails to return any absentee ballot during the entire period encompassed by two successive general elections. Under this substitute amendment, with certain exceptions, a military elector who requests an absentee ballot receives absentee ballots automatically for all elections held in the same calendar year in which the request is made.

8. Currently, GAB must prescribe uniform instructions for absentee voters. This substitute amendment provides that the instructions must include the specific means of electronic communication that absentee voters may use to file an

application for an absentee ballot, to request a voter registration form, or to change their registrations.

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

1           **SECTION 1.** 5.02 (18) of the statutes is renumbered 5.02 (12s) and amended to  
2 read:

3           5.02 (12s) “September Partisan primary” means the primary held on the 2nd  
4 Tuesday in ~~September~~ August to nominate candidates to be voted for at the general  
5 election, and to determine which candidates for state offices other than district  
6 attorney may participate in the Wisconsin election campaign fund.

7           **SECTION 2.** 5.05 (13) (title) of the statutes is amended to read:

8           5.05 (13) (title) TOLL-FREE ELECTION INFORMATION ~~EXCHANGE~~ AND REQUESTS.

9           **SECTION 3.** 5.05 (13) (c) and (d) of the statutes are created to read:

10          5.05 (13) (c) The board shall maintain a freely accessible system under which  
11 a military elector, as defined in s. 6.34 (1) (a), or an overseas elector, as defined in s.  
12 6.34 (1) (b), who casts an absentee ballot may ascertain whether the ballot has been  
13 received by the appropriate municipal clerk.

14          (d) The board shall designate and maintain at least one freely accessible means  
15 of electronic communication which shall be used for the following purposes:

16          1. To permit a military elector, as defined in s. 6.34 (1) (a), or an overseas elector,  
17 as defined in s. 6.34 (1) (b), to request a voter registration application or an  
18 application for an absentee ballot at any election at which the elector is qualified to  
19 vote in this state.

1           2. To permit a military elector or an overseas elector under subd. 1. to designate  
2 whether the elector wishes to receive the applications under subd. 1. electronically  
3 or by mail.

4           3. To permit a municipal clerk to transmit to a military elector or an overseas  
5 elector under subd. 1. a registration application or absentee ballot application  
6 electronically or by mail, as directed by the elector under subd. 2., together with  
7 related voting, balloting, and election information.

8           **SECTION 4.** 5.15 (6) (b) of the statutes is amended to read:

9           5.15 **(6)** (b) No later than ~~60 days before each September primary and general~~  
10 ~~election, and no later than 30 days before each other election,~~ the governing body of  
11 any municipality may by resolution combine 2 or more wards for voting purposes to  
12 facilitate using a common polling place. Whenever wards are so combined, the  
13 original ward numbers shall continue to be utilized for all official purposes. Except  
14 as otherwise authorized under this paragraph, every municipality having a  
15 population of 35,000 or more shall maintain separate returns for each ward so  
16 combined. In municipalities having a population of less than 35,000, the governing  
17 body may provide in the resolution that returns shall be maintained only for each  
18 group of combined wards at any election. Whenever a governing body provides for  
19 common ballot boxes and ballots or voting machines, separate returns shall be  
20 maintained for each separate ballot required under ss. 5.62 and 5.64 at the  
21 ~~September~~ partisan primary and general election. The municipal clerk shall  
22 transmit a copy of the resolution to the county clerk of each county in which the  
23 municipality is contained. In municipalities having a population of less than 35,000,  
24 the resolution shall remain in effect for each election until modified or rescinded, or  
25 until a new division is made under this section.

1           **SECTION 5.** 5.25 (3) of the statutes is amended to read:

2           5.25 (3) Polling places shall be established for each ~~September primary and~~  
3 ~~general election at least 60 days before the election, and for each other election at~~  
4 least 30 days before the election.

5           **SECTION 6.** 5.37 (4) of the statutes is amended to read:

6           5.37 (4) Voting machines may be used at primary elections when they comply  
7 with subs. (1) and (2) and the following provisions: All candidates' names entitled to  
8 appear on the ballots at the primary shall appear on the machine; the elector cannot  
9 vote for candidates of more than one party, whenever the restriction applies, and an  
10 elector who votes for candidates of any party may not vote for independent  
11 candidates at the ~~September~~ partisan primary; the elector may secretly select the  
12 party for which he or she wishes to vote, or the independent candidates in the case  
13 of the ~~September~~ partisan primary; the elector may vote for as many candidates for  
14 each office as he or she is lawfully entitled to vote for, but no more.

15           **SECTION 7.** 5.62 (title) of the statutes is amended to read:

16           **5.62** (title) **~~September~~ Partisan primary ballots.**

17           **SECTION 8.** 5.62 (1) of the statutes is amended to read:

18           5.62 (1) (a) At ~~September primaries~~ the partisan primary, the following ballot  
19 shall be provided for the nomination of candidates of recognized political parties for  
20 national, state and county offices and independent candidates for state office in each  
21 ward, in the same form as prescribed by the board under s. 7.08 (1) (a), except as  
22 authorized in s. 5.655. The ballots shall be made up of the several party tickets with  
23 each party entitled to participate in the primary under par. (b) or sub. (2) having its  
24 own ballot, except as authorized in s. 5.655. The independent candidates for state  
25 office other than district attorney shall have a separate ballot for all such candidates

1 as under s. 5.64 (1) (e), except as authorized in s. 5.655. The ballots shall be secured  
2 together at the bottom. The party ballot of the party receiving the most votes for  
3 president or governor at the last general election shall be on top with the other  
4 parties arranged in descending order based on their vote for president or governor  
5 at the last general election. The ballots of parties qualifying under sub. (2) shall be  
6 placed after the parties qualifying under par. (b), in the same order in which the  
7 parties filed petitions with the board. Any ballot required under par. (b) 2. shall be  
8 placed next in order. The ballot listing the independent candidates shall be placed  
9 at the bottom. At polling places where voting machines are used, each party and the  
10 independent candidates shall be represented in one or more separate columns or  
11 rows on the ballot. At polling places where an electronic voting system is used other  
12 than an electronic voting machine, each party and the independent candidates may  
13 be represented in separate columns or rows on the ballot.

14 (b) 1. Except as provided in subd. 2. and s. 5.64 (1) (e) 2., every recognized  
15 political party listed on the official ballot at the last gubernatorial election whose  
16 candidate for any statewide office received at least 1% of the total votes cast for that  
17 office and, if the last general election was also a presidential election, every  
18 recognized political party listed on the ballot at that election whose candidate for  
19 president received at least 1% of the total vote cast for that office shall have a  
20 separate primary ballot or one or more separate columns or rows on the primary  
21 ballot as prescribed in par. (a) and a separate column on the general election ballot  
22 in every ward and election district. An organization which was listed as  
23 “independent” at the last general election and whose candidate meets the same  
24 qualification shall receive the same ballot status upon petition of the chairperson  
25 and secretary of the organization to the board requesting such status and specifying



1 their party name, which may not duplicate the name of an existing party. A petition  
2 under this subdivision may be filed no later than 5 p.m. on ~~June~~ May 1 in the year  
3 of each general election.

4 2. Subdivision 1. applies to a party within any assembly district or county at  
5 any ~~September~~ partisan primary election only if at least one candidate of the party  
6 for any national, state or county office qualifies to have his or her name appear on  
7 the ballot under the name of that party within that assembly district or county. The  
8 county clerk or county board of election commissioners shall provide a combined  
9 separate ballot or one or more separate columns or rows on the ballot that will permit  
10 an elector to cast a vote for a write-in candidate for the nomination of any such party  
11 for each national, state and county office whenever that party qualifies to be  
12 represented on a separate primary ballot or in one or more separate columns or rows  
13 under subd. 1. but does not qualify under this subdivision. The ballot shall include  
14 the name of each party qualifying for a separate ballot or one or more separate  
15 columns or rows on the ballot under each office, with the names of the candidates for  
16 each such party appearing in the same order in which the ballots of the parties would  
17 appear under par. (a).

18 **SECTION 9.** 5.62 (2) of the statutes is amended to read:

19 5.62 (2) (a) Except as provided in par. (b) and s. 5.64 (1) (e) 2., any political  
20 organization may be represented on a separate primary ballot or in one or more  
21 separate columns or rows on the primary ballot as prescribed in sub. (1) (a) and in  
22 a separate column on the general election ballot in every ward and election district.  
23 To qualify for a separate ballot under this paragraph, the political organization shall,  
24 not later than 5 p.m. on ~~June~~ May 1 in the year of the ~~September~~ partisan primary,  
25 file with the board a petition requesting separate ballot status. The petition shall

1 be signed by at least 10,000 electors, including at least 1,000 electors residing in each  
2 of at least 3 separate congressional districts. The petition shall conform to the  
3 requirements of s. 8.40. No signature obtained before January 1 in the year of filing  
4 is valid. When the candidates of a political organization filing a valid petition fulfill  
5 the requirements prescribed by law, they shall appear on a separate ballot or one or  
6 more separate columns or rows on the ballot for the period ending with the following  
7 general election.

8 (b) Paragraph (a) applies to a party within any assembly district or county at  
9 any ~~September~~ partisan primary election only if at least one candidate of the party  
10 for any national, state or county office qualifies to have his or her name appear on  
11 the ballot under the name of that party within that assembly district or county. The  
12 county clerk or county board of election commissioners shall provide a combined  
13 separate ballot or one or more separate columns or rows on the ballot that will permit  
14 an elector to cast a vote for a write-in candidate for the nomination of any such party  
15 for each national, state and county office whenever that party qualifies to be  
16 represented on a separate primary ballot or in one or more separate columns or rows  
17 under par. (a) but does not qualify under this paragraph. The ballot shall include the  
18 name of each party qualifying for a separate ballot or one or more separate columns  
19 or rows on the ballot under each office, with the names of the candidates for each such  
20 party appearing in the same order in which the ballots of the parties would appear  
21 under sub. (1) (a).

22 **SECTION 10.** 5.62 (3) of the statutes is amended to read:

23 5.62 (3) The board shall designate the official primary ballot arrangement for  
24 statewide offices and district attorney within each prosecutorial district by using the  
25 same procedure as provided in s. 5.60 (1) (b). On each ballot and on each separate

1 column or row on the ballot, the candidates for office shall be listed together with the  
2 offices which they seek in the following order whenever these offices appear on the  
3 ~~September~~ partisan primary ballot: governor, lieutenant governor, attorney general,  
4 secretary of state, state treasurer, U.S. senator, U.S. representative in congress,  
5 state senator, representative to the assembly, district attorney and the county offices.  
6 Below the names of the independent candidates shall appear the party or principle  
7 of the candidates, if any, in 5 words or less, as shown on their nomination papers.

8 **SECTION 11.** 5.62 (5) of the statutes is amended to read:

9 5.62 (5) At the ~~September~~ partisan primary, an elector may vote for the  
10 candidates of only one party, or the elector may vote for any of the independent  
11 candidates for state office listed; but the elector may not vote for more than one  
12 candidate for a single office. A space shall be provided on the ballot for an elector to  
13 write in the name of his or her choice as a party candidate for any office, including  
14 a party candidate of a party whose name appears on the ballot, column or row  
15 designated for independent candidates, as provided in sub. (1) (b) or (2) (b), but no  
16 space shall be provided to write in the names of independent candidates.

17 **SECTION 12.** 6.22 (2) (e) of the statutes is created to read:

18 6.22 (2) (e) A military elector may file an application for an absentee ballot by  
19 means of electronic mail or facsimile transmission in the manner prescribed in s. 6.86  
20 (1) (ac). Upon receipt of a valid application, the municipal clerk shall send the elector  
21 an absentee ballot or, if the elector is a military elector, as defined in s. 6.34 (1) (a),  
22 and the elector so requests, shall transmit an absentee ballot to the elector by means  
23 of electronic mail or facsimile transmission in the manner prescribed in s. 6.87 (3)  
24 (d).

25 **SECTION 13.** 6.22 (4) (a) of the statutes is amended to read:

1           6.22 (4) (a) ~~A request for an absentee ballot by an individual who qualifies as~~  
2 ~~a military elector shall be treated as a request for an absentee ballot for all elections.~~  
3 Upon receiving a timely request for an absentee ballot under par. (b) by an individual  
4 who qualifies as a military elector, the municipal clerk shall send or, if the individual  
5 is a military elector as defined in s. 6.34 (1) (a), shall transmit to the elector upon the  
6 elector's request an absentee ballot for all elections that occur in the municipality or  
7 portion thereof where the elector resides ~~beginning on the date that the clerk receives~~  
8 ~~the request~~ in the same calendar year in which the request is received, unless the  
9 individual otherwise requests.

10           **SECTION 14.** 6.22 (4) (c) of the statutes is amended to read:

11           6.22 (4) (c) A military elector may indicate an alternate address on his or her  
12 absentee ballot application. If the elector's ballot is returned as undeliverable prior  
13 to the deadline for return of absentee ballots under s. 6.87 (6), and the elector remains  
14 eligible to receive absentee ballots under this section, the municipal clerk shall  
15 immediately send or, if the elector is a military elector as defined in s. 6.34 (1) (a),  
16 transmit an absentee ballot to the elector at the alternate address.

17           **SECTION 15.** 6.22 (4) (e) of the statutes is amended to read:

18           6.22 (4) (e) Whenever the material is mailed, the material shall be prepared  
19 and mailed to make use of the federal free postage laws. If the material does not  
20 qualify for mailing without postage under federal free postage laws, the municipal  
21 clerk shall pay the postage required for mailing to the military elector. If the return  
22 envelope qualifies for mailing free of postage under federal free postage laws, the  
23 clerk shall affix the appropriate legend required by U.S. postal regulations.  
24 Otherwise the municipal clerk shall pay the postage required for return when the  
25 ballot is mailed from within the United States. If the ballot is not mailed by the

1 military elector from within the United States the military elector shall provide  
2 return postage. ~~The mailing list established under this subsection shall be kept~~  
3 ~~current in the same manner as provided in s. 6.86 (2) (b).~~

4 **SECTION 16.** 6.22 (4) (f) of the statutes is amended to read:

5 6.22 (4) (f) ~~If there occur 2 successive general elections at which a military~~  
6 ~~elector fails to return an absentee ballot sent or transmitted to the elector under par.~~  
7 ~~(a) and the elector has not cast an absentee ballot at any intervening election, if the~~  
8 ~~municipal clerk is reliably informed that the elector~~ an individual who requests an  
9 absentee ballot under this section is no longer a military elector or no longer resides  
10 in the municipality, or if the elector so requests, the clerk shall discontinue sending  
11 or transmitting absentee ballots to the elector under this subsection. If a military  
12 elector who has requested an absentee ballot changes his or her residence from the  
13 municipality where a request is filed to another municipality in this state, the  
14 municipal clerk of the municipality who received the request shall notify the clerk  
15 of the municipality to which the elector's residence is changed of the date of the  
16 request ~~or the latest renewal under par. (g) and the date of the most recent absentee~~  
17 ~~ballot received by the clerk.~~ The municipal clerk who is so notified shall treat the  
18 request as having been made to him or her.

19 **SECTION 17.** 6.22 (4) (g) of the statutes is repealed.

20 **SECTION 18.** 6.22 (5) of the statutes is amended to read:

21 6.22 (5) VOTING PROCEDURE. Except as provided in s. ~~6.221~~ 7.515 and as  
22 authorized in s. 6.25, the ballot shall be marked and returned, deposited and  
23 recorded in the same manner as other absentee ballots. In addition, the certification  
24 under s. 6.87 (2) shall have a statement of the elector's birth date. Failure to return

1 any unused ballots in a primary election does not invalidate the ballot on which the  
2 elector casts his or her votes.

3 **SECTION 19.** 6.22 (6) of the statutes is amended to read:

4 6.22 (6) **MILITARY ELECTOR LIST.** Each municipal clerk shall keep an up-to-date  
5 list of all eligible military electors who reside in the municipality; ~~city clerks shall~~  
6 ~~keep the lists by wards~~ in the format prescribed by the board. The list shall contain  
7 the name, latest-known military residence and military mailing address of each  
8 military elector. The list shall indicate whether each elector whose name appears on  
9 the list is a military elector, as defined in s. ~~6.36 (2) (e)~~ 6.34 (1), and has so certified  
10 under s. 6.865 (3m). All persons over 18 years of age or who will be 18 years old prior  
11 to an election shall be listed and remain on the list for the duration of their tour of  
12 duty. The list shall be kept current through all possible means. Each clerk shall  
13 exercise reasonable care to avoid duplication of names or listing anyone who is not  
14 eligible to vote. Each clerk shall distribute ~~2 copies of~~ one copy of the list to the  
15 appropriate ward each polling place in the municipality for use on election day.

16 **SECTION 20.** 6.221 (title) of the statutes is renumbered 7.515 (title) and  
17 amended to read:

18 **7.515 (title) Counting of certain absentee ballots for ~~certain military~~**  
19 **~~electors; September primary and general election received after election~~**  
20 **day.**

21 **SECTION 21.** 6.221 (1) of the statutes is repealed.

22 **SECTION 22.** 6.221 (2) of the statutes is renumbered 7.515 (2) and amended to  
23 read:

24 7.515 (2) Each certificate envelope that is mailed ~~or transmitted to a military~~  
25 an absentee elector and each certificate envelope that is transmitted to a military or

1 overseas elector under s. 6.87 (3) (d) under this section shall be clearly labeled as  
2 “Cast by ~~a military~~ an absentee elector under s. ~~6.221~~ 7.515, Wis. Stats., and may  
3 be eligible to be counted after election day.”

4 **SECTION 23.** 6.221 (3) (a) of the statutes is renumbered 7.515 (3) and amended  
5 to read:

6 7.515 (3) ~~At the September primary, a~~ A ballot that is cast under s. ~~6.22~~ by an  
7 absentee elector ~~who is a military elector~~, that is received by mail from the U. S.  
8 postal service, and that is postmarked no later than election day shall be counted as  
9 provided in this section if it is received by a municipal clerk no later than ~~5~~ 4 p.m.  
10 on the ~~7th day~~ Friday after the election.

11 **SECTION 24.** 6.221 (3) (b) of the statutes is repealed.

12 **SECTION 25.** 6.221 (4) of the statutes is renumbered 7.515 (4).

13 **SECTION 26.** 6.221 (5) of the statutes is renumbered 7.515 (5) and amended to  
14 read:

15 7.515 (5) No later than the closing hour of the polls on the day of the ~~September~~  
16 ~~primary and the day of the general~~ each election, the municipal clerk of each  
17 municipality shall post at his or her office and on the Internet at a site announced  
18 by the clerk before the polls open, and shall make available to any person upon  
19 request, a statement of the number of absentee ballots that the clerk has mailed or  
20 transmitted to ~~military~~ absentee electors under this section and that have not been  
21 returned to the polling places where the electors reside by the closing hour on election  
22 day. The posting shall not include the names or addresses of any ~~military~~ absentee  
23 electors.

24 **SECTION 27.** 6.221 (6) of the statutes is renumbered 7.515 (6) and amended to  
25 read:

1           7.515 (6) (a) Whenever the municipal clerk of any municipality receives an  
2 absentee ballot cast by an absentee elector ~~who is a military elector~~ under this section  
3 and the ballot is not received in sufficient time for delivery to the polling place serving  
4 the residence of the elector on election day but is received within the time specified  
5 in sub. (3), the clerk shall promptly provide written notice to the board of canvassers  
6 of each municipality, special purpose district, and county that is responsible for  
7 canvassing the election of the number of such ballots that have been east received  
8 by the clerk in each ward or election district.

9           (b) Whenever a board of canvassers receives notification from a municipal clerk  
10 under par. (a), the board of canvassers shall reconvene no later than 9 a.m. on the  
11 day after the last day permitted for acceptance of absentee ballots under sub. (3) and  
12 shall proceed to open and record the names of the ~~military~~ absentee electors whose  
13 ballots have been received. If the ballot cast by ~~a military~~ an absentee elector is  
14 otherwise valid, the board of canvassers shall count the ballot and adjust the  
15 statements, certifications, and determinations accordingly. If the municipal clerk  
16 transmits returns of the election to the county clerk, the municipal clerk shall  
17 transmit to the county clerk a copy of the amended returns together with all  
18 additional ballots and envelopes reviewed by the board of canvassers and with  
19 amended tally sheets.

20           **SECTION 28.** 6.24 (1) of the statutes is amended to read:

21           6.24 (1) DEFINITION. In this section, except as otherwise provided, “overseas  
22 elector” means a U.S. citizen who is not disqualified from voting under s. 6.03, who  
23 has attained or will attain the age of 18 by the date of an election at which the citizen  
24 proposes to vote and who does not qualify as a resident of this state under s. 6.10, but  
25 who was last domiciled in this state or whose parent was last domiciled in this state



1 immediately prior to the parent's departure from the United States, and who is not  
2 registered to vote or voting in any other state, territory or possession.

3 **SECTION 29.** 6.24 (2) of the statutes is amended to read:

4 6.24 (2) ELIGIBILITY. An overseas elector under sub. (1) may vote in any election  
5 for national office, including the ~~September~~ partisan primary and presidential  
6 preference primary and any special primary or election. Such elector may not vote  
7 in an election for state or local office. An overseas elector shall vote in the ward or  
8 election district in which the elector was last domiciled or in which the elector's  
9 parent was last domiciled prior to departure from the United States.

10 **SECTION 30.** 6.24 (4) (c) of the statutes, as affected by 2011 Wisconsin Act 23,  
11 is amended to read:

12 6.24 (4) (c) Upon receipt of a timely application from an individual who  
13 qualifies as an overseas elector and who has registered to vote in a municipality  
14 under sub. (3), the municipal clerk of the municipality shall send ~~or transmit, or if~~  
15 the individual is an overseas elector, as defined in s. 6.34 (1) (b), shall transmit an  
16 absentee ballot to the individual upon the individual's request for all subsequent  
17 elections for national office to be held during the year in which the ballot is requested,  
18 except as otherwise provided in this paragraph, unless the individual otherwise  
19 requests or until the individual no longer qualifies as an overseas elector. of the  
20 municipality. The clerk shall not send an absentee ballot for an election if the  
21 overseas elector's name appeared on the registration list in eligible status for a  
22 previous election following the date of the application but no longer appears on the  
23 list in eligible status. The municipal clerk shall ensure that the envelope containing  
24 the absentee ballot is clearly marked as not forwardable. If an overseas elector who

1 files an application under this subsection no longer resides at the same address that  
2 is indicated on the application form, the elector shall so notify the municipal clerk.

3 **SECTION 31.** 6.24 (4) (e) of the statutes is created to read:

4 6.24 (4) (e) An overseas elector may file an application for an absentee ballot  
5 by means of electronic mail or facsimile transmission in the manner prescribed in s.  
6 6.86 (1) (ac). Upon receipt of a valid application, the municipal clerk shall send the  
7 elector an absentee ballot or, if the elector is an overseas elector, as defined in s. 6.34  
8 (1) (b) and the elector so requests, shall transmit an absentee ballot to the elector by  
9 means of electronic mail or facsimile transmission in the manner prescribed in s. 6.87  
10 (3) (d).

11 **SECTION 32.** 6.25 (1) of the statutes is renumbered 6.25 (1) (a) and amended to  
12 read:

13 6.25 (1) (a) Any individual who qualifies as a military elector under s. 6.22 (1)  
14 (b) ~~or an overseas elector under s. 6.24 (1)~~ and who transmits an application for an  
15 official absentee ballot for ~~a general election~~ any election, including a primary  
16 election, no later than ~~30 days before election day~~ the latest time specified for the  
17 elector in s. 6.86 (1) (b) may, in lieu of the official ballot, cast a federal write-in  
18 absentee ballot prescribed under 42 USC 1973ff-2 for any candidate for an office  
19 listed on the official ballot or for all of the candidates of any recognized political party  
20 ~~for national office~~ the offices listed on the official ballot at ~~the general~~ that election  
21 if the federal write-in absentee ballot is received by the appropriate municipal clerk  
22 no later than the applicable time prescribed in s. 6.221 (3) or 6.87 (6).

23 **SECTION 33.** 6.25 (1) (b) of the statutes is created to read:

24 6.25 (1) (b) Any individual who qualifies as an overseas elector under s. 6.24  
25 (1) and who transmits an application for an official absentee ballot for an election for

1 national office, including a primary election, no later than the latest time specified  
2 for an elector in s. 6.86 (1) (b) may, in lieu of the official ballot, cast a federal write-in  
3 absentee ballot prescribed under 42 USC 1973ff-2 for any candidate or for all  
4 candidates of any recognized political party for national office listed on the official  
5 ballot at that election, if the federal write-in absentee ballot is received by the  
6 appropriate municipal clerk no later than the applicable time prescribed in s. 6.221  
7 (3) or 6.87 (6).

8 **SECTION 34.** 6.25 (1) (c) of the statutes is created to read:

9 6.25 (1) (c) A completed and signed federal write-in absentee ballot submitted  
10 by a qualified elector under par. (a) serves as an application for an absentee ballot  
11 and need not be accompanied by a separate application.

12 **SECTION 35.** 6.25 (2) of the statutes is repealed.

13 **SECTION 36.** 6.25 (3) of the statutes is repealed.

14 **SECTION 37.** 6.25 (4) (intro.), (a) and (b) of the statutes are consolidated,  
15 renumbered 6.25 (4) and amended to read:

16 6.25 (4) A write-in absentee ballot issued under sub. (1), ~~(2) or (3)~~ is valid only  
17 if all of the following apply: ~~(a) The ballot is submitted from a location outside the~~  
18 ~~United States. (b) The the elector submitting the ballot does not submit an official~~  
19 ~~ballot within the time prescribed in s. 6.87 (6) and, if the elector is an overseas elector,~~  
20 ~~the elector resides outside the United States.~~

21 **SECTION 38.** 6.36 (1) (a) of the statutes is amended to read:

22 6.36 (1) (a) The board shall compile and maintain electronically an official  
23 registration list. The list shall contain the name and address of each registered  
24 elector in the state, the date of birth of the elector, the ward and aldermanic district  
25 of the elector, if any, and, for each elector, a unique registration identification number

1 assigned by the board, the number of a valid operator's license issued to the elector  
2 under ch. 343, if any, or the last 4 digits of the elector's social security account  
3 number, if any, any identification serial number issued to the elector under s. 6.47  
4 (3), the date of any election in which the elector votes, ~~an indication of whether the~~  
5 ~~elector is a military elector, as defined in sub. (2) (c) who has so certified under s.~~  
6 ~~6.865 (3m),~~ an indication of whether the elector is an overseas elector, as defined in  
7 s. 6.24 (1), any information relating to the elector that appears on the current list  
8 transmitted to the board by the department of corrections under s. 301.03 (20m), an  
9 indication of any accommodation required under s. 5.25 (4) (a) to permit voting by  
10 the elector, an indication of the method by which the elector's registration form was  
11 received, and such other information as may be determined by the board to facilitate  
12 administration of elector registration requirements.

13 **SECTION 39.** 6.50 (8) of the statutes is amended to read:

14 6.50 (8) Any municipal governing body may direct the municipal clerk or board  
15 of election commissioners to arrange with the U.S. postal service pursuant to  
16 applicable federal regulations, to receive change of address information with respect  
17 to individuals residing within the municipality for revision of the elector registration  
18 list. If required by the U.S. postal service, the governing body may create a  
19 registration commission consisting of the municipal clerk or executive director of the  
20 board of election commissioners and 2 other electors of the municipality appointed  
21 by the clerk or executive director for the purpose of making application for address  
22 changes and processing the information received. The municipal clerk or executive  
23 director shall act as chairperson of the commission. Any authorization under this  
24 subsection shall be for a definite period or until the municipal governing body  
25 otherwise determines. The procedure shall apply uniformly to the entire

1 municipality whenever used. The procedure shall provide for receipt of complete  
2 change of address information on an automatic basis, or not less often than once  
3 every 2 years during the 60 days preceding the close of registration for the ~~September~~  
4 partisan primary. If a municipality adopts the procedure for obtaining address  
5 corrections under this subsection, it need not comply with the procedure for mailing  
6 address verification cards under subs. (1) and (2).

7 **SECTION 40.** 6.86 (1) (a) (intro.) of the statutes is amended to read:

8 6.86 (1) (a) (intro.) Any elector of a municipality who is registered to vote  
9 whenever required and who qualifies under ss. 6.20 and 6.85 as an absent elector  
10 may make written application to the municipal clerk of that municipality for an  
11 official ballot by one of the following methods:

12 **SECTION 41.** 6.86 (1) (a) 3. of the statutes is amended to read:

13 6.86 (1) (a) 3. By signing a statement and filing a request to receive absentee  
14 ballots under sub. (2) or (2m) (a) or s. 6.22 (4), 6.24 (4), or 6.25 (1) (c).

15 **SECTION 42.** 6.86 (1) (ac) of the statutes is amended to read:

16 6.86 (1) (ac) Any elector qualifying under par. (a) may make written application  
17 to the municipal clerk for an official ballot by means of facsimile transmission or  
18 electronic mail. Any application under this paragraph shall need not contain a copy  
19 of the applicant's original signature. An elector requesting a ballot under this  
20 paragraph shall return with the voted ballot a copy of the request bearing an original  
21 signature of the elector as provided in s. 6.87 (4).

22 **SECTION 43.** 6.86 (1) (b) of the statutes, as affected by 2011 Wisconsin Act 23,  
23 is amended to read:

24 6.86 (1) (b) Except as provided in this section, if application is made by mail,  
25 the application shall be received no later than 5 p.m. on the 5th day immediately

1 preceding the election. If application is made in person, the application shall be  
2 made no earlier than the opening of business on the 3rd Monday preceding the  
3 election and no later than 5 p.m. or the close of business, whichever is later, on the  
4 Friday preceding the election. Except as provided in par. (c), if the elector is making  
5 written application for an absentee ballot at the September partisan primary or, the  
6 general election, the presidential preference primary, or a special election for  
7 national office, and the application indicates that the elector is a military elector, as  
8 defined in s. 6.34 (1), the application shall be received by the municipal clerk no later  
9 than 5 p.m. on election day. If the application indicates that the reason for requesting  
10 an absentee ballot is that the elector is a sequestered juror, the application shall be  
11 received no later than 5 p.m. on election day. If the application is received after 5 p.m.  
12 on the Friday immediately preceding the election, the municipal clerk or the clerk's  
13 agent shall immediately take the ballot to the court in which the elector is serving  
14 as a juror and deposit it with the judge. The judge shall recess court, as soon as  
15 convenient, and give the elector the ballot. The judge shall then witness the voting  
16 procedure as provided in s. 6.87 and shall deliver the ballot to the clerk or agent of  
17 the clerk who shall deliver it to the polling place or, in municipalities where absentee  
18 ballots are canvassed under s. 7.52, to the municipal clerk as required in s. 6.88. If  
19 application is made under sub. (2) or (2m), the application may be received no later  
20 than 5 p.m. on the Friday immediately preceding the election.

21 **SECTION 44.** 6.865 (title) of the statutes is amended to read:

22 **6.865** (title) **Federal absentee ballot requests ballots.**

23 **SECTION 45.** 6.865 (3) of the statutes is repealed.

24 **SECTION 46.** 6.865 (3m) (a) of the statutes is repealed.

1           **SECTION 47.** 6.865 (3m) (b) of the statutes is renumbered 6.865 (3m) and  
2 amended to read:

3           **6.865 (3m)** A military elector may indicate an alternate address on his or her  
4 absentee ballot application. If the elector's ballot is returned as undeliverable prior  
5 to the deadline for receipt and return of absentee ballots under ~~sub. (3)~~ s. 6.87 (6) and  
6 the elector remains eligible to receive absentee ballots under this subsection, the  
7 municipal clerk shall immediately send or transmit an absentee ballot to the elector  
8 at the alternate address.

9           **SECTION 48.** 6.865 (3m) (c) of the statutes is repealed.

10          **SECTION 49.** 6.869 of the statutes, as affected by 2011 Wisconsin Act 23, is  
11 amended to read:

12          **6.869 Uniform instructions.** The board shall prescribe uniform instructions  
13 for municipalities to provide to absentee electors. The instructions shall include the  
14 specific means of electronic communication that an absentee elector may use to file  
15 an application for an absentee ballot and, if the absentee elector is required to  
16 register, to request a registration form or change his or her registration. The  
17 instructions shall include information concerning whether proof of identification is  
18 required to be presented or enclosed under s. 6.86 (1) (ar) or 6.87 (4) (b) 1. The  
19 instructions shall also include information concerning the procedure for correcting  
20 errors in marking a ballot and obtaining a replacement for a spoiled ballot. The  
21 procedure shall, to the extent possible, respect the privacy of each elector and  
22 preserve the confidentiality of each elector's vote.

23          **SECTION 50.** 6.87 (3) (d) of the statutes, as affected by 2011 Wisconsin Act 23,  
24 is amended to read:

1           6.87 (3) (d) A municipal clerk shall, if the clerk is reliably informed by ~~an absent~~  
2 ~~elector~~ a military elector, as defined in s. 6.34 (1) (a), or an overseas elector, as defined  
3 in s. 6.34 (1) (b), of a facsimile transmission number or electronic mail address where  
4 the elector can receive an absentee ballot, transmit a facsimile or electronic copy of  
5 the ~~absent~~ elector's ballot to that elector in lieu of mailing under this subsection. An  
6 elector may receive an absentee ballot only if the elector is a military elector or an  
7 overseas elector under s. 6.34 (1) and has filed a valid application for the ballot ~~under~~  
8 as provided in s. 6.86 (1). If the clerk transmits an absentee ballot to ~~an absentee a~~  
9 military or overseas elector electronically, the clerk shall also transmit a facsimile  
10 or electronic copy of the text of the material that appears on the certificate envelope  
11 prescribed in sub. (2), together with instructions prescribed by the board. The  
12 instructions shall require the ~~absent~~ military or overseas elector to make and  
13 subscribe to the certification as required under sub. (4) (b) and to enclose the  
14 absentee ballot in a separate envelope contained within a larger envelope, that shall  
15 include the completed certificate. The elector shall then affix sufficient postage  
16 unless the absentee ballot qualifies for mailing free of postage under federal free  
17 postage laws and shall mail the absentee ballot to the municipal clerk. Except as  
18 authorized in s. 6.97 (2), an absentee ballot received from ~~an~~ a military or overseas  
19 elector who receives the ballot electronically shall not be counted unless it is cast in  
20 the manner prescribed in this paragraph and in accordance with the instructions  
21 provided by the board.

22           **SECTION 51.** 6.87 (6) of the statutes, as affected by 2011 Wisconsin Act 23, is  
23 amended to read:

24           6.87 (6) Except as provided in s. ~~6.221~~ 7.515 (3), the ballot shall be returned  
25 so it is received by the municipal clerk no later than 8 p.m. on election day. Except



1 in municipalities where absentee ballots are canvassed under s. 7.52, if the  
2 municipal clerk receives an absentee ballot on election day, the clerk shall secure the  
3 ballot and cause the ballot to be delivered to the polling place serving the elector's  
4 residence before the closing hour. Except as provided in s. ~~6.221~~ 7.515 (3), any ballot  
5 not mailed or delivered as provided in this subsection may not be counted.

6 **SECTION 52.** 6.875 (3) of the statutes, as affected by 2011 Wisconsin Act 23, is  
7 amended to read:

8 6.875 (3) An occupant of a nursing home or qualified retirement home,  
9 qualified community-based residential facility, qualified residential care apartment  
10 complex, or qualified adult family who who qualifies as an absent elector and desires  
11 to receive an absentee ballot shall make application under s. 6.86 (1), (2), or (2m) with  
12 the municipal clerk or board of election commissioners of the municipality in which  
13 the elector is a resident. The clerk or board of election commissioners of a  
14 municipality receiving an application from an elector who is an occupant of a nursing  
15 home or qualified retirement home, qualified community-based residential facility,  
16 qualified residential car apartment complex, or qualified adult family home located  
17 in a different municipality shall, as soon as possible, notify and ~~transmit~~ send an  
18 absentee ballot for the elector to the clerk or board of election commissioners of the  
19 municipality in which the home, facility, or complex is located. The clerk or board  
20 of election commissioners of a municipality receiving an application from an elector  
21 who is an occupant of a nursing home or qualified retirement home, qualified  
22 community-based residential facility, qualified residential care apartment complex,  
23 or qualified adult family home located in the municipality but who is a resident of  
24 a different municipality shall, as soon as possible, notify and request ~~transmission~~  
25 of an absentee ballot from the clerk or board of election commissioners of the

1 municipality in which the elector is a resident. The clerk or board of election  
2 commissioners shall make a record of all absentee ballots to be transmitted sent,  
3 delivered, and voted under this section.

4 **SECTION 53.** 6.88 (1) of the statutes is amended to read:

5 6.88 (1) When an absentee ballot arrives at the office of the municipal clerk,  
6 or at an alternate site under s. 6.855, if applicable, the clerk shall enclose it,  
7 unopened, in a carrier envelope which shall be securely sealed and endorsed with the  
8 name and official title of the clerk, and the words “This envelope contains the ballot  
9 of an absent elector and must be opened in the same room where votes are being cast  
10 at the polls during polling hours on election day or, in municipalities where absentee  
11 ballots are canvassed under s. 7.52, stats., at a meeting of the municipal board of  
12 absentee ballot canvassers under s. 7.52, stats.”. If the elector is a military elector,  
13 as defined in s. 6.34 (1) (a), or an overseas elector, as defined in s. 6.34 (1) (b), and the  
14 ballot was received by the elector by facsimile transmission or electronic mail and is  
15 accompanied by a separate certificate, the clerk shall enclose the ballot in a  
16 certificate envelope and securely append the completed certificate to the outside of  
17 the envelope before enclosing the ballot in the carrier envelope. The clerk shall keep  
18 the ballot in the clerk’s office or at the alternate site, if applicable until delivered, as  
19 required in sub. (2).

20 **SECTION 54.** 6.88 (3) (b) of the statutes is amended to read:

21 6.88 (3) (b) When the inspectors find that a certification is insufficient, that the  
22 applicant is not a qualified elector in the ward or election district, that the ballot  
23 envelope is open or has been opened and resealed, that the ballot envelope contains  
24 more than one ballot of any one kind or, except in municipalities where absentee  
25 ballots are canvassed under s. 7.52, that the certificate of ~~an~~ a military or overseas

1 elector who received an absentee ballot by facsimile transmission or electronic mail  
2 is missing, or if proof is submitted to the inspectors that an elector voting an absentee  
3 ballot has since died, the inspectors shall not count the ballot. The inspectors shall  
4 endorse every ballot not counted on the back, "rejected (giving the reason)". The  
5 inspectors shall reinsert each rejected ballot into the certificate envelope in which  
6 it was delivered and enclose the certificate envelopes and ballots, and securely seal  
7 the ballots and envelopes in an envelope marked for rejected absentee ballots. The  
8 inspectors shall endorse the envelope, "rejected ballots" with a statement of the ward  
9 or election district and date of the election, signed by the chief inspector and one of  
10 the inspectors representing each of the 2 major political parties and returned to the  
11 municipal clerk in the same manner as official ballots voted at the election.

12 **SECTION 55.** 7.08 (2) (b) of the statutes is amended to read:

13 7.08 (2) (b) The certified list of candidates for president and vice president  
14 nominated at a national convention by a party entitled to a ~~September~~ partisan  
15 primary ballot or for whom electors have been nominated under s. 8.20 shall be sent  
16 as soon as possible after the closing date for filing nomination papers, but no later  
17 than the deadlines established in s. 10.06.

18 **SECTION 56.** 7.08 (2) (c) of the statutes is amended to read:

19 7.08 (2) (c) As soon as possible after the canvass of the spring and ~~September~~  
20 partisan primary votes, but no later than the first Tuesday in March and the 4th  
21 Tuesday in ~~September~~ August, transmit to the state treasurer a certified list of all  
22 eligible candidates for state office who have filed applications under s. 11.50 (2) and  
23 whom the board determines to be eligible to receive payments from the Wisconsin  
24 election campaign fund. The list shall contain each candidate's name, the mailing

1 address indicated upon the candidate's registration form, the office for which the  
2 individual is a candidate and the party or principle which he or she represents, if any.

3 **SECTION 57.** 7.10 (3) (a) of the statutes is amended to read:

4 7.10 (3) (a) The county clerk shall distribute the ballots to the municipal clerks  
5 no later than ~~31~~ 48 days before each ~~September~~ partisan primary and general  
6 election and no later than 22 days before each other primary and election. Election  
7 forms prepared by the board shall be distributed at the same time. If the board  
8 transmits an amended certification under s. 7.08 (2) (a) or if the board or a court  
9 orders a ballot error to be corrected under s. 5.06 (6) or 5.72 (3) after ballots have been  
10 distributed, the county clerk shall distribute corrected ballots to the municipal clerks  
11 as soon as possible.

12 **SECTION 58.** 7.15 (1) (cm) of the statutes, as affected by 2011 Wisconsin Act 23,  
13 is amended to read:

14 7.15 (1) (cm) Prepare official absentee ballots for delivery to electors requesting  
15 them, and send ~~or transmit~~ an official absentee ballot to each elector who has  
16 requested a ballot by mail, and to each military elector, as defined in s. 6.34 (1) (a),  
17 and overseas elector, as defined in s. 6.34 (1) (b), who has requested a ballot by mail,  
18 electronic mail, or facsimile transmission no later than the ~~30th~~ 47th day before each  
19 ~~September~~ partisan primary and general election and no later than the 21st day  
20 before each other primary and election if the request is made before that day;  
21 otherwise, the municipal clerk shall send or transmit an official absentee ballot  
22 within one day of the time the elector's request for such a ballot is received.

23 **SECTION 59.** 7.15 (1) (cs) of the statutes is repealed.

24 **SECTION 60.** 7.15 (1) (j) of the statutes, as affected by 2011 Wisconsin Act 23,  
25 is amended to read:

1           7.15 (1) (j) ~~Send or transmit~~ an absentee ballot automatically to each person  
2           elector and send or transmit an absentee ballot to each military elector, as defined  
3           in s. 6.34 (1) (a), and each overseas elector, as defined in s. 6.34 (1) (b), making an  
4           authorized request therefor in accordance with s. 6.22 (4), 6.24 (4) (c), or 6.86 (2) or  
5           (2m).

6           **SECTION 61.** 7.51 (5) (b) of the statutes is amended to read:

7           7.51 (5) (b) The municipal clerk shall deliver all ballots, statements, tally  
8           sheets, lists, and envelopes relating to a school district election to the school district  
9           clerk by 4 p.m. on the day following each such election. The municipal clerk shall  
10          deliver the ballots, statements, tally sheets, lists, and envelopes for his or her  
11          municipality relating to any county, technical college district, state, or national  
12          election to the county clerk no later than 4 p.m. on the day following each such  
13          election or, in municipalities where absentee ballots are canvassed under s. 7.52, by  
14          4 p.m. on the 2nd day following each such election, and no later than 4 p.m. on the  
15          day after receiving any corrected returns under s. ~~6.221~~ 7.515 (6) (b). The person  
16          delivering the returns shall be paid out of the municipal treasury. Each clerk shall  
17          retain ballots, statements, tally sheets, or envelopes received by the clerk until  
18          destruction is authorized under s. 7.23 (1).

19          **SECTION 62.** 7.52 (3) (b) of the statutes is amended to read:

20          7.52 (3) (b) When the board of absentee ballot canvassers finds that a  
21          certification is insufficient, that the applicant is not a qualified elector in the ward  
22          or election district, that the ballot envelope is open or has been opened and resealed,  
23          that the ballot envelope contains more than one ballot of any one kind, or that the  
24          certificate of an a military or overseas elector who received an absentee ballot by  
25          facsimile transmission or electronic mail is missing, or if proof is submitted to the

1 board of absentee ballot canvassers that an elector voting an absentee ballot has  
2 since died, the board of absentee ballot canvassers shall not count the ballot. Each  
3 member of the board of absentee ballot canvassers shall endorse every ballot not  
4 counted on the back as “rejected (giving the reason).” The board of absentee ballot  
5 canvassers shall reinsert each rejected ballot into the certificate envelope in which  
6 it was delivered and enclose the certificate envelopes and ballots, and securely seal  
7 the ballots and envelopes in an envelope marked for rejected absentee ballots. The  
8 board of absentee ballot canvassers shall endorse the envelope as “rejected ballots,”  
9 with a statement of the ward or election district and date of the election, and each  
10 member of the board of absentee ballot canvassers shall sign the statement. The  
11 board of absentee ballot canvassers shall then return the envelope containing the  
12 ballots to the municipal clerk.

13 **SECTION 63.** 7.60 (5) (a) of the statutes is amended to read:

14 7.60 (5) (a) Immediately following the canvass, the county clerk shall deliver  
15 or send to the government accountability board, by 1st class mail, a certified copy of  
16 each statement of the county board of canvassers for president and vice president,  
17 state officials, senators and representatives in congress, state legislators, justice,  
18 court of appeals judge, circuit judge, district attorney, and metropolitan sewerage  
19 commissioners, if the commissioners are elected under s. 200.09 (11) (am). The  
20 statement shall record the returns for each office or referendum by ward, unless  
21 combined returns are authorized under s. 5.15 (6) (b) in which case the statement  
22 shall record the returns for each group of combined wards. Following primaries the  
23 county clerk shall enclose on forms prescribed by the government accountability  
24 board the names, party or principle designation, if any, and number of votes received  
25 by each candidate recorded in the same manner. The county clerk shall deliver or

1 transmit the certified statement to the government accountability board no later  
2 than 7 days after each primary except the ~~September~~ partisan primary, no later than  
3 10 days after the ~~September~~ partisan primary and any other election except the  
4 general election, and no later than 14 days after the general election. The board of  
5 canvassers shall deliver or transmit a certified copy of each statement for any  
6 technical college district referendum to the secretary of the technical college district  
7 board.

8 **SECTION 64.** 7.70 (3) (a) of the statutes is amended to read:

9 7.70 (3) (a) The chairperson of the board or a designee of the chairperson  
10 appointed by the chairperson to canvass a specific election shall publicly canvass the  
11 returns and make his or her certifications and determinations on or before the 2nd  
12 Tuesday following a spring primary, the 15th day of May following a spring election,  
13 the 3rd Wednesday following a ~~September~~ partisan primary, the first day of  
14 December following a general election, the 2nd Thursday following a special primary,  
15 or within 18 days after any special election.

16 **SECTION 65.** 7.70 (3) (e) 1. of the statutes is amended to read:

17 7.70 (3) (e) 1. After each ~~September~~ partisan primary, the name of each  
18 candidate not defeated in the primary who receives at least 6% of the total vote cast  
19 for all candidates on all ballots at the primary for each separate state office except  
20 district attorney, and the percentage of the total vote received by that candidate.  
21 Such percentage shall be calculated within each district in the case of legislative  
22 candidates.

23 **SECTION 66.** 8.10 (1) of the statutes is amended to read:

24 8.10 (1) Candidates for office to be filled at the spring election shall be  
25 nominated by nomination papers, or by nomination papers and selection at the

1 primary if a primary is held, except as provided for towns and villages under s. 8.05.  
2 Unless designated in this section or s. 8.05, the general provisions pertaining to  
3 nomination at the ~~September~~ partisan primary apply.

4 **SECTION 67.** 8.15 (title) of the statutes is amended to read:

5 **8.15 (title) Nominations for ~~September~~ partisan primary.**

6 **SECTION 68.** 8.15 (1) of the statutes is amended to read:

7 8.15 (1) Nomination papers may be circulated no sooner than ~~June 1~~ April 15  
8 preceding the general election and may be filed no later than 5 p.m. on ~~the 2nd~~  
9 ~~Tuesday of July~~ June 1 preceding the ~~September~~ partisan primary, except as  
10 authorized in this subsection. If an incumbent fails to file nomination papers and  
11 a declaration of candidacy by 5 p.m. on ~~the 2nd Tuesday of July~~ June 1 preceding the  
12 ~~September~~ partisan primary, all candidates for the office held by the incumbent,  
13 other than the incumbent, may file nomination papers no later than 72 hours after  
14 the latest time prescribed in this subsection. No extension of the time for filing  
15 nomination papers applies if the incumbent files written notification with the filing  
16 officer or agency with whom nomination papers are filed for the office which the  
17 incumbent holds, no later than 5 p.m. on the 2nd Friday preceding the latest time  
18 prescribed in this subsection for filing nomination papers, that the incumbent is not  
19 a candidate for reelection to his or her office, and the incumbent does not file  
20 nomination papers for that office within the time prescribed in this subsection. Only  
21 those candidates for whom nomination papers containing the necessary signatures  
22 acquired within the allotted time and filed before the deadline may have their names  
23 appear on the official ~~September~~ partisan primary ballot.

24 **SECTION 69.** 8.16 (1) of the statutes is amended to read:



1           8.16 (1) Except as provided in sub. (2), the person who receives the greatest  
2           number of votes for an office on a party ballot at any partisan primary, regardless of  
3           whether the person's name appears on the ballot, shall be the party's candidate for  
4           the office, and the person's name shall so appear on the official ballot at the next  
5           election. All independent candidates shall appear on the general election ballot  
6           regardless of the number of votes received by such candidates at the ~~September~~  
7           partisan primary.

8           **SECTION 70.** 8.16 (7) of the statutes is amended to read:

9           8.16 (7) Nominees chosen at a national convention and under s. 8.18 (2) by each  
10          party entitled to a ~~September~~ partisan primary ballot shall be the party's candidates  
11          for president, vice president and presidential electors. The state or national  
12          chairperson of each such party shall certify the names of the party's nominees for  
13          president and vice president to the board no later than 5 p.m. on the first Tuesday  
14          in September preceding a presidential election. Each name shall be in one of the  
15          formats authorized in s. 7.08 (2) (a).

16          **SECTION 71.** 8.17 (1) (b) of the statutes is amended to read:

17          8.17 (1) (b) Each political party shall elect one committeeman or  
18          committeewoman from each election district. In this section, each village, each town  
19          and each city is an "election district"; except that in cities having a population of more  
20          than 7,500 which are divided into aldermanic districts, each aldermanic district is  
21          an "election district"; and in cities having a population of more than 7,500 which are  
22          not divided into aldermanic districts and villages or towns having a population of  
23          more than 7,500, each ward or group of combined wards under s. 5.15 (6) (b)  
24          constituting a polling place on ~~June~~ May 1 of the year in which committeemen or  
25          committeewomen are elected is an "election district". To be eligible to serve as its

1       committeeman or committeewoman, an individual shall be, at the time of filing  
2       nomination papers or at the time of appointment under this section, a resident of the  
3       election district which he or she is chosen to represent and shall be at least 18 years  
4       of age.

5               **SECTION 72.** 8.17 (4) of the statutes is amended to read:

6               8.17 (4) The term of office of each committeeman or committeewoman shall end  
7       on the date of the meeting held under sub. (5) (b) following each September partisan  
8       primary.

9               **SECTION 73.** 8.17 (5) (b) of the statutes is amended to read:

10              8.17 (5) (b) A combined meeting of the county committee and members in good  
11       standing of the party in the county shall be held no sooner than 15 days after the  
12       September partisan primary and no later than April 1 of the following year. At this  
13       meeting, the party committeemen or committeewomen and the county committee  
14       offices of chairperson, vice chairperson, secretary and treasurer shall be filled by  
15       election by the incumbent committeemen, committeewomen and other party  
16       members present and voting, each of whom is entitled to one vote. At this meeting,  
17       the county committee shall elect the members of the congressional district committee  
18       as provided in sub. (6) (b), (c) and (d). The secretary of the county committee shall  
19       give at least 7 days' written notice of the meeting to party and committee members.  
20       Individuals elected as county committee officers or as congressional district  
21       committee members may be, but are not required to be, committeemen or  
22       committeewomen. They are required to be party members in good standing. The  
23       terms of committeemen and committeewomen, county committee officers and  
24       congressional district committee members begin during the meeting immediately  
25       upon completion and verification of the voting for each office.

1           **SECTION 74.** 8.19 (3) of the statutes is amended to read:

2           8.19 (3) Every political party entitled, under s. 5.62, to have its candidates on  
3 the ~~September~~ partisan primary and general election ballots has exclusive right to  
4 the use of the name designating it at any election involving political parties. The  
5 board shall not certify nor the county clerk print the name of any person whose  
6 nomination papers indicate a party name comprising a combination of existing party  
7 names, qualifying words, phrases, prefixes or suffixes in connection with any  
8 existing party name.

9           **SECTION 75.** 8.20 (8) (a) of the statutes is amended to read:

10           8.20 (8) (a) Nomination papers for independent candidates for any office to be  
11 voted upon at a general election or ~~September~~ partisan primary and general election,  
12 except president, vice president and presidential elector, may be circulated no sooner  
13 than ~~June 1~~ April 15 preceding the election and may be filed no later than 5 p.m. on  
14 ~~the 2nd Tuesday of July~~ June 1 preceding the ~~September~~ partisan primary, except  
15 as authorized in this paragraph. If an incumbent fails to file nomination papers and  
16 a declaration of candidacy by 5 p.m. on ~~the 2nd Tuesday of July~~ June 1 preceding the  
17 ~~September~~ partisan primary, all candidates for the office held by the incumbent,  
18 other than the incumbent, may file nomination papers no later than 72 hours after  
19 the latest time prescribed in this paragraph. No extension of the time for filing  
20 nomination papers applies if the incumbent files written notification with the filing  
21 officer or agency with whom nomination papers are filed for the office which the  
22 incumbent holds, no later than 5 p.m. on the 2nd Friday preceding the latest time  
23 prescribed in this paragraph for filing nomination papers, that the incumbent is not  
24 a candidate for reelection to his or her office, and the incumbent does not file  
25 nomination papers for that office within the time prescribed in this paragraph.

1           **SECTION 76.** 8.20 (8) (am) of the statutes is amended to read:

2           8.20 (8) (am) Nomination papers for independent candidates for president and  
3 vice president, and the presidential electors designated to represent them, may be  
4 circulated no sooner than ~~August~~ July 1 and may be filed not later than 5 p.m. on the  
5 first Tuesday in ~~September~~ August preceding a presidential election.

6           **SECTION 77.** 8.20 (9) of the statutes is amended to read:

7           8.20 (9) Persons nominated by nomination papers without a recognized  
8 political party designation shall be placed on the official ballot at the general election  
9 and at any partisan election to the right or below the recognized political party  
10 candidates in their own column or row designated "Independent". At the ~~September~~  
11 partisan primary, persons nominated for state office by nomination papers without  
12 a recognized political party designation shall be placed on a separate ballot or, if a  
13 consolidated paper ballot under s. 5.655 (2), an electronic voting system or voting  
14 machines are used, in a column or row designated "Independent". If the candidate's  
15 name already appears under a recognized political party it may not be listed on the  
16 independent ballot, column or row.

17           **SECTION 78.** 8.37 of the statutes is amended to read:

18           **8.37 Filing of referenda petitions or questions.** Unless otherwise required  
19 by law, all proposed constitutional amendments and any other measure or question  
20 that is to be submitted to a vote of the people, or any petitions requesting that a  
21 measure or question be submitted to a vote of the people, if applicable, shall be filed  
22 with the official or agency responsible for preparing the ballots for the election no  
23 later than ~~42~~ 70 days prior to the election at which the amendment, measure or  
24 question will appear on the ballot. No later than the end of the next business day  
25 after a proposed measure is filed with a school district clerk under this section, the

1 clerk shall file a copy of the measure or question with the clerk of each county having  
2 territory within the school district.

3 **SECTION 79.** 8.50 (intro.) of the statutes is amended to read:

4 **8.50 Special elections.** (intro.) Unless otherwise provided, this section  
5 applies to filling vacancies in the U.S. senate and house of representatives, executive  
6 state offices except the offices of governor, lieutenant governor, and district attorney,  
7 judicial and legislative state offices, county, city, village, and town offices, and the  
8 offices of municipal judge and member of the board of school directors in school  
9 districts organized under ch. 119. State legislative offices may be filled in  
10 anticipation of the occurrence of a vacancy whenever authorized in sub. (4) (e). No  
11 special election may be held after February 1 preceding the spring election unless it  
12 is held on the same day as the spring election, nor after ~~September~~ August 1  
13 preceding the general election unless it is held on the same day as the general  
14 election, until the day after that election. If the special election is held on the day  
15 of the general election, the primary for the special election, if any, shall be held on  
16 the day of the ~~September~~ partisan primary. If the special election is held on the day  
17 of the spring election, the primary for the special election, if any, shall be held on the  
18 day of the spring primary.

19 **SECTION 80.** 8.50 (1) (d) of the statutes is amended to read:

20 8.50 (1) (d) When the election concerns a national ~~or state office~~ office or a  
21 special election for state office is held concurrently with the general election, the  
22 board shall transmit to each county clerk a certified list of all persons for whom  
23 nomination papers have been filed in its office at least 62 days before the special  
24 primary, and in other cases the board shall transmit the list to each county clerk at  
25 least 22 days before the special primary, ~~a certified list of all persons for whom~~

1 nomination papers have been filed in its office. If no primary is required, the list shall  
2 be transmitted at least 42 days prior to the day of the special election unless the  
3 special election concerns a national office or is held concurrently with the general  
4 election, in which case the list shall be transmitted at least 62 days prior to the day  
5 of the special election. Immediately upon receipt of the certified list, the county clerk  
6 shall prepare his or her ballots. For a county special election, the county clerk shall  
7 certify the candidates and prepare the ballots. If there is a primary, the county clerk  
8 shall publish one type B notice in a newspaper under ch. 10. When a primary is held,  
9 as soon as possible after the primary, the county clerk shall certify the candidates and  
10 prepare the ballots for the following special election. The clerk shall publish one type  
11 B notice in a newspaper under ch. 10 for the election.

12 **SECTION 81.** 8.50 (2) of the statutes is amended to read:

13 8.50 (2) DATE OF SPECIAL ELECTION. (a) The date for the special election shall  
14 be not less than 62 nor more than 77 days from the date of the order except when the  
15 special election is held to fill a vacancy in a national office or the special election is  
16 held on the day of the general election or spring election. If a special election is held  
17 concurrently with the spring or general election, the special election may be ordered  
18 not earlier than 92 days prior to the spring primary or September primary,  
19 respectively, and not later than 49 days prior to that primary. If a special election  
20 is held concurrently with the general election or a special election is held to fill a  
21 national office, the special election may be ordered not earlier than 122 days prior  
22 to the partisan primary or special primary, respectively, and not later than 92 days  
23 prior to that primary.

24 (b) If a primary is required, the primary shall be on the day 4 weeks before the  
25 day of the special election except when the special election is held on the same day

1 as the general election the special primary shall be held on the same day as the  
2 September partisan primary or if the special election is held concurrently with the  
3 spring election, the primary shall be held concurrently with the spring primary, and  
4 except when the special election is held on the Tuesday after the first Monday in  
5 November of an odd-numbered year, the primary shall be held on the 2nd Tuesday  
6 of ~~September~~ August in that year.

7 **SECTION 82.** 8.50 (3) (a) of the statutes is amended to read:

8 8.50 (3) (a) Nomination papers may be circulated no sooner than the day the  
9 order for the special election is filed and shall be filed not later than 5 p.m. 28 days  
10 before the day that the special primary will or would be held, if required, except when  
11 a special election is held concurrently with the spring election or general election, the  
12 deadline for filing nomination papers shall be specified in the order and the date shall  
13 be no earlier than the date provided in s. 8.10 (2) (a) or 8.15 (1), respectively, and no  
14 later than 35 days prior to the date of the spring primary or ~~September~~ no later than  
15 June 1 preceding the partisan primary. Nomination papers may be filed in the  
16 manner specified in s. 8.10, 8.15, or 8.20. Each candidate shall file a declaration of  
17 candidacy in the manner provided in s. 8.21 no later than the latest time provided  
18 in the order for filing nomination papers. If a candidate for state or local office has  
19 not filed a registration statement under s. 11.05 at the time he or she files nomination  
20 papers, the candidate shall file the statement with the papers. A candidate for state  
21 office shall also file a statement of economic interests with the board no later than  
22 the end of the 3rd day following the last day for filing nomination papers specified  
23 in the order.

24 **SECTION 83.** 8.50 (3) (b) of the statutes is amended to read:

1           8.50 (3) (b) Except as otherwise provided in this section, the provisions for  
2 ~~September primaries~~ the partisan primary under s. 8.15 are applicable to all  
3 partisan primaries held under this section, and the provisions for spring primaries  
4 under s. 8.10 are applicable to all nonpartisan primaries held under this section. In  
5 a special partisan primary or election, the order of the parties on the ballot shall be  
6 the same as provided under s. 5.62 (1) or 5.64 (1) (b). Independent candidates for  
7 state office at a special partisan election shall not appear on the primary ballot. No  
8 primary is required for a nonpartisan election in which not more than 2 candidates  
9 for an office appear on the ballot or for a partisan election in which not more than one  
10 candidate for an office appears on the ballot of each recognized political party. In  
11 every special election except a special election for nonpartisan state office where no  
12 candidate is certified to appear on the ballot, a space for write-in votes shall be  
13 provided on the ballot, regardless of whether a special primary is held.

14           **SECTION 84.** 8.50 (3) (c) of the statutes is amended to read:

15           8.50 (3) (c) Notwithstanding ss. 5.37 (4), 5.91 (6) and 6.80 (2) (f), whenever a  
16 special partisan primary is held concurrently with the presidential preference  
17 primary, an elector may choose the party column or ballot in which the elector will  
18 cast his or her vote separately for each of the 2 primaries. Whenever 2 or more special  
19 partisan primaries or one or more special partisan primaries and a ~~September~~  
20 partisan primary are held concurrently, the procedure prescribed in ss. 5.37 (4), 5.91  
21 (6) and 6.80 (2) (f) applies.

22           **SECTION 85.** 8.50 (4) (b) of the statutes is amended to read:

23           8.50 (4) (b) A vacancy in the office of U.S. senator or representative in congress  
24 occurring prior to the 2nd Tuesday in ~~May~~ April in the year of the general election  
25 shall be filled at a special primary and election. A vacancy in that office occurring



1 between the 2nd Tuesday in ~~May~~ April and the 2nd Tuesday in ~~July~~ May in the year  
2 of the general election shall be filled at the ~~September~~ partisan primary and general  
3 election.

4 **SECTION 86.** 8.50 (4) (fm) of the statutes is amended to read:

5 8.50 (4) (fm) A permanent vacancy in the office of municipal judge may be filled  
6 by temporary appointment of the municipal governing body, or, if the judge is elected  
7 under s. 755.01 (4), jointly by the governing bodies of all municipalities served by the  
8 judge. The office shall then be permanently filled by special election, which shall be  
9 held concurrently with the next spring election following the occurrence of the  
10 vacancy, except that a vacancy occurring during the period after December 1 and on  
11 or before the date of the spring election shall be filled at the 2nd succeeding spring  
12 election, and except that the governing body of a city or village or, if the judge is  
13 elected under s. 755.01 (4), the governing bodies of the participating cities or villages  
14 may, if the vacancy occurs before ~~June~~ May 1 in the year preceding expiration of the  
15 term of office, order a special election to be held on the Tuesday after the first Monday  
16 in November following the date of the order. A person so elected shall serve for the  
17 residue of the unexpired term.

18 **SECTION 87.** 9.01 (1) (a) 1. of the statutes is amended to read:

19 9.01 (1) (a) 1. Any candidate voted for at any election or any elector who voted  
20 upon any referendum question at any election may petition for a recount. The  
21 petitioner shall file a verified petition or petitions with the proper clerk or body under  
22 par. (ar) not earlier than the time of completion of the canvass and not later than 5  
23 p.m. on the 3rd business day following the last meeting day of the municipal or  
24 county board of canvassers determining the election for that office or on that  
25 referendum question prior to issuance of any amended return under s. ~~6.221~~ 7.515

1 (6) (b) or, if more than one board of canvassers makes the determination, not later  
2 than 5 p.m. on the 3rd business day following the last meeting day of the last board  
3 of canvassers which makes a determination prior to issuance of any amended return  
4 under s. ~~6.221~~ 7.515 (6) (b). If the chairperson of the board or chairperson's designee  
5 makes the determination for the office or the referendum question, the petitioner  
6 shall file the petition not earlier than the last meeting day of the last county board  
7 of canvassers to make a statement in the election or referendum and not later than  
8 5 p.m. on the 3rd business day following the day on which the government  
9 accountability board receives the last statement from a county board of canvassers  
10 for the election or referendum.

11 **SECTION 88.** 9.01 (1) (ag) 1. of the statutes is amended to read:

12 9.01 (1) (ag) 1. If the difference between the votes cast for the leading candidate  
13 and those cast for the petitioner or the difference between the affirmative and  
14 negative votes cast upon any referendum question is less than 10 if 1,000 or less votes  
15 are cast or not more than 0.5% of the total votes cast for the office or on the question  
16 if more than 1,000 votes are cast prior to issuance of any amended return under s.  
17 ~~6.221~~ 7.515 (6) (b), the petitioner is not required to pay a fee.

18 **SECTION 89.** 9.01 (1) (ag) 1m. of the statutes is amended to read:

19 9.01 (1) (ag) 1m. If the difference between the votes cast for the leading  
20 candidate and those cast for the petitioner or the difference between the affirmative  
21 and negative votes cast upon any referendum question is at least 10 if 1,000 or less  
22 votes are cast or is more than 0.5% but not more than 2% if more than 1,000 votes  
23 are cast prior to issuance of any amended return under s. ~~6.221~~ 7.515 (6) (b), the  
24 petitioner shall pay a fee of \$5 for each ward for which the petition requests a ballot

1 recount, or \$5 for each municipality for which the petition requests a recount where  
2 no wards exist.

3 **SECTION 90.** 9.01 (1) (ag) 2. of the statutes is amended to read:

4 9.01 (1) (ag) 2. If the difference between the votes cast for the leading candidate  
5 and those cast for the petitioner or the difference between the affirmative and  
6 negative votes cast upon any referendum question is more than 2% if more than  
7 1,000 votes are cast prior to issuance of any amended return under s. ~~6.221~~ 7.515 (6)  
8 (b), the petitioner shall pay a fee equal to the actual cost of performing the recount  
9 in each ward for which the petition requests a recount, or in each municipality for  
10 which the petition request a recount where no wards exist.

11 **SECTION 91.** 9.01 (1) (b) (intro.) of the statutes is amended to read:

12 9.01 (1) (b) (intro.) The proper board of canvassers shall reconvene no earlier  
13 than 9 a.m. on the day following delivery of notice to all candidates under sub. (2) and  
14 no later than 9 a.m. on the day following the last day for filing of a petition, or if the  
15 original canvass is subject to correction under s. ~~6.221~~ 7.515 (6) (b), immediately after  
16 issuance of the amended statement and determination in the original canvass,  
17 whichever is later. The board of canvassers shall then proceed to recount the ballots  
18 in the wards or municipalities specified and to review the allegations of fact  
19 contained in the petition or petitions. The recount shall proceed for each ward or  
20 municipality as follows:

21 **SECTION 92.** 10.01 (2) (d) of the statutes is amended to read:

22 10.01 (2) (d) Type D—The type D notice shall state the hours the polls will be  
23 open and the polling places to be utilized at the election or shall include a concise  
24 statement of how polling place information may be obtained. In cities over 500,000  
25 population, the board of election commissioners shall determine the form of the

1 notice. In other municipalities and special purpose districts, the clerk of the  
2 municipality or special purpose district shall give the polling place information in the  
3 manner the governing body of the municipality or special purpose district decides  
4 will most effectively inform the electors. The type D notice shall be published by the  
5 municipal clerk or board of election commissioners of each municipality once on the  
6 day before each spring primary and election, each special national, state, county or  
7 municipal election at which the electors of that municipality are entitled to vote and  
8 each September partisan primary and general election. The clerk of each special  
9 purpose district which calls a special election shall publish a type D notice on the day  
10 before the election, and the day before the special primary, if any, except as  
11 authorized in s. 8.55 (3).

12 **SECTION 93.** 10.01 (2) (e) of the statutes is amended to read:

13 10.01 (2) (e) Type E—The type E notice shall state the qualifications for  
14 absentee voting, the procedures for obtaining an absentee ballot in the case of  
15 registered and unregistered voters, the places and the deadlines for application and  
16 return of application, including any alternate site under s. 6.855, and the office hours  
17 during which an elector may cast an absentee ballot in the municipal clerk's office  
18 or at an alternate site under s. 6.855. The municipal clerk shall publish a type E  
19 notice on the 4th Tuesday preceding each spring primary and election, on the 4th  
20 Tuesday preceding each September partisan primary and general election, on the  
21 4th Tuesday preceding the primary for each special national, state, county or  
22 municipal election if any, on the 4th Tuesday preceding a special county or municipal  
23 referendum, and on the 3rd Tuesday preceding each special national, state, county  
24 or municipal election to fill an office which is not held concurrently with the spring  
25 or general election. The clerk of each special purpose district which calls a special

1 election shall publish a type E notice on the 4th Tuesday preceding the primary for  
2 the special election, if any, on the 4th Tuesday preceding a special referendum, and  
3 on the 3rd Tuesday preceding a special election for an office which is not held  
4 concurrently with the spring or general election except as authorized in s. 8.55 (3).

5 **SECTION 94.** 10.02 (3) (b) 2m. of the statutes is amended to read:

6 10.02 (3) (b) 2m. At the ~~September~~ partisan primary, the elector shall select the  
7 party ballot of his or her choice or the ballot containing the names of the independent  
8 candidates for state office, and make a cross ( X ) next to or depress the lever or button  
9 next to the candidate's name for each office for whom the elector intends to vote or  
10 insert or write in the name of the elector's choice for a party candidate, if any. In order  
11 to qualify for participation in the Wisconsin election campaign fund, a candidate for  
12 state office at the ~~September~~ partisan primary, other than a candidate for district  
13 attorney, must receive at least 6% of all votes cast on all ballots for the office for which  
14 he or she is a candidate, in addition to other requirements.

15 **SECTION 95.** 10.06 (1) (f) of the statutes is amended to read:

16 10.06 (1) (f) On or before the 2nd Tuesday in ~~May~~ April preceding a ~~September~~  
17 partisan primary and general election the board shall send a type A notice to each  
18 county clerk.

19 **SECTION 96.** 10.06 (1) (h) of the statutes is amended to read:

20 10.06 (1) (h) As soon as possible after the deadline for determining ballot  
21 arrangement for the ~~September~~ partisan primary on the ~~3rd Tuesday in July~~ June  
22 10, the board shall send a type B notice to each county clerk certifying the list of  
23 candidates for the ~~September~~ partisan primary.

24 **SECTION 97.** 10.06 (1) (i) of the statutes is amended to read:

1           10.06 (1) (i) As soon as possible after the state canvass, but no later than the  
2 4th Tuesday in ~~September~~ August, the board shall send a type B notice certifying the  
3 list of candidates and type A and C notices certifying each question for any  
4 referendum to each county clerk for the general election and a certified list of  
5 candidates under s. 11.50 to the state treasurer pursuant to s. 7.08 (2) (c).

6           **SECTION 98.** 10.06 (2) (gm) of the statutes is amended to read:

7           10.06 (2) (gm) On the last Tuesday in ~~May~~ April the county clerk shall send  
8 notice of the coming ~~September~~ partisan primary and general election to each  
9 municipal clerk.

10          **SECTION 99.** 10.06 (2) (h) of the statutes is amended to read:

11          10.06 (2) (h) On the last Tuesday in ~~May~~ April preceding a ~~September~~ partisan  
12 primary and general election, the county clerk shall publish a type A notice based on  
13 the notice received from the board for all national and state offices to be filled at the  
14 election by any electors voting in the county and incorporating county offices.

15          **SECTION 100.** 10.06 (2) (j) of the statutes is amended to read:

16          10.06 (2) (j) On the Monday preceding the ~~September~~ partisan primary the  
17 county clerk shall publish a type B notice.

18          **SECTION 101.** 10.06 (3) (cm) of the statutes is amended to read:

19          10.06 (3) (cm) On the 4th Tuesday preceding the ~~September~~ partisan primary  
20 and general election, when held, the municipal clerk shall publish a type E notice.  
21 If there are municipal referenda, the municipal clerk shall publish a type A notice  
22 of the referenda at the same time.

23          **SECTION 102.** 11.06 (12) (a) 1. of the statutes is amended to read:

24          11.06 (12) (a) 1. "Election period" means the period between December 1 and  
25 the date of the spring election, the period between ~~June~~ May 1 and the day of the

1 general election in any even-numbered year or the period between the first day for  
2 circulation of nomination papers and the day of a special election for any state office.

3 **SECTION 103.** 11.26 (17) (d) of the statutes is amended to read:

4 11.26 (17) (d) In the case of any candidate at the spring primary or election or  
5 the ~~September~~ partisan primary or general election, the “campaign” of the candidate  
6 ends on June 30 or December 31 following the date on which the election or primary  
7 is held in which the candidate is elected or defeated, or the date on which the  
8 candidate receives sufficient contributions to retire any obligations incurred in  
9 connection with that contest, whichever is later. In the case of any candidate at a  
10 special primary or election, the “campaign” of the candidate ends on the last day of  
11 the month following the month in which the primary or election is held in which the  
12 candidate is elected or defeated, or the date on which the candidate receives  
13 sufficient contributions to retire any obligations incurred in connection with that  
14 contest, whichever is later.

15 **SECTION 104.** 11.31 (3m) of the statutes is amended to read:

16 11.31 (3m) UNOPPOSED CANDIDATES; EXCEPTION. Notwithstanding subs. (1) and  
17 (2), if all candidates for state senator or representative to the assembly in a  
18 legislative district who are certified under s. 7.08 (2) (a) to appear on the ~~September~~  
19 partisan primary ballot of all parties recognized under s. 5.62 (1) (b) or (2) have no  
20 opponent who is certified to appear on the same primary ballot, or if no primary is  
21 required for all candidates of parties recognized under s. 5.62 (1) (b) or (2) for state  
22 senator or representative to the assembly in a legislative district who are certified  
23 under s. 8.50 (1) (d) to appear on a special partisan election ballot, then the separate  
24 limitation specified in sub. (1) for disbursements during the primary and election  
25 period does not apply to candidates for that office in that primary and election, and

1 the candidates are bound only by the total limitations specified for the primary and  
2 election.

3 **SECTION 105.** 11.31 (7) (a) of the statutes is amended to read:

4 11.31 (7) (a) For purposes of this section, the “campaign” of a candidate extends  
5 from July 1 preceding the date on which the spring primary or election occurs or  
6 January 1 preceding the date on which the ~~September~~ partisan primary or general  
7 election occurs for the office which the candidate seeks, or from the date of the  
8 candidate’s public announcement, whichever is earlier, through the last day of the  
9 month following the month in which the election or primary is held.

10 **SECTION 106.** 11.50 (1) (a) 1. of the statutes is amended to read:

11 11.50 (1) (a) 1. With respect to a spring or general election, any individual who  
12 is certified under s. 7.08 (2) (a) as a candidate in the spring election for state  
13 superintendent, or an individual who receives at least 6% of the vote cast for all  
14 candidates on all ballots for any state office, except district attorney, for which the  
15 individual is a candidate at the ~~September~~ partisan primary and who is certified  
16 under s. 7.08 (2) (a) as a candidate for that office in the general election, or an  
17 individual who has been lawfully appointed and certified to replace either such  
18 individual on the ballot at the spring or general election; and who has qualified for  
19 a grant under sub. (2).

20 **SECTION 107.** 11.50 (2) (b) 4. of the statutes is amended to read:

21 11.50 (2) (b) 4. The financial reports filed by or on behalf of the candidate as  
22 of the date of the spring or ~~September~~ partisan primary, or the date that the special  
23 primary is or would be held, if required, indicate that his or her statement filed with  
24 the application under par. (a) is true; and

25 **SECTION 108.** 11.50 (2) (b) 5. of the statutes is amended to read:



1           11.50 (2) (b) 5. The financial reports filed by or on behalf of the candidate as  
2 of the date of the spring or ~~September~~ partisan primary, or the date that the special  
3 primary is or would be held, if required, indicate that the candidate has received at  
4 least the amount provided in this subdivision, from contributions of money, other  
5 than loans, made by individuals, which have been received during the period ending  
6 on the date of the spring primary and July 1 preceding such date in the case of  
7 candidates at the spring election, or the date of the ~~September~~ partisan primary and  
8 January 1 preceding such date in the case of candidates at the general election, or  
9 the date that a special primary will or would be held, if required, and 90 days  
10 preceding such date or the date a special election is ordered, whichever is earlier, in  
11 the case of special election candidates, which contributions are in the aggregate  
12 amount of \$100 or less, and which are fully identified and itemized as to the exact  
13 source thereof. A contribution received from a conduit which is identified by the  
14 conduit as originating from an individual shall be considered a contribution made by  
15 the individual. Only the first \$100 of an aggregate contribution of more than \$100  
16 may be counted toward the required percentage. For a candidate at the spring or  
17 general election for an office identified in s. 11.26 (1) (a) or a candidate at a special  
18 election, the required amount to qualify for a grant is 5 percent of the candidate's  
19 authorized disbursement limitation under s. 11.31. For any other candidate at the  
20 general election, the required amount to qualify for a grant is 10 percent of the  
21 candidate's authorized disbursement limitation under s. 11.31.

22           **SECTION 109.** 11.50 (2) (c) of the statutes is amended to read:

23           11.50 (2) (c) If a candidate has not filed financial reports as of the date of the  
24 spring primary, ~~September~~ partisan primary, special primary, or date that the  
25 special primary would be held, if required, which indicate that he or she has met the

1 qualification under par. (b) 5., the candidate may file a special report with the board.  
2 Such report shall be filed not later than the 7th day after the primary, or 7th day after  
3 the date the primary would be held, if required, and shall include such  
4 supplementary information as to sources of contributions which may be necessary  
5 to complete the candidate's qualification. The special report shall cover the period  
6 from the day after the last date covered on the candidate's most recent report, or from  
7 the date on which the first contribution was received or the first disbursement was  
8 made, whichever is earlier, if the candidate has not previously filed a report, to the  
9 date of such report. All information included on the special report shall also be  
10 included in the candidate's next report under s. 11.20.

11 **SECTION 110.** 11.50 (2) (f) of the statutes is amended to read:

12 11.50 (2) (f) The board shall inform each candidate in writing of the approval  
13 or disapproval of the candidate's application, as promptly as possible after the date  
14 of the spring primary, ~~September~~ partisan primary, special primary, or date that the  
15 primary would be held, if required. With respect to a candidate at a special election  
16 who applies for a postelection grant under sub. (1) (a) 2., the board shall inform the  
17 candidate in writing of the conditional approval or disapproval of the candidate's  
18 application at the same time.

19 **SECTION 111.** 11.50 (2) (i) of the statutes is amended to read:

20 11.50 (2) (i) Notwithstanding par. (g), if an eligible candidate at the spring  
21 election or a special nonpartisan election who accepts a grant is opposed by one or  
22 more candidates in the election, or if an eligible candidate at the general election or  
23 a special partisan election who accepts a grant is opposed by one or more candidates  
24 in the election who receive at least 6 percent of the vote cast for all candidates for the  
25 same office on all ballots at the ~~September~~ partisan primary or a special partisan

1 primary if a primary was held, and in either case if any such opponent of the eligible  
2 candidate does not accept a grant under this section in whole or in part, the eligible  
3 candidate is not bound by the pledge made in his or her application to adhere to the  
4 contribution limitations prescribed in s. 11.26 and the disbursement limitation  
5 prescribed under s. 11.31, unless each such opponent files an affidavit of voluntary  
6 compliance under s. 11.31 (2m).

7 **SECTION 112.** 13.123 (3) (b) 1. a. of the statutes is amended to read:

8 13.123 (3) (b) 1. a. After the day of the ~~September~~ partisan primary, that the  
9 member either has not filed nomination papers for reelection or election to another  
10 legislative seat or has sought a party nomination for a legislative seat but it is  
11 generally acknowledged that the member has not won nomination.

12 **SECTION 113.** 59.08 (7) (b) of the statutes is amended to read:

13 59.08 (7) (b) The question of the consolidation of the counties shall be submitted  
14 to the voters at the next election to be held on the first Tuesday in April, or the next  
15 regular election, or at a special election to be held on the day fixed in the order issued  
16 under par. (a), which day shall be the same in each of the counties proposing to  
17 consolidate. A copy of the order shall be filed with the county clerk of each of the  
18 counties as provided in s. 8.37. If the question of consolidation is submitted at a  
19 special election, it shall be held not less than ~~42~~ 70 days nor more than ~~60~~ 88 days  
20 from the completion of the consolidation agreement, but not within 60 days of any  
21 spring or general election.

22 **SECTION 114.** 59.10 (3) (cm) 2. of the statutes is amended to read:

23 59.10 (3) (cm) 2. 'Petition and referendum.' Except as provided in subd. 3., the  
24 electors of a county may, by petition and referendum, decrease the number of  
25 supervisors at any time after the first election is held following enactment of a

1 decennial supervisory district plan under par. (b). A petition for a change in the  
2 number of supervisors may be filed with the county clerk. Prior to circulating a  
3 petition to decrease the number of supervisors in any county, a petitioner shall  
4 register with the county clerk, giving the petitioner's name and address and  
5 indicating the petitioner's intent to file such a petition. No signature on a petition  
6 is valid unless the signature is obtained within the 60-day period following such  
7 registration. The petition shall specify the proposed number of supervisors to be  
8 elected. Within 14 days after the last day for filing an original petition, any other  
9 petitioner may file an alternative petition with the county clerk proposing a different  
10 number of supervisors to be elected, and, if the petition is valid, the alternative  
11 proposed in the petition shall be submitted for approval at the same referendum. An  
12 alternative petition is subject to the same registration and signature requirements  
13 as an original petition. Each petition shall be in the form specified in s. 8.40 and shall  
14 contain a number of signatures of electors of the county equal to at least 25 percent  
15 of the total votes cast in the county for the office of supervisor at the most recent  
16 spring election preceding the date of filing. The county clerk shall promptly  
17 determine the sufficiency of a petition filed under this subdivision. Upon  
18 determination that a petition is sufficient, or if one or more valid alternative  
19 petitions are filed, upon determination that the petitions are sufficient, the county  
20 clerk shall call a referendum concurrently with the next spring or general election  
21 in the county that is held not earlier than 42 70 days after the determination is made.  
22 The question proposed at the referendum shall be: "Shall the board of supervisors  
23 of .... County be decreased from .... members to .... members?". If one or more  
24 alternative valid petitions are filed within 14 days after the last day that an original  
25 petition may be filed, the question relating to the number of supervisors shall appear

1 separately. The first question shall be: "Shall the size of the county board of  
2 supervisors of ... County be decreased from its current membership of ... members?".  
3 Any subsequent question shall be: "If so, shall the size of the board be decreased to  
4 ... members?". Each elector may vote in the affirmative or negative on the first  
5 question and may then vote in the affirmative on one of the remaining questions. If  
6 the first question is not approved by a majority of the electors voting on the question,  
7 any subsequent question is of no effect. If the question is approved by a majority of  
8 the electors voting on the question, or, if more than one question is submitted, if the  
9 first question is approved by a majority of the electors voting on the question, the  
10 board shall enact an ordinance prescribing revised boundaries for the supervisory  
11 districts in the county. The ordinance shall be enacted in accordance with the  
12 approved question or, if more than one question is submitted, in accordance with the  
13 choice receiving a plurality of the votes cast. The districts are subject to the same  
14 requirements that apply to districts in any plan enacted by the board under subd. 1.  
15 If the board has determined under sub. (1) (b) to adopt staggered terms for the office  
16 of supervisor, the board may change the expiration date of the term of any supervisor  
17 to an earlier date than the date provided under current ordinance if required to  
18 implement the redistricting or to maintain classes of members. The county clerk  
19 shall file a certified copy of any redistricting plan enacted under this subdivision with  
20 the secretary of state.

21 **SECTION 115.** 59.605 (3) (a) 1. of the statutes is amended to read:

22 59.605 (3) (a) 1. If the governing body of a county wishes to exceed the operating  
23 levy rate limit otherwise applicable to the county under this section, it shall adopt  
24 a resolution to that effect. The resolution shall specify either the operating levy rate  
25 or the operating levy that the governing body wishes to impose for either a specified

1 number of years or an indefinite period. The governing body shall call a special  
2 referendum for the purpose of submitting the resolution to the electors of the county  
3 for approval or rejection. In lieu of a special referendum, the governing body may  
4 specify that the referendum be held at the next succeeding spring primary or election  
5 or ~~September~~ partisan primary or general election to be held not earlier than ~~42~~ 70  
6 days after the adoption of the resolution of the governing body. The governing body  
7 shall file the resolution to be submitted to the electors as provided in s. 8.37.

8 **SECTION 116.** 60.30 (1e) (b) of the statutes is amended to read:

9 60.30 (1e) (b) An ordinance enacted under par. (a) may not take effect until it  
10 is approved in a referendum called by the town board for that purpose at the next  
11 spring or general election, to be held not sooner than ~~45~~ 70 days after the referendum  
12 is called by the town board. The referendum question shall be: "Shall the person  
13 holding the office of ... [town clerk or town treasurer, or both; or the combined office  
14 of town clerk and town treasurer] in the town of ... be appointed by the town board?".

15 **SECTION 117.** 62.13 (6) (b) of the statutes is amended to read:

16 62.13 (6) (b) The provisions of this subsection shall apply only if adopted by the  
17 electors. Whenever not less than ~~42~~ 70 days prior to a regular city election a petition  
18 therefor, conforming to the requirements of s. 8.40 and signed by electors equal in  
19 number to not less than 20% of the total vote cast in the city for governor at the last  
20 general election, shall be filed with the clerk as provided in s. 8.37, the clerk shall give  
21 notice in the manner of notice of the regular city election of a referendum on the  
22 adoption of this subsection. Such referendum election shall be held with the regular  
23 city election, and the ballots shall conform with the provisions of ss. 5.64 (2) and  
24 10.02, and the question shall be "Shall s. 62.13 (6) of the statutes be adopted?"

25 **SECTION 118.** 66.0217 (7) (a) 3. of the statutes is amended to read:

1           66.0217 (7) (a) 3. If the notice indicates that the petition is for a referendum  
2 on the question of annexation, the clerk of the city or village shall file the notice as  
3 provided in s. 8.37. If the notice indicates that the petition is for a referendum on the  
4 question of annexation, the town clerk shall give notice as provided in par. (c) of a  
5 referendum of the electors residing in the area proposed for annexation to be held not  
6 less than ~~42~~ 70 days nor more than ~~72~~ 100 days after the date of personal service or  
7 mailing of the notice required under this paragraph. If the notice indicates that the  
8 petition is for direct annexation, no referendum shall be held unless within 30 days  
9 after the date of personal service or mailing of the notice required under this  
10 paragraph, a petition conforming to the requirements of s. 8.40 requesting a  
11 referendum is filed with the town clerk as provided in s. 8.37, signed by at least 20%  
12 of the electors residing in the area proposed to be annexed. If a petition requesting  
13 a referendum is filed, the clerk shall give notice as provided in par. (c) of a referendum  
14 of the electors residing in the area proposed for annexation to be held not less than  
15 ~~42~~ 70 days nor more than ~~72~~ 100 days after the receipt of the petition and shall mail  
16 a copy of the notice to the clerk of the city or village to which the annexation is  
17 proposed. The referendum shall be held at a convenient place within the town to be  
18 specified in the notice.

19           **SECTION 119.** 66.0219 (4) (b) of the statutes is amended to read:

20           66.0219 (4) (b) The referendum election shall be held not less than ~~42~~ 70 days  
21 nor more than ~~72~~ 100 days after the filing of the order as provided in s. 8.37, in the  
22 territory proposed for annexation, by the electors of that territory as provided in s.  
23 66.0217 (7), so far as applicable. The ballots shall contain the words “For  
24 Annexation” and “Against Annexation”. The certification of the election inspectors

1 shall be filed with the clerk of the court, and the clerk of any municipality involved,  
2 but need not be filed or recorded with the register of deeds.

3 **SECTION 120.** 66.0227 (3) of the statutes is amended to read:

4 66.0227 (3) The governing body of a city, village or town involved may, or if a  
5 petition conforming to the requirements of s. 8.40 signed by a number of qualified  
6 electors equal to at least 5% of the votes cast for governor in the city, village or town  
7 at the last gubernatorial election, demanding a referendum, is presented to it within  
8 30 days after the passage of either of the ordinances under sub. (2) shall, submit the  
9 question to the electors of the city, village or town whose electors petitioned for  
10 detachment, at a referendum election called for that purpose not less than ~~42~~ 70 days  
11 nor more than ~~72~~ 100 days after the filing of the petition, or after the enactment of  
12 either ordinance. The petition shall be filed as provided in s. 8.37. If a number of  
13 electors cannot be determined on the basis of reported election statistics, the number  
14 shall be determined in accordance with s. 60.74 (6). The governing body of the  
15 municipality shall appoint 3 election inspectors who are resident electors to  
16 supervise the referendum. The ballots shall contain the words "For Detachment"  
17 and "Against Detachment". The inspectors shall certify the results of the election by  
18 their attached affidavits and file a copy with the clerk of each town, village or city  
19 involved, and none of the ordinances may take effect nor be in force unless a majority  
20 of the electors approve the question. The referendum election shall be conducted in  
21 accordance with chs. 6 and 7 to the extent applicable.

22 **SECTION 121.** 66.0305 (6) (b) of the statutes is amended to read:

23 66.0305 (6) (b) The advisory referendum shall be held not less than ~~42~~ 70 days  
24 nor more than ~~72~~ 100 days after adoption of the resolution under par. (a) calling for  
25 the referendum or not less than ~~42~~ 70 days nor more than ~~72~~ 100 days after receipt



1 of the petition under par. (a) by the municipal or county clerk. The municipal or  
2 county clerk shall give notice of the referendum by publishing a notice in a  
3 newspaper of general circulation in the political subdivision, both on the publication  
4 day next preceding the advisory referendum election and one week prior to that  
5 publication date.

6 **SECTION 122.** 66.0307 (4) (e) 2. of the statutes is amended to read:

7 66.0307 (4) (e) 2. The advisory referendum shall be held not less than 42 70  
8 days nor more than ~~72~~ 100 days after adoption of the resolution under subd. 1. calling  
9 for the referendum or not less than 42 70 days nor more than ~~72~~ 100 days after receipt  
10 of the petition by the municipal clerk. The municipal clerk shall give notice of the  
11 referendum by publishing a notice in a newspaper of general circulation in the  
12 municipality, both on the publication day next preceding the advisory referendum  
13 election and one week prior to that publication date.

14 **SECTION 123.** 66.0602 (4) (a) of the statutes is amended to read:

15 66.0602 (4) (a) A political subdivision may exceed the levy increase limit under  
16 sub. (2) if its governing body adopts a resolution to that effect and if the resolution  
17 is approved in a referendum. The resolution shall specify the proposed amount of  
18 increase in the levy beyond the amount that is allowed under sub. (2), and shall  
19 specify whether the proposed amount of increase is for the next fiscal year only or if  
20 it will apply on an ongoing basis. With regard to a referendum relating to the 2005  
21 levy, or any levy in an odd-numbered year thereafter, the political subdivision may  
22 call a special referendum for the purpose of submitting the resolution to the electors  
23 of the political subdivision for approval or rejection. With regard to a referendum  
24 relating to the 2006 levy, or any levy in an even-numbered year thereafter, the

1 referendum shall be held at the next succeeding spring primary or election or  
2 ~~September~~ partisan primary or general election.

3 **SECTION 124.** 66.0619 (2m) (b) of the statutes is amended to read:

4 66.0619 **(2m)** (b) If a referendum is to be held on a resolution, the municipal  
5 governing body shall file the resolution as provided in s. 8.37 and shall direct the  
6 municipal clerk to call a special election for the purpose of submitting the resolution  
7 to the electors for a referendum on approval or rejection. In lieu of a special election,  
8 the municipal governing body may specify that the election be held at the next  
9 succeeding spring primary or election or ~~September~~ partisan primary or general  
10 election.

11 **SECTION 125.** 66.0921 (2) of the statutes is amended to read:

12 66.0921 **(2)** FACILITIES AUTHORIZED. A municipality may enter into a joint  
13 contract with a nonprofit corporation organized for civic purposes and located in the  
14 municipality to construct or otherwise acquire, equip, furnish, operate and maintain  
15 a facility to be used for municipal and civic activities if a majority of the voters voting  
16 in a referendum at a special election or at a spring primary or election or ~~September~~  
17 partisan primary or general election approve the question of entering into the joint  
18 contract.

19 **SECTION 126.** 66.1113 (2) (g) of the statutes is amended to read:

20 66.1113 **(2)** (g) The village of Sister Bay may enact an ordinance or adopt a  
21 resolution declaring itself to be a premier resort area under par. (a) even if less than  
22 40 percent of the equalized assessed value of the taxable property within Sister Bay  
23 is used by tourism-related retailers. The village may not impose the tax authorized  
24 under par. (b) unless the village board adopts a resolution proclaiming its intent to  
25 impose the tax and the resolution is approved by a majority of the electors in the

1 village voting on the resolution at a referendum, to be held at the first spring primary  
2 or election or ~~September~~ partisan primary or general election following by at least  
3 45 days the date of adoption of the resolution.

4 **SECTION 127.** 66.1113 (2) (h) of the statutes is amended to read:

5 66.1113 (2) (h) The village of Ephraim may enact an ordinance or adopt a  
6 resolution declaring itself to be a premier resort area under par. (a) even if less than  
7 40 percent of the equalized assessed value of the taxable property within Ephraim  
8 is used by tourism-related retailers. The village may not impose the tax authorized  
9 under par. (b) unless the village board adopts a resolution proclaiming its intent to  
10 impose the tax and the resolution is approved by a majority of the electors in the  
11 village voting on the resolution at a referendum, to be held at the first spring primary  
12 or election or ~~September~~ partisan primary or general election following by at least  
13 45 days the date of adoption of the resolution.

14 **SECTION 128.** 67.05 (6m) (b) of the statutes is amended to read:

15 67.05 (6m) (b) If a referendum is to be held on an initial resolution, the district  
16 board shall direct the technical college district secretary to call a special election for  
17 the purpose of submitting the initial resolution to the electors for a referendum on  
18 approval or rejection. In lieu of a special election, the district board may specify that  
19 the election be held at the next succeeding spring primary or election or ~~September~~  
20 partisan primary or general election.

21 **SECTION 129.** 67.12 (12) (e) 5. of the statutes is amended to read:

22 67.12 (12) (e) 5. Within 10 days of the adoption by a technical college district  
23 board of a resolution under subd. 1. to issue a promissory note for a purpose under  
24 s. 38.16 (2), the secretary of the district board shall publish a notice of such adoption  
25 as a class 1 notice, under ch. 985. The notice need not set forth the full contents of

1 the resolution, but shall state the amount proposed to be borrowed, the method of  
2 borrowing, the purpose thereof, that the resolution was adopted under this  
3 subsection and the place where and the hours during which the resolution is  
4 available for public inspection. If the amount proposed to be borrowed is for building  
5 remodeling or improvement and does not exceed \$1,500,000 or is for movable  
6 equipment, the district board need not submit the resolution to the electors for  
7 approval unless, within 30 days after the publication or posting, a petition  
8 conforming to the requirements of s. 8.40 is filed with the secretary of the district  
9 board requesting a referendum at a special election to be called for that purpose.  
10 Such petition shall be signed by electors from each county lying wholly or partially  
11 within the district. The number of electors from each county shall equal at least 1.5%  
12 of the population of the county as determined under s. 16.96 (2) (c). If a county lies  
13 in more than one district, the technical college system board shall apportion the  
14 county's population as determined under s. 16.96 (2) (c) to the districts involved and  
15 the petition shall be signed by electors equal to the appropriate percentage of the  
16 apportioned population. In lieu of a special election, the district board may specify  
17 that the referendum shall be held at the next succeeding spring primary or election  
18 or September partisan primary or general election. Any resolution to borrow  
19 amounts of money in excess of \$1,500,000 for building remodeling or improvement  
20 shall be submitted to the electors of the district for approval. If a referendum is held  
21 or required under this subdivision, no promissory note may be issued until the  
22 issuance is approved by a majority of the district electors voting at such referendum.  
23 The referendum shall be noticed, called and conducted under s. 67.05 (6a) insofar as  
24 applicable, except that the notice of special election and ballot need not embody a  
25 copy of the resolution and the question which shall appear on the ballot shall be

1 “Shall .... (name of district) be authorized to borrow the sum of \$.... for (state purpose)  
2 by issuing its general obligation promissory note (or notes) under section 67.12 (12)  
3 of the Wisconsin Statutes?”

4 **SECTION 130.** 86.21 (2) (a) of the statutes is amended to read:

5 86.21 (2) (a) Before any such toll bridge is constructed or acquired under this  
6 section, a resolution authorizing the construction or acquisition thereof, and  
7 specifying the method of payment therefor, shall be adopted by a majority of the  
8 members of the governing body of such county, town, village or city at a regular  
9 meeting, after publication of said resolution, as a class 2 notice, under ch. 985. The  
10 resolution shall include a general description of the property it is proposed to acquire  
11 or construct. Any county, town, village or city constructing or acquiring a toll bridge  
12 under this section may provide for the payment of the same or any part thereof from  
13 the general fund, from taxation, or from the proceeds of either municipal bonds,  
14 revenue bonds or as otherwise provided by law. Such resolution shall not be effective  
15 until 15 days after its passage and publication. If within said 15 days a petition  
16 conforming to the requirements of s. 8.40 is filed with the clerk of such municipality,  
17 and filed as provided in s. 8.37, signed by at least 20% of the electors thereof  
18 requesting that the question of acquiring such toll bridge be submitted to the said  
19 electors, such question shall be submitted at the next general or regular municipal  
20 election that is held not sooner than ~~42~~ 70 days from the date of filing such petition.  
21 The question submitted to the electors shall specify the method of payment for such  
22 toll bridge as provided in the resolution for the acquisition thereof. If no such petition  
23 is filed, or if the majority of votes cast at such referendum election are in favor of the  
24 acquisition of such toll bridge, then the resolution of the governing body for the  
25 acquisition of such toll bridge shall be in effect.

1           **SECTION 131.** 92.11 (4) (c) of the statutes is amended to read:

2           92.11 (4) (c) *Wording of ballot question; procedure.* The county board shall  
3 include the wording of the question to be placed before the electors in the referendum  
4 as a part of the ordinance adopted under this section or the revision to an ordinance  
5 adopted under this section. Upon the adoption of the ordinance or revision the county  
6 board shall forward a copy of the ordinance or revision to the county clerk who shall  
7 cause the question to be placed before the voters of the affected area in the next  
8 spring or general election occurring not less than ~~45~~ 70 days after the adoption of the  
9 ordinance or revision. The form of the ballot shall correspond substantially to the  
10 form prescribed under s. 5.64 (2).

11           **SECTION 132.** 117.22 (2) (e) of the statutes is amended to read:

12           117.22 (2) (e) If a primary election for the school board positions is required  
13 under s. 120.06 (7) (b), it shall be held on the day which is 4 weeks before the election,  
14 except that if the school board election is held on the day of the general election, the  
15 primary shall be held on the day of the ~~September~~ partisan primary, and if the school  
16 board election is held on the day of the spring election, the primary shall be held on  
17 the day of the spring primary. The school district clerk shall notify the clerk of each  
18 city, village or town, any part of which is contained within an affected school district,  
19 of the primary election. The school district clerk shall give the notices under s. 120.06  
20 (8) (c) on the Monday before the primary election, if one is held, and on the Monday  
21 before the school board election.

22           **SECTION 133.** 120.02 (1) of the statutes is amended to read:

23           120.02 (1) **CHANGE IN NUMBER OF SCHOOL BOARD MEMBERS.** If, at least 30 days  
24 prior to the day of the annual school district meeting, in a common or union high  
25 school district, or at least ~~45~~ 70 days prior to the day of the election of school board

1 members in a unified school district, a petition conforming to the requirements of s.  
2 8.40 requesting a change in the number of school board members is filed with the  
3 school district clerk the clerk shall incorporate in the notice of the annual meeting  
4 or election a statement that at the meeting or election the question of changing the  
5 number of school board members to the number requested in the petition will be  
6 voted upon. The petition shall be signed by not less than 100 electors residing in the  
7 school district, except that in school districts which contain, in whole or in part, a city  
8 of the 2nd or 3rd class in which one or more electors of the school district reside, the  
9 petition shall be signed by not less than 500 electors residing in the school district.  
10 If, at the meeting or election of school board members, a resolution based on a petition  
11 requesting a change in the number of school board members is adopted by a majority  
12 vote, school board members shall be elected at the next school board election and  
13 thereafter in accordance with sub. (3).

14 **SECTION 134.** 120.02 (2) (a) of the statutes is amended to read:

15 120.02 (2) (a) If, at least 30 days prior to the day of the annual meeting, in a  
16 common or union high school district, or at least ~~45~~ 70 days prior to the day of the  
17 election of school board members in a unified school district, a petition conforming  
18 to the requirements of s. 8.40 requesting the establishment of a plan of  
19 apportionment of school board members is filed with the school district clerk the  
20 clerk shall incorporate notice of receipt of such petition in the notice of the annual  
21 meeting or election. The petition shall specify the proposed plan of apportionment  
22 of school board members among the cities, towns and villages or parts thereof within  
23 the school district and set the total number of school board members at not more than  
24 11. The petition shall be signed by not less than 100 electors residing in the school  
25 district, except that in school districts which contain, in whole or in part, a city of the

1 2nd or 3rd class in which one or more electors of the school district reside, the petition  
2 shall be signed by not less than 500 electors residing in the school district. If a  
3 majority vote of the annual meeting or election approves the plan set forth in the  
4 petition, the plan shall remain in operation until revised by the same procedure.  
5 School board members elected under this subsection shall be elected by a vote of the  
6 electors of the entire school district in accordance with the plan prepared under sub.  
7 (3).

8 **SECTION 135.** 120.02 (4) of the statutes is amended to read:

9 120.02 (4) ELECTION TO NUMBERED SEATS. If, at least 30 days prior to the day of  
10 the annual meeting, in a common or union high school district, or at least 45 70 days  
11 prior to the day of the election of school board members in a unified school district,  
12 a petition conforming to the requirements of s. 8.40 which sets forth a plan for the  
13 assignment of a number to each seat on the school board is filed with the school  
14 district clerk, the school district clerk shall incorporate notice of receipt of such  
15 petition in the notice of the annual meeting or election required under s. 120.06 (8)  
16 (c). The petition shall be signed by not less than 100 electors residing in the school  
17 district, except that in school districts which contain, in whole or in part, a city of the  
18 2nd or 3rd class in which one or more electors of the school district reside, the petition  
19 shall be signed by not less than 500 electors residing in the school district. If a  
20 majority vote of the annual meeting or election approves the plan set forth in the  
21 petition, the plan shall remain in operation until revised by the same procedure.

22 **SECTION 136.** 121.91 (3) (a) of the statutes is amended to read:

23 121.91 (3) (a) If a school board wishes to exceed the limit under sub. (2m)  
24 otherwise applicable to the school district in any school year, it shall promptly adopt  
25 a resolution supporting inclusion in the final school district budget of an amount



1 equal to the proposed excess revenue. The resolution shall specify whether the  
2 proposed excess revenue is for a recurring or nonrecurring purpose, or, if the  
3 proposed excess revenue is for both recurring and nonrecurring purposes, the  
4 amount of the proposed excess revenue for each purpose. The resolution shall be filed  
5 as provided in s. 8.37. Within 10 days after adopting the resolution, the school board  
6 shall notify the department of the scheduled date of the referendum and submit a  
7 copy of the resolution to the department. The school board shall call a special  
8 referendum for the purpose of submitting the resolution to the electors of the school  
9 district for approval or rejection. In lieu of a special referendum, the school board  
10 may specify that the referendum be held at the next succeeding spring primary or  
11 election or ~~September~~ partisan primary or general election, if such election is to be  
12 held not sooner than ~~42~~ 70 days after the filing of the resolution of the school board.  
13 The school district clerk shall certify the results of the referendum to the department  
14 within 10 days after the referendum is held.

15 **SECTION 137.** 125.05 (1) (b) 5. of the statutes is amended to read:

16 125.05 (1) (b) 5. The petition shall be filed with the clerk of the municipality  
17 at least ~~42~~ 70 days prior to the first Tuesday of April.

18 **SECTION 138.** 197.04 (1) (b) of the statutes is amended to read:

19 197.04 (1) (b) If within either of the 90-day periods described in par. (a) a  
20 petition conforming to the requirements of s. 8.40 is filed with the clerk of the  
21 municipality as provided in s. 8.37 and the petition has been signed by 5% of the  
22 electors of a 1st class city or by 10% of the electors of all other municipalities  
23 requesting that the question of discontinuing the proceeding to acquire the plant or  
24 equipment of the public utility be submitted to the electors of the municipality, the  
25 applicable question under par. (c) shall be submitted to the electors at any general

1 or regular municipal election that is held not less than ~~42~~ 70 and not more than 47  
2 75 days from the date of the filing of the petition. If no general election or regular  
3 municipal election is to be held within the stated periods, the governing body of the  
4 municipality shall order the holding of a special election, to be held not less than ~~42~~  
5 70 days from the date of filing of the petition, for the purpose of submitting the  
6 question to the electors.

7 **SECTION 139.** 229.824 (15) of the statutes is amended to read:

8 229.824 (15) Impose, by the adoption of a resolution, the taxes under subch. V  
9 of ch. 77, except that the taxes imposed by the resolution may not take effect until  
10 the resolution is approved by a majority of the electors in the district's jurisdiction  
11 voting on the resolution at a referendum, to be held at the first spring primary or  
12 September partisan primary following by at least 45 days the date of adoption of the  
13 resolution. Two questions shall appear on the ballot. The first question shall be:  
14 "Shall a sales tax and a use tax be imposed at the rate of 0.5% in .... County for  
15 purposes related to football stadium facilities in the .... Professional Football  
16 Stadium District?" The 2nd question shall be: "Shall excess revenues from the 0.5%  
17 sales tax and use tax be permitted to be used for property tax relief purposes in ....  
18 County?" Approval of the first question constitutes approval of the resolution of the  
19 district board. Approval of the 2nd question is not effective unless the first question  
20 is approved. The clerk of the district shall publish the notices required under s. 10.06  
21 (4) (c), (f) and (i) for any referendum held under this subsection. Notwithstanding  
22 s. 10.06 (4) (c), the type A notice under s. 10.01 (2) (a) relating to the referendum is  
23 valid even if given and published late as long as it is given and published prior to the  
24 election as early as practicable. A district may not levy any taxes that are not  
25 expressly authorized under subch. V of ch. 77. The district may not levy any taxes

1 until the professional football team and the governing body of the municipality in  
2 which the football stadium facilities are located agree on how to fund the  
3 maintenance of the football stadium facilities. The district may not levy any taxes  
4 until the professional football team and the governing body of the municipality in  
5 which the football stadium facilities are located agree on how to distribute the  
6 proceeds, if any, from the sale of naming rights related to the football stadium  
7 facilities. If a district board adopts a resolution that imposes taxes and the resolution  
8 is approved by the electors, the district shall deliver a certified copy of the resolution  
9 to the secretary of revenue at least 120 days before its effective date. If a district  
10 board adopts a resolution that imposes taxes and the resolution is not approved by  
11 the electors, the district is dissolved.

12 **SECTION 140.** 995.20 of the statutes is amended to read:

13 **995.20 Legal holidays.** January 1, January 15, the 3rd Monday in February  
14 (which shall be the day of celebration for February 12 and 22), the last Monday in  
15 May (which shall be the day of celebration for May 30), June 19, which shall be the  
16 day of observation for Juneteenth Day, July 4, the 1st Monday in September which  
17 shall be known as Labor day, the 2nd Monday in October, November 11, the 4th  
18 Thursday in November (which shall be the day of celebration for Thanksgiving),  
19 December 25, the day of holding the ~~September~~ partisan primary election, and the  
20 day of holding the general election in November are legal holidays. On Good Friday  
21 the period from 11 a.m. to 3 p.m. shall uniformly be observed for the purpose of  
22 worship. In every 1st class city the day of holding any municipal election is a legal  
23 holiday, and in every such city the afternoon of each day upon which a primary  
24 election is held for the nomination of candidates for city offices is a half holiday and  
25 in counties having a population of 500,000 or more the county board may by

1 ordinance provide that all county employees shall have a half holiday on the day of  
2 such primary election and a holiday on the day of such municipal election, and that  
3 employees whose duties require that they work on such days be given equivalent  
4 time off on other days. Whenever any legal holiday falls on Sunday, the succeeding  
5 Monday shall be the legal holiday.

6 **SECTION 141. Initial applicability.**

7 (1) The treatment of sections 6.24 (4) (c), 6.86 (1) (a) 3., 6.865 (title), (3), and  
8 (3m) (a), (b), and (c), and 7.15 (1) (j) of the statutes first applies with respect to  
9 requests for absentee ballots made for voting at elections held on or after the effective  
10 date of this subsection.

11 **SECTION 142. Effective dates.** This act takes effect on the day after  
12 publication, except as follows:

13 (1) The treatment of sections 6.24 (4) (c), 6.86 (1) (a) 3., 6.865 (title), (3), and  
14 (3m) (a), (b), and (c), and 7.15 (1) (j) of the statutes and SECTION 141 (1) of this act take  
15 effect on the 90th day beginning after publication.

16 (END)