



2023 SENATE BILL 366

July 13, 2023 - Introduced by Senators TAYLOR, JACQUE, BALLWEG and TOMCZYK, cosponsored by Representatives SORTWELL, ORTIZ-VELEZ, BALDEH, BEHNKE, GUNDRUM, GUSTAFSON, KITCHENS, MOSES, MYERS, KRUG, STEFFEN and STUBBS. Referred to Committee on Shared Revenue, Elections and Consumer Protection.

1 **AN ACT** *to renumber and amend* 5.25 (3); and *to create* 5.25 (3) (a) 1., 2. and
2 3., 5.25 (3) (b) and 5.25 (3) (c) of the statutes; **relating to:** polling place closures.

Analysis by the Legislative Reference Bureau

Under current law, polling places are required to be established for each election at least 30 days before the election. Under this bill, under no circumstance may a municipality close more than one-half of its polling places within 30 days before an election. Additionally, the bill prohibits a municipality from closing any polling place within 30 days before an election without both the head of the governing body of the municipality and the municipal clerk approving the closures and without the municipal clerk doing all of the following:

1. Posting public notice of the closures on the municipality's website or, if the municipality does not maintain a website, posting notices in at least 3 different locations within the municipality reasonably calculated to notify the most residents.
2. Publishing three notices in a newspaper likely to give notice in the area notifying the public of the closures.
3. Publishing two notices or one notice in a newspaper likely to give notice in the area if time does not permit publication of three notices.

Additionally, under the bill, if after an election and more than 30 days before the next election, a municipality wishes to discontinue a polling place location, the municipality's governing body may approve the discontinuation only after a public

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hearing at which the public has an opportunity to present testimony on the proposed discontinuation.

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

1 **SECTION 1.** 5.25 (3) of the statutes is renumbered 5.25 (3) (a) and amended to
2 read:

3 5.25 (3) (a) Polling places shall be established for each election at least 30 days
4 before the election. Subject to par. (b), no polling place so established in a
5 municipality may be closed to voters on election day without the approval of both the
6 head of the governing body of the municipality and the municipal clerk and without
7 the municipal clerk doing all of the following:

8 **SECTION 2.** 5.25 (3) (a) 1., 2. and 3. of the statutes are created to read:

9 5.25 (3) (a) 1. Posting public notice of the closures on the municipality's website
10 or, if the municipality does not maintain a website, by posting notices in at least 3
11 different locations within the municipality reasonably calculated to notify the most
12 residents.

13 2. Publishing a class 3 notice under ch. 985 notifying the public of the closures.

14 3. Publishing a class 2 or class 1 notice notifying the public of the closures if
15 time does not permit publication of a class 3 notice.

16 **SECTION 3.** 5.25 (3) (b) of the statutes is created to read:

17 5.25 (3) (b) Under no circumstance may a municipality close more than
18 one-half of its polling places within 30 days before an election.

19 **SECTION 4.** 5.25 (3) (c) of the statutes is created to read:

20 5.25 (3) (c) After an election and more than 30 days before the next election,
21 the location of a polling place in a municipality may not be discontinued without the

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1 approval of the municipality's governing body after a public hearing at which the
2 public has an opportunity to present testimony on the proposed discontinuation.

3 (END)