



2021 ASSEMBLY BILL 21

January 29, 2021 - Introduced by Representatives SORTWELL, BROOKS, EDMING, GUNDRUM, KNODL, MOSES, MURPHY, RAMTHUN and TITTL, cosponsored by Senators JACQUE, NASS and SMITH. Referred to Committee on Campaigns and Elections.

1 **AN ACT** *to create* 5.05 (11m) and 20.510 (1) (f) of the statutes; **relating to:** aids
2 to counties and municipalities for certain special election costs and making an
3 appropriation.

Analysis by the Legislative Reference Bureau

This bill requires the Elections Commission to reimburse counties and municipalities for certain costs incurred in the administration of special primaries and special elections for state office. Current law defines “state office” as the following: governor, lieutenant governor, secretary of state, state treasurer, attorney general, state superintendent of public instruction, justice of the supreme court, court of appeals judge, circuit court judge, state senator, state representative to the assembly, and district attorney.

A cost is eligible for reimbursement under the bill only if certain conditions are met, including that the Elections Commission determines the cost is reasonable and the rate paid by the county or municipality for the cost does not exceed the rate customarily paid for similar costs at a primary or election that is not a special primary or election. Under the bill, only the following costs are reimbursable:

1. Rental payments for polling places.
2. Election day wages paid to election officials working at the polls.
3. Costs for the publication of required election notices.
4. Printing and postage costs for absentee ballots and envelopes.
5. Costs for the design and printing of ballots and poll books.
6. Purchase of ballot bags or containers, including ties or seals for chain of custody purposes.

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7. Costs to program electronic voting machines.
8. Purchase of memory devices for electronic voting machines.
9. Wages paid to conduct a county canvass.
10. Data entry costs for a statewide voter registration system.

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

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

1 **SECTION 1.** 5.05 (11m) of the statutes is created to read:

2 **5.05 (11m) AIDS TO COUNTIES AND MUNICIPALITIES FOR CERTAIN SPECIAL ELECTION**
3 COSTS. (a) From the appropriation under s. 20.510 (1) (f), the commission shall
4 reimburse counties and municipalities for costs incurred in the administration of
5 special primaries for state office and special elections for state office.

6 (b) A cost is eligible for reimbursement under par. (a) only if all of the following
7 apply:

8 1. The commission determines that the cost is reasonable.

9 2. The cost is specified under par. (c).

10 3. If applicable, the commission determines that the rate paid by the county or
11 municipality for the cost does not exceed the rate customarily paid for similar costs
12 at a primary or election that is not a special primary or election.

13 4. If the special primary or election coincides with a primary or election that
14 is not a special primary or election, the commission determines that the cost does not
15 exceed the amount that would be incurred if the primaries or elections did not
16 coincide.

17 (c) Only the following costs are eligible for reimbursement under par. (a):

18 1. Rental payments for polling places.

