

### CHAPTER 10

## ELECTION DATES AND NOTICES

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**NOTE:** 2005 Wis. Act 451, which made major revisions to the election laws, including to Chapter 10, contains an extensive prefatory note explaining the changes.

**Cross–reference:** See definitions in s. 5.02.

#### SUBCHAPTER I ELECTION NOTICES

**10.01 Election notice form. (1)** The form of the various election notices shall be prescribed by the board to standardize election notices. To accomplish this purpose, the board shall make rules and draft whatever forms it considers necessary. Notification or certification lists of candidates or referenda questions sent to the county clerks shall prescribe the form in which the county clerks shall publish the relevant portions of the notice and any additional county offices and referenda questions. The board shall also prescribe the provisions for municipal notices which shall be sent to each county clerk who shall immediately forward them to each municipal clerk.

**(2)** For election purposes there shall be 5 basic types of notices, modified as necessary to apply to the various elections, which shall be published in substantially the same form as prescribed by the board. The 5 types of notices are:

(a) Type A—The type A notice shall be entitled “Notice of Election”. The notice shall list the date of the election. For an election to fill any office, the notice shall list each office to be filled and the incumbent for each; the length of the term of each office and the expiration date of the term; and the beginning date for circulating, the place and deadline for filing declarations of candidacy and nomination papers, where required, for each office listed and the date of the primary election, if required. If a redistricting since the most recent election makes the description of the incumbent’s office of limited usefulness, the notice may contain supplementary information describing the territory in which an election is to be held. For an election at which a referendum is held, the notice shall contain the text of the question and a statement specifying where a copy of the resolution directing submission of the question may be obtained. Whenever an election is noticed to be held within a district, the notice shall contain a statement specifying where information concerning district boundaries may be obtained. The type A notice shall be published once by the county clerk of each county for each national, state or county election, and once by the clerk of each municipality or special purpose district for each municipal or special purpose district election, at the times designated in s. 10.06.

(b) Type B—The type B notice shall include the relevant facsimile ballots and the relevant portions of voting instructions to electors under s. 10.02 for each office or referendum and shall specify the date of the election. In counties or municipalities

where an electronic voting system in which ballots are distributed to electors is used, the notice shall include the information specified in s. 5.94. The type B notice shall be published once by the county clerks, and for primaries and other elections in municipalities or special purpose districts, once by the clerk of the municipality or special purpose district on the day preceding each primary and other election.

(c) Type C—The type C notice shall be entitled “Notice of Referendum”. The notice shall be given whenever a referendum is held. The notice shall contain the date of the referendum, the entire text of the question and the proposed enactment, if any, as well as an explanatory statement of the effect of either a “yes” or “no” vote. For state questions, the statement shall be prepared by the attorney general. For county questions, the statement shall be prepared by the corporation counsel. For other questions, the statement shall be prepared by the attorney for the jurisdiction in which the question is submitted. County clerks and, for questions submitted by municipalities or special purpose districts, the clerk of the municipality or special purpose district shall publish the type C notice once at the same time that the type B notice is published. The type C notice shall be printed in the newspaper as close as possible to that portion of the type B notice showing the facsimile referendum ballot.

(d) Type D—The type D notice shall state the hours the polls will be open and the polling places to be utilized at the election or shall include a concise statement of how polling place information may be obtained. In cities over 500,000 population, the board of election commissioners shall determine the form of the notice. In other municipalities and special purpose districts, the clerk of the municipality or special purpose district shall give the polling place information in the manner the governing body of the municipality or special purpose district decides will most effectively inform the electors. The type D notice shall be published by the municipal clerk or board of election commissioners of each municipality once on the day before each spring primary and election, each special national, state, county or municipal election at which the electors of that municipality are entitled to vote and each September primary and general election. The clerk of each special purpose district which calls a special election shall publish a type D notice on the day before the election, and the day before the special primary, if any, except as authorized in s. 8.55 (3).

(e) Type E—The type E notice shall state the qualifications for absentee voting, the procedures for obtaining an absentee ballot in the case of registered and unregistered voters, the places and the deadlines for application and return of application, including any alternate site under s. 6.855, and the office hours during which an elector may cast an absentee ballot in the municipal clerk’s office or at an alternate site under s. 6.855. The municipal clerk shall publish a type E notice on the 4th Tuesday preceding each spring

primary and election, on the 4th Tuesday preceding each September primary and general election, on the 4th Tuesday preceding the primary for each special national, state, county or municipal election if any, on the 4th Tuesday preceding a special county or municipal referendum, and on the 3rd Tuesday preceding each special national, state, county or municipal election to fill an office which is not held concurrently with the spring or general election. The clerk of each special purpose district which calls a special election shall publish a type E notice on the 4th Tuesday preceding the primary for the special election, if any, on the 4th Tuesday preceding a special referendum, and on the 3rd Tuesday preceding a special election for an office which is not held concurrently with the spring or general election except as authorized in s. 8.55 (3).

**History:** 1973 c. 334 s. 57; 1975 c. 275; 1979 c. 260, 311; 1983 a. 484; 1985 a. 304; 1987 a. 391; 1989 a. 31; 2001 a. 16; 2005 a. 451.

**10.02 Type B notice content. (1)** Before any election an appropriate type B notice shall be published in substantially the form prescribed by the board at the times prescribed in s. 10.06. The type B notice shall include the following relevant sections and be within the guidelines established in this section.

**(2)** (a) The headline or caption, the introductory paragraph and the voting instructions shall be printed once at the beginning of the notice followed by a facsimile of each ballot to be used at the election. The headline or caption shall be conspicuously displayed, but the caption together with the necessary spacing above and below shall not exceed 1 1/4 inches in depth. The introductory paragraph and voting instructions shall be set solid in the type of the regular reading matter of the newspaper but no smaller than 5 1/2–point nor larger than 10–point type.

(b) Following the introductory paragraph, but preceding the facsimile ballot notice, shall appear the statement of information to electors in the form prescribed in sub. (3).

(c) The facsimile ballots shall follow the voting instructions. The size and style of type and the general display of the facsimile ballots shall be prescribed by the board and shall conform to the form prescribed by the board under s. 7.08 (1) (a). The party columns shall not exceed 2–1/6 inches in width and the ballot size may be reduced. Voting machine facsimile ballots shall show a reduced diagram of the front of the voting machine and instructions to electors on how to vote on the machine. If the ballots in the wards or election districts within a county or municipality are identical but for the names of different candidates, districts or seats, the facsimile ballot may show the ballot for one ward or election district, accompanied by a list of candidates, districts and seats to be voted upon in the other wards or election districts.

**(3)** The notice shall contain the following:

FACSIMILE BALLOT NOTICE  
OF .... ELECTION

Office of .... [County] [Municipal] Clerk.

To the Electors of .... [County] [Municipality]:

Notice is hereby given of a .... election to be held in the several wards in the [county] [municipality] of ....., on the .... day of ....., .... (year), at which the officers named below shall be chosen. The names of the candidates for each office to be voted for, whose nominations have been certified to or filed in this office, are given under the title of the office and under the appropriate party or other designation, each in its proper column, together with the questions submitted to a vote, in the sample ballot below.

INFORMATION TO ELECTORS

Except where a different statement is prescribed by the board for use in whole or in part by municipalities using electronic voting systems under s. 5.95, the voting instructions shall be given substantially as follows:

(a) Upon entering the polling place and before being permitted to vote, an elector shall state his or her name and address. If an elector is not registered to vote, an elector may register to vote at the polling place serving his or her residence if the elector provides proof of residence or the elector's registration is verified by

another elector of the same municipality where the elector resides. Where ballots are distributed to electors, the initials of 2 inspectors must appear on the ballot. Upon being permitted to vote, the elector shall retire alone to a voting booth or machine and cast his or her ballot, except that an elector who is a parent or guardian may be accompanied by the elector's minor child or minor ward. An election official may inform the elector of the proper manner for casting a vote, but the official may not in any manner advise or indicate a particular voting choice.

(b) 1. If an elector wishes to vote for all candidates nominated by any party, the elector shall make a cross (X) or depress the lever or button next to the party designation shown at the top of the ballot. Unless a name has been erased or crossed out, another name written in, a cross made next to the name of a candidate for the same office in another column or a sticker applied, a cross next to a party designation at the top of the column is a vote for all the party's candidates listed in the column. If an elector does not wish to vote for all the candidates nominated by one party, the elector shall make a cross (X) next to or separately depress the levers or buttons next to each candidate's name for whom he or she intends to vote, or shall insert or write in the name of a candidate.

2. At a special partisan primary, the elector shall select the party ballot of his or her choice and shall make a cross (X) next to or depress the lever or button next to the candidate's name for each office for whom the elector intends to vote, or shall insert or write in the name of the elector's choice for a candidate.

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

3. When casting a presidential preference vote, the elector shall select the party ballot of his or her choice and make a cross (X) next to or depress the button or lever next to the candidate's name for whom he or she intends to vote or shall, in the alternative, make a cross (X) next to or depress the button or lever next to the words "Uninstructed delegation", or shall write in the name of his or her choice for a candidate.

4. At a nonpartisan primary, the elector shall make a cross (X) next to or depress the button or lever next to the candidate's name for each office for whom he or she intends to vote, or insert or write in the name of his or her choice for a candidate.

(c) In presidential elections, unless the elector wishes to vote for all candidates nominated by any party, the elector shall make a cross (X) next to or depress the button or lever next to the set of candidates for president and vice president for whom he or she intends to vote. A vote for candidates for president and vice president is a vote for the presidential electors of those candidates.

(d) On referenda questions, the elector shall make a cross (X) next to or depress the button or lever next to the answer which he or she intends to give.

(e) The vote should not be cast in any other manner. If the elector spoils a ballot, he or she shall return it to an election official who shall issue another in its place, but not more than 3 ballots shall be issued to any one elector. If the ballot has not been initialed by 2 inspectors or is defective in any other way, the elector shall return it to the election official, who shall issue a proper ballot in its place. Not more than 5 minutes' time shall be allowed inside a voting booth or machine. Unofficial ballots or a memorandum to assist the elector in marking his or her ballot may be taken into the booth and copied. The sample ballot shall not be shown to anyone so as to reveal how the ballot is marked.

(f) After an official paper ballot is marked, it shall be folded so the inside marks do not show but so the printed endorsements and inspectors' initials on the outside do show. After casting his or her vote, the elector shall leave the voting machine or booth, and where paper ballots are distributed to the electors, deposit his or her folded ballot in the ballot box or deliver it to an inspector for deposit in the box, and shall leave the polling place promptly.

(g) An elector may select an individual to assist in casting his or her vote if the elector declares to the presiding official that he or she is unable to read, has difficulty reading, writing or understanding English or that due to disability is unable to cast his or her ballot. The selected individual rendering assistance may not be the elector's employer or an agent of that employer or an officer or agent of a labor organization which represents the elector.

(h) The following is a facsimile of the official ballot: (insert facsimile of ballot)

....., (County Clerk)

(Municipal Clerk)

**History:** 1971 c. 304 s. 29 (2); 1973 c. 334 s. 57; 1975 c. 85, 199; 1977 c. 107, 427, 447; 1979 c. 311; 1981 c. 377; 1983 a. 484 ss. 119, 172 (3); 1985 a. 304; 1989 a. 31; 1997 a. 250; 1999 a. 182; 2003 a. 265; 2005 a. 451.

**10.03 Cross–references required.** Whenever possible the complete election notice shall appear on a single page of the newspaper. If this is impracticable, a footnote in 12–point caps shall indicate the page where the notice is continued. At the top of each succeeding page, or column of the notice, shall appear in 12–point caps and figures the notation, “For information to Electors and other facsimile ballots, see page ....”.

**History:** 1993 a. 213.

**10.04 Newspaper selection and fees. (1)** Election notices required by law to be published may be published only in newspapers qualified under ch. 985.

(2) (a) County clerks shall publish election notices in all newspapers published within the county that qualify under ch. 985 unless the county board provides otherwise by resolution.

(b) The board of election commissioners or governing body of a municipality may authorize by resolution the publication of election notices in more than one newspaper. The resolution may name the newspapers in which all election notices shall appear.

(3) (a) Whenever, in chs. 5 to 12, provision is made for the publication of a notice on a specific date and a weekly newspaper is chosen, the notice shall appear in that newspaper's closest preceding issue. Whenever, in chs. 5 to 12, provision is made for the publication of a notice on the day before an election and the county or municipal clerk who is responsible for publishing the notice determines that, due to the method of delivering newspapers in the municipality, more effective notice will be provided by publication at an earlier date, the municipal clerk may publish the notice not earlier than 3 days before the election.

(b) Whenever, in chs. 5 to 12, provision is made for publication of an election notice by more than one insertion, this may be done (in counties over 200,000 population) by publication in one or more newspapers on the dates prescribed or in different newspapers at least equal in number to the number of insertions required. When different newspapers are used, the publications shall always be in each newspaper's latest issue preceding the last given date for publishing that notice.

(4) Compensation for publishing all notices may not exceed that authorized for legal notices under s. 985.08.

**History:** 1977 c. 427; 1979 c. 89; 1985 a. 304.

**10.05 Posting of notice.** Unless specifically designated elsewhere, this section applies to villages, towns and school districts. Whenever a notice is required to be published, a village, town or school district may post 3 notices in lieu of publication under ch. 985 whenever there is not a newspaper published within the village, town or school district or whenever the governing body of the village, town or school district chooses to post in order to supplement notice provided in a newspaper. Whenever the

manner of giving notice is changed by the governing body, the body shall give notice of the change in the manner used before the change. Whenever posting is used, the notices shall be posted no later than the day prescribed by law for publication, or if that day falls within the week preceding the election to be noticed, at least one week before the election. All notices given for the same election shall be given in the same manner.

**History:** 1987 a. 391.

**10.06 Basic election notices. (1)** GOVERNMENT ACCOUNTABILITY BOARD. (a) On or before November 15 preceding a spring election the board shall send a type A notice to each county clerk.

(c) As soon as possible after the deadline for filing nomination papers for the spring election, but no later than the 2nd Tuesday in January, the board shall send a type B notice certifying the list of candidates to each county clerk if a primary is required.

(e) As soon as possible following the state canvass of the spring primary vote, but no later than the first Tuesday in March, the board shall send a type B notice certifying to each county clerk the list of candidates for the spring election. When no state spring primary is held or when the only primary held is the presidential preference primary, this notice shall be sent under par. (c). The board shall also in any case send a certified list of candidates under s. 11.50 to the state treasurer pursuant to s. 7.08 (2) (c). When there is a referendum, the board shall send type A and C notices certifying each question to the county clerks as soon as possible, but no later than the first Tuesday in March.

(f) On or before the 2nd Tuesday in May preceding a September primary and general election the board shall send a type A notice to each county clerk.

(h) As soon as possible after the deadline for determining ballot arrangement for the September primary on the 3rd Tuesday in July, the board shall send a type B notice to each county clerk certifying the list of candidates for the September primary.

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

(2) COUNTY CLERKS. (a) On the 4th Tuesday in November preceding a spring election each county clerk shall publish a type A notice based on the notice received from the board for all state offices to be filled at the election by any electors voting in the county and a similar notice incorporating any county offices.

(b) Upon receipt of the type B notice from the board preceding the spring election each county clerk shall add any county offices, prepare the ballots, and send notice to each municipal clerk of the spring primary. When there is no state spring primary within the county and there is no presidential preference primary scheduled for the date of the spring primary, but there is to be a county spring primary, the county clerk shall prepare the ballots and send notice to each municipal clerk.

(d) On the Monday preceding the spring primary, when held, the county clerk shall publish a type B notice. In a year in which a presidential preference primary is held, the county clerk shall also publish notice of the presidential preference primary.

(e) Upon receipt of the type B notice from the board each county clerk shall add any county offices and referenda, prepare the ballots and send notice to each municipal clerk of the coming spring election.

(f) On the 4th Tuesday preceding the spring election, the county clerk shall publish a type A notice of any state or county referendum to be held at the election.

(g) On the Monday preceding the spring election, the county clerk shall publish a type B notice containing the same information prescribed in par. (a). In addition, the county clerk shall publish a type C notice on the Monday preceding the spring election

for all state and county referenda to be voted upon by electors of the county.

(gm) On the last Tuesday in May the county clerk shall send notice of the coming September primary and general election to each municipal clerk.

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

(j) On the Monday preceding the September primary the county clerk shall publish a type B notice.

(k) Upon receipt of the type B notice from the board preceding the general election, the county clerk shall add county offices and referenda, if any, and send notice to each municipal clerk of the coming general election and prepare the ballots.

(L) On the 4th Tuesday preceding the general election, the county clerk shall publish a type A notice of any state or county referendum to be held at the election.

(m) On the Monday preceding the general election the county clerk shall publish a type B notice containing the same information prescribed in par. (h). In addition, the county clerk shall publish a type C notice on the Monday preceding the general election for all state and county referenda to be voted upon by electors of the county.

(n) On the 4th Tuesday preceding any special primary or election for national, state or county office, or any special county referendum, the county clerk shall publish a type A notice. On the day preceding any special primary or election for national, state or county office, the county clerk shall publish a type B notice. On the day preceding a special county referendum, the county clerk shall publish type B and C notices for the referendum.

**(3) MUNICIPAL CLERKS.** (a) On the 4th Tuesday in November preceding a spring municipal election the municipal clerk shall publish one type A notice for municipal offices. Publication shall be on the following day if Tuesday is a holiday.

(am) As soon as possible following the deadline for filing nomination papers for any municipal election when there is to be an election for a county or state office or a county or statewide referendum, but no later than 3 days after such deadline, the municipal clerk of each municipality in which voting machines or ballots containing the names of candidates for both local offices and national, state or county offices are used shall certify the list of candidates for municipal office to the county clerk if a primary is required, unless the municipality prepares its own ballots under s. 7.15 (2) (c).

(as) On the 4th Tuesday preceding the spring primary, when held, the municipal clerk shall publish a type E notice. In cities and villages, the municipal clerk shall publish a type A notice on the 4th Tuesday preceding the spring primary of any direct legislation questions to be voted on at the primary.

(b) If there is to be a municipal primary, the municipal clerk shall publish a type B notice on the Monday before the primary election. In cities and villages, the municipal clerk shall publish a type C notice on the Monday before the primary election of any direct legislation questions to be voted on at the primary.

(bm) As soon as possible following the municipal canvass of the primary vote or the qualification of the candidates under s. 8.05 (1) (j) when a municipal caucus is held, if there is to be an election for a county or state office or a county or statewide referendum, but no later than 3 days after such date, the municipal clerk of each municipality in which voting machines or ballots containing the names of candidates for both local offices and national, state or county offices are used shall certify the list of candidates for municipal office and municipal referenda appearing on the ballot to the county clerk, unless the municipality prepares its own ballots under s. 7.15 (2) (c).

(bs) On the 4th Tuesday preceding the spring election, the municipal clerk shall publish a type E notice. If there are municipi-

pal referenda, the municipal clerk shall publish a type A notice of the referenda at the same time.

(c) On the Monday before the spring election, the municipal clerk shall publish a type B notice and a type D notice. If there are municipal referenda, the municipal clerk shall publish a type C notice at the same time.

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

(d) On the Monday preceding the general election, the municipal clerk shall publish a type D notice. If there are municipal referenda, the municipal clerk shall publish type B and C notices at the same time.

(e) When electronic or mechanical voting machines or electronic voting systems in which ballots are distributed to electors are used in a municipality at a municipal election, the municipal clerk shall publish a type B notice on the Monday before the election. The notice shall include all offices and questions to be voted on at the election. The cost of this notice shall be shared under s. 5.68 (2) and (3).

(f) At least 40 days prior to any special primary or election for municipal office, the municipal clerk shall publish a type A notice. On the 4th Tuesday prior to any special primary for national, state, county or municipal office, the municipal clerk shall publish a type E notice. On the 3rd Tuesday prior to any special election for national, state, county or municipal office which is not held concurrently with the spring or general election, the municipal clerk shall publish a type E notice. On the 4th Tuesday prior to any special county referendum, the municipal clerk shall publish a type E notice. On the 4th Tuesday prior to any special municipal referendum, the municipal clerk shall publish type A and E notices. On the day preceding any special primary or election for municipal office, or any special municipal referendum, the municipal clerk shall publish a type B notice. The municipal clerk shall publish a type C notice on the day preceding a special municipal referendum. On the day preceding any special primary or election for national, state, county or municipal office, or a special county or municipal referendum, the municipal clerk shall publish a type D notice.

**(4) OTHER CLERKS.** (a) Unless otherwise provided, on the 4th Tuesday in November preceding an election for any office other than a national, state, county or municipal office, the clerk of the jurisdiction in which the election is held shall publish a type A notice.

(b) Unless otherwise provided, at least 40 days prior to any special primary or election for any office other than a national, state, county or municipal office, the clerk of the jurisdiction which calls the primary or election shall publish a type A notice.

(c) On the 4th Tuesday prior to any referendum other than a county or municipal referendum, the clerk of the jurisdiction which calls the referendum shall publish a type A notice.

(d) On the 4th Tuesday prior to any special primary for any office other than a national, state, county or municipal office, the clerk of the jurisdiction which calls the election for which the primary is held shall publish a type E notice.

(e) On the 3rd Tuesday prior to any special election for an office other than a national, state, county or municipal office which is not held concurrently with the spring or general election, the clerk of the jurisdiction which calls the election shall publish a type E notice.

(f) On the 4th Tuesday prior to any special referendum other than a county or municipal referendum, the clerk of the jurisdiction which calls the referendum shall publish a type E notice.

(g) On the day preceding any primary or election for any office other than a national, state, county or municipal office, the clerk of the jurisdiction in which the primary or election is held shall publish a type B notice.

(h) On the day preceding any special primary or election for any office other than a national, state, county or municipal office, the clerk of the jurisdiction which calls the election shall publish a type D notice.

(i) On the day preceding any referendum other than a state, county or municipal referendum, the clerk of the jurisdiction which calls the referendum shall publish type B, C and D notices.

**History:** 1973 c. 280; 1973 c. 334 s. 57; 1975 c. 275, 422; 1977 c. 107, 340, 427; 1979 c. 260, 311; 1983 a. 484; 1985 a. 304, 332; 1987 a. 391; 1989 a. 273; 1995 a. 16 s. 2; 1999 a. 182; 2001 a. 16, 109; 2003 a. 24; 2007 a. 1.

**10.07 Combination of notices; cost. (1)** Except as provided in sub. (2) in the case of voting machine ballots, whenever any county clerk or municipal or school district clerks within the same county are directed to publish any notice or portion of a notice under this chapter on the same date in the same newspaper, the text of which is identical, the clerks may publish one notice only. The cost of publication of such notice or the portion of the notice required shall be apportioned equally between the county and each municipality or school district sharing in its publication.

**(2)** When a voting machine ballot or ballot to be used with an electronic voting system includes 2 or more levels of government, the cost of giving the type B notice shall be prorated under s. 5.68 (3).

**History:** 1977 c. 427; 1979 c. 311; 1985 a. 304 ss. 130m, 156.

## SUBCHAPTER II

### SCHEDULE OF DATES

#### 10.51 Election occurrences listing; explanation.

**(1g)** This subchapter contains listings of election occurrences in chronological order by date according to the position or persons involved with the specific actions or notices to be performed or given.

**(1r)** All the listings contained in this subchapter relate to other provisions of the statutes that are referred to in each paragraph of these listings.

**(2)** Sections 10.62 to 10.82 are intended as a timetable guide and check list to certain election procedure requirements, and shall not be considered substantive law.

**(3)** In case of any conflict between ss. 10.62 to 10.82 and the substantive statutes to which such sections refer, or the original acts of the legislature on which said substantive statutes are based, the substantive statute or the original act of the legislature shall control.

**History:** 1973 c. 334 s. 28; Stats. 1973 s. 10.51; 2005 a. 149.

**10.52 Election occurrences listing; fluctuations.** In ss. 10.62 to 10.82, each subsection is arranged in chronological order with each occurrence listed in the month it is most likely to happen. Due to calendar fluctuations, there will be times when these occurrences will happen in a different month than listed and may occur in a different sequence than as shown.

**History:** 1973 c. 334 s. 28; Stats. 1973 s. 10.52.

#### 10.53 Legislative reference bureau to correct listings.

**(1g)** In preparing each edition of the statutes for publication the legislative reference bureau shall, if the bureau finds that a conflict exists between the listings in ss. 10.62 to 10.82 and the substantive statutes to which those sections refer, correct the listing in this subchapter to properly reflect the intent of the substantive statute or of the act of the legislature on which the substantive statute is based.

**(1r)** For any correction made by the legislative reference bureau under the authority of this section, the bureau shall prepare a note explaining the correction that shall be printed with the affected listing in this subchapter.

**(2)** If the legislative reference bureau makes any correction under the authority of this section, the bureau shall incorporate the

change in a correction bill to be submitted to the legislature at its next regularly scheduled meeting.

**(3)** Whenever a new act of the legislature requires a position or person to give an election notice or to perform a specific action in connection with any election, but such act fails to create an appropriate paragraph for inclusion within the listings in this subchapter, the legislative reference bureau shall create and print the appropriate paragraph in compliance with this section.

**History:** 1973 c. 334; 1991 a. 32; 2005 a. 149; 2007 a. 20.

**10.62 Government accountability board; spring primary and election.** The following subsections set forth, in chronological order, dates relating to the spring primary and election or occurrences during the spring period that affect the government accountability board:

**(1) NOVEMBER.** (a) *No later than November 15.* On or before November 15 the board sends a type A notice of the spring election to the county clerks. See s. 10.06 (1) (a).

**(1m) DECEMBER.** (a) *December 1.* December 1 is the earliest date that nomination papers may be circulated for candidates running in the spring election. See s. 8.10 (2).

**(2) JANUARY.** (a) *First Tuesday in January.* 1. 5 p.m., on the first Tuesday in January, or the next day if Tuesday is a holiday, is the deadline for candidates for state office at the spring election to file nomination papers and a declaration of candidacy with the board unless the deadline for filing is extended. See ss. 8.10 (2) and (5) and 8.21.

2. 5 p.m., on the first Tuesday in January, or the next day if Tuesday is a holiday, is the deadline for eligible candidates for state office to file applications to participate in the Wisconsin election campaign fund. See s. 11.50 (2) (a).

(b) *2nd Tuesday in January.* As soon as possible after the deadline for filing nomination papers, but no later than the 2nd Tuesday in January, the board sends the county clerks notice of any required primary and includes the certified list of candidates. See s. 10.06 (1) (c).

(c) *January 17.* No later than January 17, the board mails to each candidate for state office or the candidate's campaign treasurer, to each committee or individual supporting or opposing a candidate, and to each group or individual supporting or opposing a statewide referendum who is registered with it, forms for the continuing report, unless a registrant is required to file reports with the board in an electronic format. See s. 11.21 (2).

(f) *22 days prior to primary.* No later than 22 days prior to the spring primary, the board mails to each candidate for state office or the candidate's campaign treasurer, and to each committee or individual supporting or opposing a candidate who is registered with it, forms for the pre-primary report, unless a registrant is required to file reports with the board in an electronic format. See s. 11.21 (2).

(gm) *Last Tuesday in January.* On the last Tuesday in January in presidential election years, the committee to determine the candidates for the presidential preference primary convenes. See s. 8.12 (1) (b).

(gs) *Friday after last Tuesday in January.* On the Friday after the last Tuesday in January in presidential election years, the board contacts each person who has been nominated for president. See s. 8.12 (1) (d).

(h) *January 31.* No earlier than January 1 and no later than January 31, the board shall receive continuing reports by candidates for state office, by committees and individuals supporting or opposing candidates for state office, and by groups, individuals, and corporations supporting or opposing a statewide referendum. See s. 11.20 (4).

**(3) FEBRUARY.** (a) *February 1.* No special election may be scheduled after February 1 and before the date of the spring election. See s. 8.50 (intro.).

(am) *Beginning on February 1.* 1. The board sends notice to delinquents of failure to comply with filing requirements. See s. 11.21 (13).

2. The board makes a list of delinquents available for public inspection. See s. 11.21 (10).

(e) *Last 14 days before primary.* The board shall receive reports of late contributions of \$500 or more by candidates for state office or committees or individuals supporting or opposing such a candidate, and reports of late disbursements exceeding \$20 by committees or individuals supporting or opposing a candidate for state office during the last 14 days before the spring primary. See s. 11.12 (5) and (6).

(f) *14 to 8 days before primary.* No earlier than 14 days and no later than 8 days before the primary, the board shall receive election reports by candidates for state office and by committees and individuals supporting or opposing such candidates. See s. 11.20 (2).

(g) *Beginning 7 days before primary.* 1. The board sends notice to delinquents of failure to comply with filing requirements. See s. 11.21 (13).

2. The board makes a list of delinquents available for public inspection. See s. 11.21 (10).

(h) *3rd Tuesday in February.* 1. The 3rd Tuesday in February is the day of the spring primary. See s. 5.02 (22).

2. The 3rd Tuesday in February is the last day to remove a candidate's name from the presidential preference ballot. See s. 8.12 (1) (d).

3. 5 p.m. on the 3rd Tuesday in February is the deadline for any person seeking endorsement by the national convention of a political party for the office of president to submit a petition to the board for placement on the presidential preference ballot. See s. 8.12 (1) (c).

(hm) *4th Tuesday in February.* 1. 4:30 p.m., on the 4th Tuesday in February, is the deadline for any write-in candidate for justice or state superintendent who is certified to appear on the spring election ballot to file an application to participate in the Wisconsin election campaign fund. See s. 11.50 (2) (a).

2. The 4th Tuesday in February is the deadline for any candidate seeking to participate in the Wisconsin election campaign fund to file a special financial report with the board. See s. 11.50 (2) (c).

(j) *3 days after primary results received.* 1. At 5 p.m. on the 3rd business day following the day on which the board receives the last statement from a county board of canvassers for the primary is the deadline to demand a recount. See s. 9.01 (1) (a).

2. At 9 a.m., on the day following the last day for filing of a recount petition, the board of canvassers reconvenes to begin the recount procedure. See s. 9.01 (1) (b).

3. 5 p.m., 2 days after completion of the first recount, is the deadline to demand a recount in any remaining wards or municipalities. See s. 9.01 (4).

4. No later than 5 business days after the recount determination aggrieved parties may appeal to circuit court. See s. 9.01 (6) (a).

**(4) MARCH.** (a) *2nd Tuesday after primary.* On or before the 2nd Tuesday after the spring primary the chairperson of the board, or the chairperson's designee, canvasses the returns and makes his or her certifications and determinations. See s. 7.70 (3) (a).

(b) *First Tuesday in March.* 2. As soon as possible after the state canvass but no later than the first Tuesday in March the board sends the county clerks a type B notice and type A and C notices, when necessary, of the spring election. See s. 10.06 (1) (e).

4. No later than the first Tuesday in March, the board sends a certified list of candidates who are eligible to participate in the Wisconsin election campaign fund to the state treasurer. See s. 7.08 (2) (c).

(f) *22 days prior to election.* No later than 22 days prior to the spring election, the board mails to each candidate for state office

or the candidate's campaign treasurer, to each committee or individual supporting or opposing a candidate, and to each group or individual supporting or opposing a statewide referendum who is registered with it, forms for the pre-election report, unless a registrant is required to file reports with the board in an electronic format. See s. 11.21 (2).

(j) *Last 14 days before election.* The board shall receive reports of late contributions of \$500 or more by candidates for state office or committees or individuals supporting or opposing such a candidate, and by groups and individuals supporting or opposing statewide referenda and reports of late disbursements exceeding \$20 by committees and individuals supporting or opposing a candidate for state office during the last 14 days before the spring election. See ss. 11.12 (5) and (6) and 11.23 (6).

(k) *14 to 8 days before election.* No earlier than 14 days and no later than 8 days before the election, the board shall receive election reports by candidates for state office, by committees and individuals supporting or opposing candidates for state office, and by groups, individuals, and corporations supporting or opposing statewide referenda. See s. 11.20 (2).

(L) *Beginning 7 days before election.* 1. The board sends notice to delinquents of failure to comply with filing requirements. See s. 11.21 (13).

2. The board makes a list of delinquents available for public inspection. See s. 11.21 (10).

**(5) APRIL.** (a) *First Tuesday in April.* The first Tuesday in April is the day of the spring election. See s. 5.02 (21).

(c) *3 days after election results received.* 1. At 5 p.m. on the 3rd business day following the day on which the board receives the last statement from a county board of canvassers for the election is the deadline to demand a recount. See s. 9.01 (1) (a).

2. At 9 a.m., on the day following the last day for filing of a recount petition, the board of canvassers reconvenes to begin the recount procedure. See s. 9.01 (1) (b).

3. 5 p.m., 2 days after completion of the first recount, is the deadline to demand a recount in any remaining wards or municipalities. See s. 9.01 (4).

4. No later than 5 business days after the recount determination aggrieved parties may appeal to circuit court. See s. 9.01 (6) (a).

**(6) MAY.** (c) *May 15.* 1. May 15 is the deadline for the board to notify the state chairperson of each recognized political party of the results of the presidential preference vote. See s. 8.12 (3).

2. May 15 is the latest date that the chairperson of the board, or the chairperson's designee, may canvass the spring election and make his or her certifications and determinations. See s. 7.70 (3) (a).

3. Following the canvass, the board issues the certificates of election. See s. 7.70 (5) (a).

**(7) JUNE.** (a) *90 days after primary.* Most spring primary election materials may be destroyed 90 days after the spring primary. See s. 7.23.

**(8) JULY.** (a) *90 days after election.* Most spring election materials may be destroyed 90 days after the spring election. See s. 7.23.

(b) *3 years after any election.* Records transferred to the board by any former registrant who has submitted a dissolution report may be destroyed 3 years after the last election in which the registrant participated. See ss. 11.12 (3) and 11.23 (3).

(c) *6 years after any election.* Financial reports may be destroyed 6 years after any election. See ss. 7.23 (1) (d) and 11.21 (11) (a).

(e) *10 years after any election.* Official canvasses may be destroyed 10 years after the election to which they relate. See s. 7.23 (1) (i).

**History:** 1971 c. 304 s. 29 (2); 1973 c. 243, 280; 1973 c. 334 s. 29; 1973 c. 339; Stats. 1973 s. 10.62; 1975 c. 420; 1977 c. 448; 1979 c. 354; 1981 c. 314 s. 146; 1983 a. 36, 539; 1985 a. 333 ss. 1 to 11, 173; 1987 a. 404; 1989 a. 368; 1993 a. 487; 2001 a. 62; 2005 a. 149; 2009 a. 180.

**10.64 County clerk; spring primary and election.** The following subsections set forth, in chronological order, dates relating to the spring primary and election or occurrences during the spring period that affect the county clerk:

(1) NOVEMBER. (b) *4th Tuesday in November.* On the 4th Tuesday in November, the county clerk publishes a type A notice of the spring election. See s. 10.06 (2) (a).

(1m) DECEMBER. (a) *December 1.* December 1 is the earliest date that nomination papers may be circulated for candidates running for office in the spring election. See s. 8.10 (2).

(2) JANUARY. (a) *1st Tuesday in January.* 5 p.m., on the first Tuesday in January, or the next day if Tuesday is a holiday, is the deadline for candidates for county office at the spring election to file nomination papers and a declaration of candidacy with the county clerk unless the deadline for filing is extended. See ss. 8.05 (3) (a) and (4) (b), 8.10 (2) and (5) and 8.21.

(b) *January 17.* No later than January 17, the county clerk mails to each candidate for county office or such person's campaign treasurer, to each committee or individual supporting or opposing a candidate and to each group or individual supporting or opposing a local referendum who is registered with the clerk forms for the continuing report. See s. 11.22 (3).

(e) *Last Tuesday in January.* On the last Tuesday in January the county clerk upon receipt of the notice from the board prepares the ballots and gives notice to all municipal clerks that there will be a primary. See s. 10.06 (2) (b).

(f) *22 days prior to primary.* 1. No later than 22 days prior to the spring primary, the county clerk mails to each candidate for county office or such person's campaign treasurer, and to each committee or individual supporting or opposing a candidate who is registered with the clerk, forms for the pre-primary report. See s. 11.22 (3).

2. 22 days before the spring primary, the county clerk distributes ballots and forms prescribed by the board to the municipal clerks in the county. See s. 7.10 (3) (a).

(g) *January 1 to 31.* No earlier than January 1 and no later than January 31, the county clerk shall receive continuing reports by candidates for county office, by committees and individuals supporting or opposing candidates for county office, and by groups, individuals, and corporations supporting or opposing a local referendum. See s. 11.20 (4).

(3) FEBRUARY. (a) *February 1.* No special election may be scheduled after February 1 and before the date of the spring election. See s. 8.50 (intro.).

(am) *Beginning on February 1.* 1. The clerk sends notice to delinquents of failure to comply with filing requirements. See s. 11.22 (9).

2. The clerk makes a list of delinquents available for public inspection. See s. 11.22 (5).

3. The clerk notifies the district attorney or attorney general of delinquencies. See ss. 11.22 (4), 11.60 (4) and 11.61 (2).

(d) *Last 14 days before primary.* The county clerk shall receive reports of late contributions of \$500 or more by candidates for county office or committees or individuals supporting or opposing such a candidate, and reports of late disbursements exceeding \$20 by committees or individuals supporting or opposing a candidate for county office during the last 14 days before the spring primary. See s. 11.12 (5) and (6).

(e) *2nd Monday before primary.* No earlier than 14 days and no later than 8 days before the primary, the county clerk shall receive election reports by candidates for county office and by committees and individuals supporting such candidates. See s. 11.20 (2).

(f) *Beginning 7 days before primary.* 1. The clerk sends notice to delinquents of failure to comply with filing requirements. See s. 11.22 (9).

2. The clerk makes a list of delinquents available for public inspection. See s. 11.22 (5).

3. The clerk notifies the district attorney or the attorney general of delinquencies. See ss. 11.22 (4), 11.60 (4) and 11.61 (2).

(g) *Monday before primary.* On the Monday before the spring primary, the county clerk publishes a type B notice for the primary. See s. 10.06 (2) (d).

(h) *3rd Tuesday in February.* The 3rd Tuesday in February is the day of the spring primary. See s. 5.02 (22).

(i) *Thursday after primary.* No later than 9 a.m. on the Thursday after the spring primary the county canvass shall begin. See s. 7.60 (3).

1. 5 p.m., 3 days after last day of the county canvass, is the deadline to demand the first recount. See s. 9.01 (1) (a).

2. At 9 a.m., on the day following the last day for filing of a recount petition, the board of canvassers reconvenes to begin the recount procedure. See s. 9.01 (1) (b).

3. 5 p.m., 2 days after completion of the first recount, is the deadline to demand a recount in any remaining wards or municipalities. See s. 9.01 (4).

4. No later than 5 business days after the recount determination aggrieved parties may appeal to circuit court. See s. 9.01 (6) (a).

(j) *7 days after primary.* No later than 7 days after the spring primary, the county clerk transmits to the board a statement of votes cast for state offices at the primary. See s. 7.60 (5).

(4) MARCH. (d) *4th Tuesday before election.* On the 4th Tuesday before the spring election, the county clerk publishes a type A notice of any state or county referendum to be held at the election. See s. 10.06 (2) (f).

(e) *22 days prior to election.* No later than 22 days prior to the spring election, the county clerk mails to each candidate for county office or such person's campaign treasurer, to each committee or individual supporting or opposing a candidate and to each group or individual supporting or opposing a local referendum who is registered with the clerk, forms for the pre-election report. See s. 11.22 (3).

(em) *22 days before election.* 22 days before the spring election, the county clerk distributes ballots and forms prescribed by the board to municipal clerks in the county. See s. 7.10 (3) (a).

(f) *3rd Tuesday in March.* On the 3rd Tuesday in March or upon receipt of notice from the board the county clerk prepares the ballots and gives notice to all the municipal clerks. See s. 10.06 (2) (e).

(j) *Last 14 days before election.* The county clerk shall receive reports of late contributions of \$500 or more by candidates for county office or committees or individuals supporting or opposing such a candidate, and by groups or individuals supporting or opposing county referenda and reports of late disbursements exceeding \$20 by committees and individuals supporting or opposing a candidate for county office during the last 14 days before the spring election. See ss. 11.12 (5) and (6) and 11.23 (6).

(L) *2nd Monday before election.* No earlier than 14 days and no later than 8 days before the election, the county clerk shall receive election reports by candidates for county office, by committees and individuals supporting candidates for county office, and by groups, individuals, and corporations supporting or opposing local referenda. See s. 11.20 (2).

(m) *Beginning 7 days before election.* 1. The clerk sends notice to delinquents of failure to comply with filing requirements. See s. 11.22 (9).

2. The clerk makes a list of delinquents available for public inspection. See s. 11.22 (5).

3. The clerk notifies the district attorney or attorney general of delinquencies. See ss. 11.22 (4), 11.60 (4) and 11.61 (2).

(5) APRIL. (a) *Monday before election.* On the Monday before the spring election the county clerk publishes type B and C notices for the election. See s. 10.06 (2) (d).

(b) *First Tuesday in April.* The first Tuesday in April is the day of the spring election. See s. 5.02 (21).

(c) *Thursday after election.* The county canvass shall begin no later than 9 a.m. on the Thursday after the spring election. See s. 7.60 (3).

1. 5 p.m., 3 days after the last day of the county canvass, is the deadline to demand the first recount. See s. 9.01 (1) (a).

2. At 9 a.m., on the day following the last day for filing of a recount petition, the board of canvassers reconvenes to begin the recount procedure. See s. 9.01 (1) (b).

3. 5 p.m., 2 days after completion of the first recount, is the deadline to demand a recount in any remaining wards or municipalities. See s. 9.01 (4).

4. No later than 5 business days after the recount determination aggrieved parties may appeal to circuit court. See s. 9.01 (6) (a).

5. Immediately after expiration of the recount period, the county clerk issues a certificate of election to each individual elected to county office. See s. 7.60 (6).

(d) *10 days after election.* No later than 10 days after the spring election, the county clerk delivers or transmits to the board a statement of votes cast for state and national offices at the election. See s. 7.60 (5).

**(7) JUNE.** (a) *90 days after primary.* Most spring primary election materials may be destroyed 90 days after the spring primary. See s. 7.23.

**(8) JULY.** (a) *90 days after election.* Most spring election materials may be destroyed 90 days after the spring election. See s. 7.23.

(am) *1 year after any election.* Election notices, correspondence in connection with such notices and proofs of publication may be destroyed 1 year after the election to which they relate. See s. 7.23 (1) (j).

(b) *3 years after any election.* Records transferred to the county clerk by any former registrant who has submitted a dissolution report may be destroyed 3 years after the last election in which the registrant participated. See ss. 11.12 (3) and 11.23 (3).

(c) *6 years after any election.* Financial reports may be destroyed 6 years after any election. See s. 7.23 (1) (d).

(d) *10 years after any election.* Official canvasses may be destroyed 10 years after the election to which they relate. See s. 7.23 (1) (i).

**History:** 1971 c. 40 s. 93; 1971 c. 304 s. 29 (2); 1973 c. 280; 1973 c. 334 s. 29; 1973 c. 339; Stats. 1973 s. 10.64; 1975 c. 420; 1977 c. 203 s. 106; 1977 c. 448; 1979 c. 354; 1981 c. 314 s. 146; 1983 a. 539; 1985 a. 333; 1987 a. 404; 1989 a. 56; 1993 a. 487; 2001 a. 62, 107; 2005 a. 149.

**10.66 Municipal clerk and governing body; spring primary and election.** The following subsections set forth, in chronological order, dates relating to the spring primary and election occurrences during the spring primary that affect the municipal clerk and governing body:

**(1) AUGUST.** (a) *August 1.* August 1 is the earliest application may be made for absentee ballots for the spring primary. See s. 6.86.

**(1m) NOVEMBER.** (a) *90 days before primary.* No later than the 90th day before the spring primary, or as soon as possible after offices to be contested are known, whichever is later, the municipal clerk mails write-in absentee ballots to qualified electors who have requested them. See s. 7.15 (1) (cs).

(b) *4th Tuesday in November.* On the 4th Tuesday in November, or the next day if Tuesday is a holiday, the municipal clerk publishes one type A notice of the municipal spring election. See s. 10.06 (3) (a).

**(2) DECEMBER.** (a) *December 1.* 1. December 1 preceding the spring election is the earliest date nomination papers may be circulated for candidates running in the spring election. See ss. 8.05 (3) (a) and (4) (b) and 8.10 (2).

2. On December 1 preceding a spring primary, the municipal clerk certifies to the county clerk the number of electors in the municipality. See s. 5.66 (1).

3. The deadline for electors of a village to file a petition requesting a primary for the spring election is December 1 preceding the spring election. See s. 8.11 (1m) (c).

(d) *Last December meeting.* 1. At the last meeting of the municipal board of election commissioners in December of even-numbered years in cities of the 1st class, the board of election commissioners appoints election officials for 2-year terms. See s. 7.30 (4) (b) 1.

2. At the last meeting of the municipal governing body in December of even-numbered years, except in cities that have a board of election commissioners, the municipal executive nominates to the governing body the necessary election officials. If no regular meeting is scheduled a special meeting shall be called no later than December 31. See s. 7.30 (4).

3. Within 5 days the municipal clerk notifies each election official appointee of that person's appointment. See s. 7.30 (5).

4. Within 10 days of mailed notice election official appointees shall file official oath with the municipal clerk. See s. 7.30 (5).

**(3) JANUARY.** (a) *No later than January 1.* Between December 1 and January 1, towns and villages having a caucus shall establish the caucus date between the first Tuesday in January and the last Tuesday in January. See s. 8.05 (1) (a).

(am) *First Tuesday in January.* 1. 5 p.m., on the first Tuesday in January, or the next day if Tuesday is a holiday, is the deadline for candidates for municipal office at the spring election to file nomination papers and a declaration of candidacy with the municipal clerk unless the deadline for filing is extended. See ss. 8.05 (3) (a) and (4) (b), 8.10 (2) and (5) and 8.21.

2. The first Tuesday in January is the earliest date the town or village caucus may be held. See s. 8.05 (1) (a). At least 5 days' notice of the caucus shall be given. See s. 8.05 (1) (b).

3. Each candidate who is nominated at the caucus must file a declaration of candidacy within 5 days after notification of nomination unless the deadline for filing is extended. See s. 8.05 (1) (j).

(ar) *Thursday after first Tuesday in January.* No later than the Thursday after the first Tuesday in January, the municipal clerk of each municipality not having a caucus where voting machines or ballots containing the names of candidates for both local offices and national, state or county offices are used certifies the list of candidates for any municipal offices to the county clerk if a primary is required, unless the municipality prepares its own ballots or no state or county election is held. See s. 10.06 (3) (am).

(aw) *3 days after first Tuesday in January.* 1. The deadline for a city or village to decide to hold a primary for the spring election is 3 days after the first Tuesday in January preceding the spring election, or the next day if Tuesday is a holiday. See ss. 8.10 (2) and 8.11 (1) (a) and 8.11 (1m) (a).

2. The deadline for electors of a city to file a petition requesting a primary for the spring election is 3 days after the first Tuesday in January preceding the spring election, or the next day if Tuesday is a holiday. See ss. 8.10 (2) and 8.11 (1) (c).

(b) *90 days before election.* No later than the 90th day before the spring election, the municipal clerk distributes write-in absentee ballots to qualified electors who have requested them. See s. 7.15 (1) (cs).

(c) *January 17.* No later than January 17, the municipal clerk mails to each candidate for municipal office or such person's campaign treasurer, to each committee or individual supporting or opposing a candidate and to each group or individual supporting or opposing a municipal referendum who is registered with the clerk, forms for the continuing report. See s. 11.22 (3).



(cm) *4th Tuesday before primary.* On the 4th Tuesday before the spring primary, the municipal clerk publishes a type E notice for the spring primary. In cities and villages, the municipal clerk publishes a type A notice of any direct legislation questions to be voted on at the primary. See s. 10.06 (3) (as).

(g) *30 days before primary.* 1. The deadline for selecting tabulators to assist with the spring primary canvass is 30 days before the spring primary. See s. 7.30 (3).

2. The deadline for establishing polling places is 30 days before the spring primary. See s. 5.25 (3).

3. In municipalities employing an electronic voting system, the deadline for placement of a demonstrator system is 30 days before the spring primary. See s. 5.80.

4. Until 30 days before the spring primary, wards may be united to facilitate using a common polling place. See s. 5.15 (6) (b).

(h) *Last Tuesday in January.* The last Tuesday in January is the latest date the town or village caucus may be held. See s. 8.05 (1) (a).

1. At least 5 days' notice of the caucus shall be given. See s. 8.05 (1) (b).

2. Each candidate who is nominated at the caucus must file a declaration of candidacy within 5 days after notification of nomination unless the deadline for filing is extended. See s. 8.05 (1) (j).

(i) *22 days prior to primary.* No later than 22 days prior to the spring primary, the municipal clerk mails to each candidate for municipal office or such person's campaign treasurer, and to each committee or individual supporting or opposing a candidate who is registered with the clerk, forms for the preprimary report. See s. 11.22 (3).

(im) *21 days before primary.* No later than the 21st day before the spring primary, the municipal clerk sends official absentee ballots to qualified electors who have requested them. See s. 7.15 (1) (cm).

(j) *January 1 to 31.* No earlier than January 1 and no later than January 31, the municipal clerk shall receive continuing reports by candidates for municipal office, by committees and individuals supporting or opposing candidates for municipal office, and by groups, individuals, and corporations supporting or opposing a municipal referendum. See s. 11.20 (4).

(k) *Thursday after last Tuesday in January.* No later than 2 days after the day of the municipal caucus, the municipal clerk of each municipality where voting machines or ballots containing the names of candidates for both local offices and national, state or county offices are used certifies the list of candidates for any municipal offices and municipal referenda to the county clerk, unless the municipality prepares its own ballots or no state or county election is held. See s. 10.06 (3) (bm).

(4) FEBRUARY. (a) *February 1.* No special election may be scheduled after February 1 and before the date of the spring election. See s. 8.50 (intro.).

(am) *Beginning on February 1.* 1. The clerk sends notice to delinquents of failure to comply with filing requirements. See s. 11.22 (9).

2. The clerk makes a list of delinquents available for public inspection. See s. 11.22 (5).

3. The clerk notifies the district attorney of delinquencies. See s. 11.22 (4).

(g) *Last 14 days before primary.* The municipal clerk shall receive reports of late contributions of \$500 or more by candidates for municipal office or committees or individuals supporting or opposing such a candidate, and reports of late disbursements exceeding \$20 by committees or individuals supporting or opposing a candidate for municipal office during the last 14 days before the spring primary. See s. 11.12 (5) and (6).

(gm) *10 days before primary.* No later than 10 days before the spring primary, in any municipality employing an electronic vot-

ing system which utilizes automatic tabulating equipment, the municipal clerk has the equipment publicly tested. See s. 5.84 (1).

(h) *2nd Wednesday before primary.* 5 p.m., on the 2nd Wednesday before the spring primary, is the deadline for voter registration. See s. 6.28 (1).

(i) *2nd Monday before primary.* 3. No earlier than 14 days and no later than 8 days before the primary, the municipal clerk shall receive election reports by candidates for municipal office and by committees and individuals supporting or opposing such candidates. See s. 11.20 (2).

(j) *Beginning 7 days before primary.* 1. The clerk sends notice to delinquents of failure to comply with filing requirements. See s. 11.22 (9).

2. The clerk makes a list of delinquents available for public inspection. See s. 11.22 (5).

3. The clerk notifies the district attorney of delinquencies. See s. 11.22 (4).

(k) *Wednesday before primary.* On the Wednesday before the spring primary in cities of the 1st class, the board of election commissioners sits to hear registration objections. See s. 6.48 (2).

(L) *Thursday before primary.* The Thursday before the spring primary is the latest posting may be substituted for newspaper publication in villages, towns and school districts taking part in the spring primary. See s. 10.05.

(Lm) *Friday before primary.* 5 p.m., on the Friday before the spring primary, is the deadline for receipt of applications by mail for absentee ballots for the primary. See s. 6.86 (1).

(m) *2 days before primary.* Ballots in cities of the 1st class shall be ready 2 days before the spring primary when they print their own ballots. See s. 7.15 (2) (b).

(n) *Monday before primary.* 1. On the Monday before the spring primary the municipal clerk publishes a type B notice whenever a primary for municipal offices or a municipal referendum is scheduled. A type B notice is also published if the municipality utilizes voting machines or an electronic voting system in which ballots are distributed to electors. If there is a spring primary, municipal clerks also publish a type D notice on this date. See s. 10.06 (3) (b), (d), and (e).

3. The Monday before the spring primary is the latest date election materials may be delivered to wards. See s. 7.15 (3) (b) and (5).

4. 5 p.m., on the Monday before the spring primary, is the deadline for application in person for absentee ballots for the primary. See s. 6.86 (1).

(o) *3rd Tuesday in February.* The 3rd Tuesday in February is the day of the spring primary. See s. 5.02 (22).

1. 5 p.m. on the day of the primary is the deadline for hospitalized electors to make application for an absentee ballot by agent or to file a registration form by agent. See s. 6.86 (3) (c).

2. Upon completion of the ward canvass, the results shall be announced, the results telephoned to the proper clerks and all materials returned to the municipal clerk immediately. See ss. 7.51 (4) (b) and (5) and 7.53 (1).

3. Following the spring primary most unused election materials may be destroyed as the municipal clerk directs. See s. 7.23 (1) (a).

4. No earlier than the day of the spring primary, poll lists created for the spring primary that was held 2 years earlier may be destroyed. See s. 7.23 (1) (e).

(p) *Day after primary.* 1. 2 p.m., the day after the spring primary, is the deadline for municipal clerks to deliver election materials to the county clerk. See ss. 7.51 (5) and 7.53 (3).

2. Within 24 hours after the polls close, municipalities with more than one ward shall begin the municipal canvass. See s. 7.53 (2).

3. In municipalities having registration, the municipal clerk checks the name of each elector who is allowed to vote at the pri-

mary whose name did not appear on the registration list and revises the list accordingly. See s. 6.56.

4. Beginning on the day after the spring primary, the municipal clerk investigates to assure that no person has been allowed to vote more than once at the primary. See s. 6.56 (4).

(q) *2 days after municipal primary canvass.* No later than 2 days after the municipal primary canvass, the municipal clerk of each municipality where voting machines or ballots containing the names of candidates for both local offices and national, state or county offices are used certifies the list of candidates for any municipal offices and municipal referenda to the county clerk, unless the municipality prepares its own ballots or no state or county election is held. See s. 10.06 (3) (bm).

(r) *3 days after last day of municipal canvass.* 1. 5 p.m., 3 days after the last day of the municipal canvass, is the deadline to demand first recount. See s. 9.01 (1) (a).

2. At 9 a.m. on the day following the last day for filing of a recount petition the board of canvassers reconvenes to begin the recount procedure. See s. 9.01 (1) (b).

3. 5 p.m., 2 days after completion of the first recount, is the deadline to demand a recount in any remaining wards or municipalities. See s. 9.01 (4).

4. No later than 5 business days after the recount determination aggrieved parties may appeal to circuit court. See s. 9.01 (6) (a).

(s) *Last Tuesday in February.* 1. 5 p.m., on the last Tuesday in February, is the deadline for filing petition in towns requesting submission of question whether to require nomination papers and a nonpartisan primary in lieu of the caucus. See s. 8.05 (3) (e).

2. Separate notice shall be given 5 days before the election. See s. 8.05 (3) (e).

**(5) MARCH.** (a) *14 days after primary.* No earlier than 14 days after the spring primary, voting machine recorders used in the primary may be cleared and reactivated and detachable recording units and compartments used with electronic voting machines may be cleared or erased. See s. 7.23 (1) (b) and (g).

**NOTE:** Section 7.23 (1) (b) was repealed by 2009 Wis. Act 397. Corrective legislation is pending.

(b) *30 days before election.* 1. The deadline for selecting tabulators to assist with the spring election canvass is 30 days before the spring election. See s. 7.30 (3).

2. The deadline for establishing polling places is 30 days before the spring election. See s. 5.25 (3).

3. In municipalities employing an electronic voting system, the deadline for placement of a demonstrator system is 30 days before the spring primary. See s. 5.80.

4. Until 30 days before spring election, wards may be united to facilitate using a common polling place. See s. 5.15 (6) (b).

(c) *4th Tuesday before election.* On the 4th Tuesday before the spring election, or the next day if Tuesday is a holiday, the municipal clerk publishes a type E notice for the spring election. If there is a municipal referendum, the municipal clerk publishes a type A notice of the referendum. See s. 10.06 (3) (bs).

(e) *22 days prior to election.* No later than 22 days prior to the spring election, the municipal clerk mails to each candidate for municipal office or such person's campaign treasurer, to each committee or individual supporting or opposing a candidate and to each group or individual supporting or opposing a municipal referendum who is registered with the clerk, forms for the preelection report. See s. 11.22 (3).

(em) *21 days before election.* No later than the 21st day before the spring election, the municipal clerk mails official absentee ballots to qualified electors who have requested them. See s. 7.15 (1) (cm).

(g) *30 days after primary.* 1. No later than 30 days after the spring primary, the municipal clerk submits to the county clerk a statement of registration and voting information. See s. 6.275 (1).

2. No earlier than 30 days after the spring primary, primary ballots may be destroyed. See s. 7.23 (1) (h).

3. No later than 30 days after the spring primary, the municipal clerk enters on the registration list under the name of each elector of the municipality who has voted at the election the date of the election in which the elector voted. See s. 7.15 (4).

(i) *Last 14 days before election.* The municipal clerk shall receive reports of late contributions of \$500 or more by candidates for municipal office or committees or individuals supporting or opposing such a candidate, and by groups and individuals supporting or opposing local referenda and reports of late disbursements exceeding \$20 by committees and individuals supporting or opposing a candidate for municipal office during the last 14 days before the spring election. See ss. 11.12 (5) and (6) and 11.23 (6).

(im) *10 days before election.* No later than 10 days before the spring election, in any municipality employing an electronic voting system which utilizes automatic tabulating equipment, the municipal clerk has the equipment publicly tested. See s. 5.84 (1).

(j) *2nd Wednesday before election.* 5 p.m., on the 2nd Wednesday before the spring election, is the deadline for voter registration. See s. 6.28 (1).

(k) *2nd Monday before election.* 3. No earlier than 14 days and no later than 8 days before the election, the municipal clerk shall receive election reports by candidates for local office, by committees or individuals supporting or opposing candidates for local office, and by groups, individuals, and corporations supporting or opposing municipal referenda. See s. 11.20 (2).

(L) *Tuesday before election.* 1. The Tuesday before spring election is the latest date posting may be substituted for newspaper publication in villages, towns and school districts taking part in the spring election. See s. 10.05.

3. Beginning 7 days before the election, the clerk sends notice to delinquents of failure to comply with filing requirements. See s. 11.22 (9).

4. Beginning 7 days before the election, the clerk makes a list of delinquents available for public inspection. See s. 11.22 (5).

5. Beginning 7 days before the election, the clerk notifies the district attorney of delinquencies. See s. 11.22 (4).

(m) *Thursday before election.* No later than the Thursday before the spring election, the town clerk gives separate notice of question requiring nomination papers and nonpartisan primary in lieu of the caucus. See s. 8.05 (3) (e).

(n) *Friday before election.* 2. Vacancies may be filled within 4 days. See s. 7.38 (2).

3. 5 p.m., on Friday before the spring election, is the deadline for receipt of application by mail for absentee ballots for the election. See s. 6.86 (1).

(o) *2 days before election.* Ballots in cities of the 1st class shall be ready 2 days before the election when they print their own ballots. See s. 7.15 (2) (b).

(p) *Monday before election.* 1. The municipal clerk publishes type B and D notices, and a type C notice when necessary, on the Monday before the spring election. See s. 10.06 (3) (c) and (e).

2. Municipal clerks publish a type D notice on the Monday before spring election. See s. 10.06 (3) (d).

3. The Monday before the spring election is the latest date election materials may be delivered to wards. See s. 7.15 (3) (b) and (5).

5. 5 p.m., on the Monday before the spring election, is the deadline for application, in person, for absentee ballots for the election. See s. 6.86 (1).

**(6) APRIL.** (a) *First Tuesday in April.* 1. The first Tuesday in April is the day of the spring election. See s. 5.02 (21).

2. 5 p.m. on the day of the spring election is the deadline for hospitalized electors to make application for an absentee ballot by agent or to file a registration form by agent. See s. 6.86 (3) (c).

3. Upon completion of the ward canvass, the results shall be announced, the results telephoned to the proper clerks and all materials returned to the municipal clerk immediately. See ss. 7.51 (4) (b) and (5) and 7.53 (1).

4. Following spring election any unused election materials and contents of the blank ballot box may be destroyed as the municipal clerk directs. See s. 7.23 (1) (a).

5. No earlier than the day of the spring election, poll lists created for the spring election that was held 2 years earlier may be destroyed. See s. 7.23 (1) (e).

(b) *Day after election.* 1. 2 p.m., on the day after the spring election, is the deadline for the municipal clerk to deliver election materials to the county clerk. See ss. 7.51 (5) and 7.53 (3).

2. Within 24 hours after the polls close, municipalities with more than one ward shall begin municipal canvass. See s. 7.53 (2).

3. In municipalities having registration, the municipal clerk checks the name of each elector who has been allowed to vote at the election whose name did not appear on the registration list and revises the list accordingly. See s. 6.56.

4. Beginning on the day after the spring election, the municipal clerk investigates to assure that no person has been allowed to vote more than once at the election. See s. 6.56 (4).

(c) *3 days after last day of municipal canvass.* 1. 5 p.m., 3 days after the last day of municipal canvass, is the deadline to demand the first recount. See s. 9.01 (1) (a).

2. At 9 a.m. on the day following the last day for filing of a recount petition, the board of canvassers reconvenes to begin the recount procedure. See s. 9.01 (1) (b).

3. 5 p.m., 2 days after completion of the first recount, is the deadline to demand a recount in any remaining wards or municipalities. See s. 9.01 (4).

4. No later than 5 business days after the recount determination aggrieved parties may appeal to circuit court. See s. 9.01 (6) (a).

(d) *2nd Tuesday in April.* The 2nd Tuesday in April is the latest municipalities holding annual elections may declare results of the spring election. See s. 7.53 (2) (d).

(e) *4th Tuesday in April.* No earlier than 21 days after the spring election, voting machine recorders used in the election may be cleared and reactivated and detachable recording units and compartments used with electronic voting machines may be cleared or erased. See s. 7.23 (1) (b) and (g).

NOTE: Section 7.23 (1) (b) was repealed by 2009 Wis. Act 397. Corrective legislation is pending.

(7) MAY. (a) *30 days after election.* 1. No later than 30 days after the spring election, the municipal clerk submits to the county clerk a statement of registration and voting information. See s. 6.275 (1).

2. No earlier than 30 days after the spring election, election ballots may be destroyed. See s. 7.23 (1) (h).

3. No later than 30 days after the spring election, the municipal clerk enters on the registration list under the name of each elector of the municipality who has voted at the election the date of the election in which the elector voted. See s. 7.15 (4).

(b) *90 days after primary.* 2. Most spring primary election materials may be destroyed 90 days after the spring primary. See s. 7.23 (1) (k).

(9) JULY. (a) *90 days after election.* 1. Most spring election materials may be destroyed 90 days after the spring election. See s. 7.23 (1) (k).

(am) *1 year after any election.* Election notices, correspondence in connection with such notices and proofs of publication may be destroyed 1 year after the election to which they relate. See s. 7.23 (1) (j).

(b) *3 years after any election.* Records transferred to the municipal clerk by any former registrant who has submitted a dissolution report may be destroyed 3 years after the last election in which the registrant participated. See ss. 11.12 (3) and 11.23 (3).

(c) *6 years after any election.* Financial reports may be destroyed 6 years after any election. See s. 7.23 (1) (d).

(d) *10 years after any election.* Official canvasses may be destroyed 10 years after the election to which they relate. See s. 7.23 (1) (i).

History: 1971 c. 304 ss. 15, 16, 29 (2); 1971 c. 336; 1973 c. 166, 280; 1973 c. 334 s. 29; 1973 c. 339; Stats. 1973 s. 10.66; 1975 c. 420; 1977 c. 394 s. 53; 1977 c. 448; 1979 c. 354; 1981 c. 314 s. 146; 1983 a. 539; 1985 a. 333 ss. 20, 33 to 67, 173; 1987 a. 404 ss. 8, 14 to 22; 1989 a. 56, 273, 368; 1991 a. 32; 1993 a. 487; 2001 a. 62; 2003 a. 324; 2005 a. 149; 2007 a. 98; 2009 a. 213.

**10.68 Candidates; spring primary and election.** The following subsections set forth, in chronological order, dates relating to the spring primary and election or occurrences during the spring period that affect the candidates:

(1) DECEMBER. (a) *December 1.* December 1 is the earliest nomination papers may be circulated for candidates running for office in the spring election. See ss. 8.05 (3) (a) and (4) (b) and 8.10 (2).

(2) JANUARY. (a) *First Tuesday in January.* 1. 5 p.m., on the first Tuesday in January, or the next day if Tuesday is a holiday, is the deadline for candidates for office at the spring election to file nomination papers and a declaration of candidacy unless the deadline for filing is extended. See ss. 8.05 (3) (a) and (4) (b), 8.10 (2) and (5) and 8.21.

2. 5 p.m., on the first Tuesday in January, or the next day if Tuesday is a holiday, is the deadline for eligible candidates for state office to file applications to participate in the Wisconsin election campaign fund. See s. 11.50 (2) (a).

(b) *Friday after 1st Tuesday in January.* 4:30 p.m., on the Friday after the 1st Tuesday in January, or the following Monday if Tuesday is a holiday, is the deadline for candidates for state office or municipal judge to file statements of economic interests with the government accountability board unless the deadline for filing is extended. See s. 19.43 (4).

(bm) *Last Tuesday in January.* Each candidate who is nominated at the town or village caucus must file a declaration of candidacy within 5 days after notification of nomination unless the deadline for filing is extended. See s. 8.05 (1) (j).

(c) *January 31.* January 31 is the deadline for every candidate for state or local office or his or her personal campaign committee to file a continuing report with the board or other appropriate filing officer. Such report is current to the end of December 31. See s. 11.20 (4).

(3) FEBRUARY. (a) *Last 14 days before primary.* Any contribution of \$500 or more which is received by a candidate or his or her personal campaign committee within 14 days of the spring primary must be reported to the board or other appropriate filing officer within 24 hours of receipt. See s. 11.12 (5).

(b) *8 days before primary.* The 8th day before the primary is the deadline for each candidate or his or her personal campaign committee to file a pre-primary report with the board or other appropriate filing officer. Such report is current to the end of the 15th day preceding the primary. See s. 11.20 (2) and (7).

(c) *Friday before primary.* Vacancies may be filled within 4 days. See s. 7.38 (2).

(d) *3rd Tuesday in February.* 1. The 3rd Tuesday in February is the day of the spring primary. See s. 5.02 (22).

2. Upon completion of the ward canvass, the results shall be announced, the results telephoned to the proper clerks and all materials returned to the municipal clerk immediately. See ss. 7.51 (4) (b) and (5) and 7.53 (1).

(f) *3 days after last day of municipal canvass.* 1. 5 p.m., 3 days after the last day of municipal canvass, is the deadline to demand the first recount. See s. 9.01 (1) (a).

2. At 9 a.m. on the day following the last day for filing of a recount petition the board of canvassers reconvenes to begin the recount procedure. See s. 9.01 (1) (b).

3. 5 p.m., 2 days after completion of the first recount, is the deadline to demand a recount in any remaining wards. See s. 9.01 (4).

4. No later than 5 business days after the recount determination aggrieved parties may appeal to circuit court. See s. 9.01 (6) (a).

(g) *3 days after last day of county canvass.* 1. 5 p.m., 3 days after the last day of county canvass, is the deadline to demand the first recount. See s. 9.01 (1) (a).

2. At 9 a.m. on the day following the last day for filing of a recount petition the board of canvassers reconvenes to begin the recount procedure. See s. 9.01 (1) (b).

3. 5 p.m., 2 days after completion of the first recount, is the deadline to demand a recount in any remaining wards or municipalities. See s. 9.01 (4).

4. No later than 5 business days after the recount determination aggrieved parties may appeal to circuit court. See s. 9.01 (6) (a).

(h) *3 days after last day of state canvass.* 1. 5 p.m., 3 days after the last day of canvass, is the deadline to demand the first recount. See s. 9.01 (1) (a).

2. At 9 a.m. on the day following the last day for filing of a recount petition the board of canvassers reconvenes to begin the recount procedure. See s. 9.01 (1) (b).

3. 5 p.m., 2 days after completion of the first recount, is the deadline to demand a recount in any remaining wards or municipalities. See s. 9.01 (4).

4. No later than 5 business days after the recount determination aggrieved parties may appeal to circuit court. See s. 9.01 (6) (a).

(j) *4th Tuesday in February.* 1. 4:30 p.m., on the 4th Tuesday in February, is the deadline for any write-in candidate for justice or state superintendent who is certified to appear on the spring election ballot to file an application to participate in the Wisconsin election campaign fund. See s. 11.50 (2) (a).

2. The 4th Tuesday in February is the deadline for any candidate seeking to participate in the Wisconsin election campaign fund to file a special financial report with the board. See s. 11.50 (2) (c).

3. The 4th Tuesday in February is the deadline for any candidate in the spring election who filed an application to participate in the Wisconsin election campaign fund to withdraw the application. See s. 11.50 (2) (h).

**(4) MARCH.** (b) *Last 14 days before election.* Any contribution of \$500 or more which is received by a candidate or his or her personal campaign committee within 14 days of the spring election must be reported to the board or other appropriate filing officer within 24 hours of receipt. See s. 11.12 (5).

(c) *8 days before election.* The 8th day before the election is the deadline for each candidate or his or her personal campaign committee to file a pre-election report with the board or other appropriate filing officer. Such report is current to the end of the 15th day preceding the election. See s. 11.20 (2) and (7).

**(5) APRIL.** (a) *Friday before election.* Vacancies may be filled within 4 days. See s. 7.38 (2).

(b) *First Tuesday in April.* The first Tuesday in April is the day of the spring election. See s. 5.02 (21).

(c) *Day after election.* Within 24 hours after the polls close, municipalities with more than one ward shall begin municipal canvass. See s. 7.53 (2).

(d) *3 days after last day of municipal canvass.* 1. 5 p.m., 3 days after the last day of municipal canvass, is the deadline to demand the first recount. See s. 9.01 (1) (a).

2. At 9 a.m. on the day following the last day for filing of a recount petition the board of canvassers reconvenes to begin the recount procedure. See s. 9.01 (1) (b).

3. 5 p.m., 2 days after completion of the first recount, is the deadline to demand a recount in any remaining wards or municipalities. See s. 9.01 (4).

4. No later than 5 business days after the recount determination aggrieved parties may appeal to circuit court. See s. 9.01 (6) (a).

(e) *3 days after last day of county canvass.* 1. 5 p.m., 3 days after the last day of county canvass, is the deadline to demand the first recount. See s. 9.01 (1) (a).

2. At 9 a.m. on the day following the last day for filing of a recount petition the board of canvassers reconvenes to begin the recount procedure. See s. 9.01 (1) (b).

3. 5 p.m., 2 days after completion of the first recount, is the deadline to demand a recount in any remaining wards or municipalities. See s. 9.01 (4).

4. No later than 5 business days after the recount determination aggrieved parties may appeal to circuit court. See s. 9.01 (6) (a).

(f) *Thursday after election.* 9 a.m., on the Thursday after the spring election, is the latest county canvass may begin. See s. 7.60 (3).

(g) *2nd Tuesday in April.* The 2nd Tuesday in April is the latest municipalities holding annual elections may declare results of the spring election. See s. 7.53 (2).

**(7) JULY.** (a) *3 years after any election.* Records maintained by a candidate or his or her personal campaign committee relating to an election may be destroyed 3 years after such election. See s. 11.12 (3).

(b) *July 10.* 1. July 10 is the deadline for every candidate for state or local office or his or her personal campaign committee to file a continuing report with the board or other appropriate filing officer. Such report is current to the end of June 30. See s. 11.20 (4) and (7).

2. July 10 is the deadline for each candidate at the spring election who receives a grant from the Wisconsin election campaign fund to deliver or transmit to the board proof of payment for disbursements made unless a candidate participates in a special election at least 30 days before that date. See s. 11.50 (12).

**History:** 1971 c. 304 s. 29 (2); 1973 c. 280; 1973 c. 334 s. 29; 1973 c. 339; Stats. 1973 s. 10.68; 1975 c. 420; 1977 c. 448; 1979 c. 354; 1981 c. 314 s. 146; 1983 a. 539; 1985 a. 333 ss. 68 to 73, 173; 1987 a. 404; 1991 a. 32; 1993 a. 487; 2001 a. 62, 105; 2005 a. 149; 2009 a. 180.

**Cross-reference:** See also s. GAB 6.04, Wis. adm. code.

**10.70 Public and general provisions; spring primary and election.** The following subsections set forth, in chronological order, dates relating to the spring primary and election or occurrences during the spring period that affect the public:

**(1) AUGUST.** (a) *August 1.* August 1 is the earliest application may be made for absentee ballots for the spring primary. See s. 6.86 (1).

**(1m) OCTOBER.** (a) *October 1.* October 1 is the earliest application may be made for absentee ballots for the spring election. See s. 6.86 (1).

**(1s) NOVEMBER.** (a) *3rd Tuesday in November.* 5 p.m., on the 3rd Tuesday in November of the year before a presidential election year, or the next day if Tuesday is a holiday, is the deadline for the state chairperson of each recognized political party whose candidate for governor received at least 10% of the vote cast at the last election to certify to the board that the party will participate in the presidential preference primary. See s. 8.12 (1) (a).

**(1u) DECEMBER.** (a) *December 1.* The deadline for electors of a village to file a petition requesting a primary for the spring election is December 1 preceding the spring election. See s. 8.11 (1m) (c).

**(2) JANUARY.** (b) *3 days after first Tuesday in January.* The deadline for electors of a city to file a petition requesting a primary for the spring election is 3 days after the first Tuesday in January

preceding the spring election, or the next day if Tuesday is a holiday. See ss. 8.10 (2) and 8.11 (1) (c).

(c) *January 31*. January 31 is the deadline for every candidate, committee, individual or group registered under s. 11.05 to file a continuing report with the board or other appropriate filing officer. Such report is current to the end of December 31. See s. 11.20 (4) and (7).

(3) FEBRUARY. (b) *Last 14 days before primary*. During the last 14 days before the spring primary, any contribution of \$500 or more which is received by a candidate, committee or individual registered under s. 11.05 and any disbursement exceeding \$20 which is made by a committee or individual supporting or opposing a candidate within 14 days of the primary must be reported to the board or other appropriate filing officer within 24 hours. See s. 11.12 (5) and (6).

(c) *2nd Wednesday before primary*. 5 p.m., on the 2nd Wednesday before the spring primary, is the deadline for voter registration. See s. 6.28 (1).

(d) *8 days before primary*. The 8th day before the primary is the deadline for each candidate and each committee or individual supporting or opposing a candidate to file a pre-primary report with the board or other appropriate filing officer. Such report is current to the end of the 15th day preceding the primary. See ss. 11.09 (3) and 11.20 (2) and (7).

(e) *Wednesday before primary*. On the Wednesday before the spring primary, in cities of the 1st class, the board of election commissioners sits to hear registration objections. See s. 6.48 (2).

(em) *Friday before primary*. 5 p.m., on the Friday before the spring primary, is the deadline for application by mail for an absentee ballot for the spring primary. See s. 6.86 (1).

(f) *Monday before primary*. 1. 5 p.m., on the Monday before the spring primary, is the deadline for application in person for absentee ballots for the spring primary. See s. 6.86 (1).

2. 5 p.m. on the day before the spring primary is the deadline for registration at the office of the municipal clerk. See s. 6.29 (2) (a).

3. 5 p.m., on the day before the spring primary, is the latest that voting may be conducted in nursing homes, retirement homes and community-based residential facilities. See s. 6.875 (6).

(g) *3rd Tuesday in February*. 1. The 3rd Tuesday in February is the day of the spring primary. See s. 5.02 (22).

2. 5 p.m. on the day of the primary is the deadline for hospitalized electors to make application for an absentee ballot by agent or to file a registration form by agent. See s. 6.86 (3) (c).

(h) *3 days after last day of municipal canvass*. 1. 5 p.m., 3 days after the last day of municipal canvass, is the deadline to demand the first recount. See s. 9.01 (1) (a).

2. At 9 a.m. on the day following the last day for filing of a recount petition the board of canvassers reconvenes to begin the recount procedure. See s. 9.01 (1) (b).

3. 5 p.m., 2 days after completion of the first recount, is the deadline to demand a recount in any remaining wards or municipalities. See s. 9.01 (4).

4. No later than 5 business days after the recount determination aggrieved parties may appeal to circuit court. See s. 9.01 (6) (a).

(i) *3 days after last day of county canvass*. 1. 5 p.m., 3 days after the last day of county canvass, is the deadline to demand the first recount. See s. 9.01 (1) (a).

2. At 9 a.m. on the day following the last day for filing of a recount petition the board of canvassers reconvenes to begin the recount procedures. See s. 9.01 (1) (b).

3. 5 p.m., 2 days after completion of the first recount, is the deadline to demand a recount in any remaining wards or municipalities. See s. 9.01 (4).

4. No later than 5 days after the recount determination aggrieved parties may appeal to circuit court. See s. 9.01 (6).

(j) *3 days after last day of canvass*. 1. 5 p.m., 3 days after the last day of canvass, is the deadline to demand the first recount. See s. 9.01 (1) (a).

2. At 9 a.m. on the day following the last day for filing of a recount petition the board of canvassers reconvenes to begin the recount procedure. See s. 9.01 (1) (b).

3. 5 p.m., 2 days after completion of the first recount, is the deadline to demand a recount in any remaining wards or municipalities. See s. 9.01 (4).

4. No later than 5 business days after the recount determination aggrieved parties may appeal to circuit court. See s. 9.01 (6) (a).

(k) *Thursday after primary*. 9 a.m. on the Thursday after the spring primary is the latest that the county canvass may begin. See s. 7.60 (3).

(L) *Last Tuesday in February*. 1. 5 p.m., on the last Tuesday in February, is the deadline for filing petitions in towns requesting submission of the question whether to require nomination papers and a nonpartisan primary in lieu of the caucus. See s. 8.05 (3) (e).

2. Separate notice 5 days before the election shall be given. See s. 8.05 (3) (e).

(4) MARCH. (a) *2nd Tuesday after primary*. The 2nd Tuesday after the spring primary is the latest that the chairperson of the board, or the chairperson's designee, may canvass returns and make his or her certifications and determinations. See s. 7.70 (3) (a).

(c) *Last 14 days before election*. During the last 14 days before the spring election, any contribution of \$500 or more which is received by a candidate, committee, individual or group registered under s. 11.05 and any disbursement exceeding \$20 which is made by a committee or individual supporting or opposing a candidate within 14 days of the spring election must be reported to the board or other appropriate filing officer within 24 hours. See ss. 11.12 (5) and (6) and 11.23 (6).

(d) *2nd Wednesday before election*. 5 p.m., on the 2nd Wednesday before the spring election, is the deadline for voter registration. See s. 6.28 (1).

(e) *8 days before election*. The 8th day before the election is the deadline for each candidate, committee, individual or group registered under s. 11.05 to file a preelection report with the board or other appropriate filing officer. The report is current to the end of the 15th day preceding the election. See ss. 11.09 (3) and 11.20 (2) and (7).

(5) APRIL. (a) *Wednesday before election*. On the Wednesday before the spring election in 1st class cities the city board of election commissioners sits to hear registration objections. See s. 6.48 (2).

(am) *Friday before election*. 5 p.m., on the Friday before the spring election, is the deadline for application by mail for an absentee ballot for the spring election. See s. 6.86 (1).

(b) *Monday before election*. 1. 5 p.m., on the Monday before the spring election, is the deadline for application in person for absentee ballots for the spring election. See s. 6.86 (1).

2. 5 p.m. on the day before the spring election is the deadline for registration at the office of the municipal clerk. See s. 6.29 (2) (a).

3. 5 p.m., on the day before the spring election, is the latest that voting may be conducted in nursing homes, retirement homes and community-based residential facilities. See s. 6.875 (6).

(c) *First Tuesday in April*. 1. The first Tuesday in April is the day of the spring election. See s. 5.02 (21).

2. 5 p.m. on the day of the election is the deadline for hospitalized electors to make application for an absentee ballot by agent or to file a registration form by agent. See s. 6.86 (3) (c).

(d) *Day after election*. Within 24 hours after the polls close, municipalities with more than one ward shall begin municipal canvass. See s. 7.53 (2).

(e) *3 days after last day of municipal canvass.* 1. 5 p.m., 3 days after the last day of municipal canvass, is the deadline to demand the first recount. See s. 9.01 (1) (a).

2. At 9 a.m. on the day following the last day for filing of a recount petition the board of canvassers reconvenes to begin the recount procedure. See s. 9.01 (1) (b).

3. 5 p.m., 2 days after completion of the first recount, is the deadline to demand a recount in any remaining wards or municipalities. See s. 9.01 (4).

4. No later than 5 business days after the recount determination aggrieved parties may appeal to circuit court. See s. 9.01 (6) (a).

(f) *3 days after last day of county canvass.* 1. 5 p.m., 3 days after the last day of county canvass, is the deadline to demand the first recount. See s. 9.01 (1) (a).

2. At 9 a.m. on the day following the last day for filing of a recount petition the board of canvassers reconvenes to begin the recount procedure. See s. 9.01 (1) (b).

3. 5 p.m., 2 days after completion of the first recount, is the deadline to demand a recount in any remaining wards or municipalities. See s. 9.01 (4).

4. No later than 5 business days after the recount determination aggrieved parties may appeal to circuit court. See s. 9.01 (6) (a).

(g) *3 days after last day of state canvass.* 1. 5 p.m., 3 days after the last day of state canvass, is the deadline to demand the first recount. See s. 9.01 (1) (a).

2. At 9 a.m. on the day following the last day for filing of a recount petition the board of canvassers reconvenes to begin the recount procedure. See s. 9.01 (1) (b).

3. 5 p.m., 2 days after completion of the first recount, is the deadline to demand recount in any remaining wards or municipalities. See s. 9.01 (4).

4. No later than 5 business days after the recount determination aggrieved parties may appeal to circuit court. See s. 9.01 (6) (a).

(h) *Thursday after election.* 9 a.m., on the Thursday after the spring election, is latest county canvass may begin. See s. 7.60 (3).

(6) MAY. (b) *May 15.* May 15 is the latest that the chairperson of the board, or the chairperson's designee, may canvass the spring election and make his or her certifications and determinations. See s. 7.70 (3) (a).

(7) JULY. (a) *3 years after any election.* Records maintained by a registrant under s. 11.05 relating to any election may be destroyed 3 years after such election. See ss. 11.12 (3) and 11.23 (3).

(b) *July 10.* July 10 is the deadline for every candidate, committee, individual or group registered under s. 11.05 to file a continuing report with the board or other appropriate filing officer. Such report is current to the end of June 30. See s. 11.20 (4) and (7).

**History:** 1971 c. 304 s. 29 (2); 1971 c. 166, 280; 1973 c. 334 s. 29; 1973 c. 339; Stats. 1973 s. 10.70; 1975 c. 420; 1977 c. 448; 1979 c. 354; 1981 c. 314 ss. 5, 146; 1983 a. 539; 1985 a. 333 ss. 74 to 82, 173; 1987 a. 404; 1989 a. 368; 2001 a. 62; 2003 a. 324; 2005 a. 149; 2007 a. 98; 2009 a. 213.

**10.72 Government accountability board; September primary and general election.** The following subsections set forth, in chronological order, dates relating to the September primary and general election or occurrences during the fall period that affect the government accountability board:

(1) MAY. (a) *2nd Tuesday in May.* On or before the 2nd Tuesday in May the board sends a type A notice of the September primary and general election to the county clerks. See s. 10.06 (1) (f).

(2) JUNE. (a) *June 1.* 1. June 1 is the earliest nomination papers may be circulated for candidates for offices to be filled at the general election, except president and vice president. See ss. 8.15 (1) and 8.20 (8) (a).

2. 5 p.m. on June 1 is the deadline for political organizations which were listed as independent at the last general election and which qualified for a separate ballot to file a petition with the board so requesting. See s. 5.62 (1) (b).

3. June 1 is the deadline for political organizations which seek to qualify for a separate ballot at the September primary to file a petition with the board so requesting. See s. 5.62 (2).

(b) *June 26.* No later than June 26, the board mails to each candidate for state office or the candidate's campaign treasurer, to each committee or individual supporting or opposing a candidate, and to each group, individual, or corporation supporting or opposing a statewide referendum who is registered with it, forms for the continuing report, unless a registrant is required to file reports with the board in an electronic format. See s. 11.21 (2).

(3) JULY. (b) *Beginning on July 11.* 1. The board sends notice to delinquents of failure to comply with filing requirements. See s. 11.21 (13).

2. The board makes a list of delinquents available for public inspection. See s. 11.21 (10).

(c) *2nd Tuesday in July.* 1. 5 p.m., on the 2nd Tuesday in July, is the deadline for candidates for state and national offices to be filled at the general election, except president and vice president, to file nomination papers and a declaration of candidacy with the board unless the deadline for filing is extended. See ss. 8.15 (1) and (4) (b), 8.20 (6) and (8) (a), and 8.21.

2. 5 p.m., on the 2nd Tuesday in July, is the deadline for candidates for state office to file an application to participate in the Wisconsin election campaign fund. See s. 11.50 (2) (a).

(cm) *July 20.* No earlier than July 1 and no later than July 20, the board receives continuing reports by candidates for state office, by committees and individuals supporting or opposing candidates, and by groups, individuals, or corporations attempting to influence the outcome of a statewide referendum. See s. 11.20 (4).

(d) *3rd Tuesday in July.* As soon as possible after the last day for filing nomination papers but no later than the 3rd Tuesday in July the board certifies candidates for offices for the September primary and mails notice to county clerks. See s. 10.06 (1) (h).

(4) AUGUST. (a) *August 1.* August 1 is the earliest nomination papers may be circulated for independent candidates for president and vice president. See s. 8.20 (8) (am).

(b) *22 days prior to primary.* No later than 22 days prior to the September primary, the board mails to each candidate for state office or the candidate's campaign treasurer, and to each committee or individual supporting or opposing a candidate who is registered with it, forms for the pre-primary report, unless a registrant is required to file reports with the board in an electronic format. See s. 11.21 (2).

(d) *Last 14 days before primary.* The board shall receive reports of late contributions of \$500 or more by candidates for state office or committees or individuals supporting or opposing such candidates and reports of late disbursements exceeding \$20 by committees and individuals supporting or opposing a candidate for state office during the last 14 days before the September primary. See s. 11.12 (5) and (6).

(5) SEPTEMBER. (a) *September 1.* In a general election year, no special election may be scheduled between September 1 and the general election. See s. 8.50 (intro.).

(b) *14 to 8 days before primary.* No earlier than 14 days and no later than 8 days before the primary, the board shall receive election reports by candidates for state office and by committees and individuals supporting or opposing such candidates. See s. 11.20 (2).

(bm) *1st Tuesday in September.* 5 p.m., on the 1st Tuesday in September, is the deadline for independent candidates for president and vice president to file nomination papers and a declaration of candidacy with the board. See ss. 8.20 (8) (am) and 8.21.

(c) *Beginning 7 days before primary.* 1. The board sends notice to delinquents of failure to comply with filing requirements. See s. 11.21 (13).

2. The board makes a list of delinquents available for public inspection. See s. 11.21 (10).

(d) *2nd Tuesday in September.* The 2nd Tuesday in September is the day of the September primary. See s. 5.02 (18).

(e) *3rd Tuesday in September.* 1. 4:30 p.m., on the 3rd Tuesday in September, is the deadline for any write-in candidate for state office who is certified to appear on the general election ballot to file an application to participate in the Wisconsin election campaign fund. See s. 11.50 (2) (a).

2. The 3rd Tuesday in September is the deadline for any candidate seeking to participate in the Wisconsin election campaign fund to file a special financial report with the board. See s. 11.50 (2) (c).

(f) *3 days after primary results received.* 1. At 5 p.m. on the 3rd business day following the day on which the board receives the last statement from a county board of canvassers for the primary is the deadline to demand a recount. See s. 9.01 (1) (a).

2. At 9 a.m. on the day following the last day for filing of a recount petition the board of canvassers reconvenes to begin the recount procedure. See s. 9.01 (1) (b).

3. 5 p.m., 2 days after completion of the first recount, is the deadline to demand a recount in any remaining wards or municipalities. See s. 9.01 (4).

4. No later than 5 business days after the recount determination aggrieved parties may appeal to circuit court. See s. 9.01 (6) (a).

(g) *4th Tuesday in September.* 1. No later than the 4th Tuesday in September the board certifies candidates and referenda questions for the general election. See s. 10.06 (1) (i).

2. No later than the 4th Tuesday in September, the board sends a certified list of candidates who are eligible to participate in the Wisconsin election campaign fund to the state treasurer. See s. 7.08 (2) (c).

(h) *4th Tuesday after primary.* The 4th Tuesday after the September primary is the latest that the chairperson of the board, or the chairperson's designee, may canvass the September primary and make his or her certifications and determinations. See s. 7.70 (3) (a).

(6) OCTOBER. (d) *22 days prior to election.* No later than 22 days prior to the general election, the board mails to each candidate for state office or the candidate's campaign treasurer, to each committee or individual supporting or opposing a candidate, and to each group, individual, or corporation supporting or opposing a statewide referendum who is registered with it, forms for the pre-election report, unless a registrant is required to file reports with the board in an electronic format. See s. 11.21 (2).

(g) *2nd Tuesday before election.* Write-in candidates for the office of president and vice president of the United States shall file their list of presidential electors and a declaration of candidacy with the board by 4:30 p.m. on the 2nd Tuesday before the election. See ss. 8.185 (2) and 8.21.

(h) *Last 14 days before election.* The board shall receive reports of late contributions of \$500 or more by candidates for state office or committees or individuals supporting or opposing such a candidate, and by groups or individuals supporting or opposing statewide referenda and reports of late disbursements exceeding \$20 by committees and individuals supporting or opposing a candidate for state office during the last 14 days before the spring election. See ss. 11.12 (5) and (6) and 11.23 (6).

(i) *14 to 8 days before election.* No earlier than 14 days and no later than 8 days before the election, the board shall receive election reports by candidates for state office, by committees and individuals supporting or opposing candidates for state office, and by groups, individuals, or corporations supporting or opposing a statewide referendum. See s. 11.20 (2).

(j) *Beginning 7 days before election.* 1. The board sends notice to delinquents of failure to comply with filing requirements. See s. 11.21 (13).

2. The board makes a list of delinquents available for public inspection. See s. 11.21 (10).

(7) NOVEMBER. (a) *Tuesday after first Monday in November.* 1. The Tuesday after the first Monday in November is the day of the general election. See s. 5.02 (5).

(b) *1st Friday after election.* The 1st Friday after the election at 4:30 p.m., whenever the board permits, is the deadline for write-in candidates for the offices of president and vice president who have not filed their electors in advance under sub. (6) but would otherwise be eligible to receive the electoral votes of this state to file a list of presidential electors and a declaration of candidacy with the board. See ss. 8.185 (2) and 8.21.

(c) *3 days after election results received.* 1. At 5 p.m. on the 3rd business day following the day on which the board receives the last statement from a county board of canvassers for the election is the deadline to demand a recount. See s. 9.01 (1) (a).

2. At 9 a.m. on the day following the last day for filing of a recount petition the board of canvassers reconvenes to begin the recount procedure. See s. 9.01 (1) (b).

3. 5 p.m., 2 days after completion of the first recount, is the deadline to demand a recount in any remaining wards or municipalities. See s. 9.01 (4).

4. No later than 5 business days after the recount determination aggrieved parties may appeal to circuit court. See s. 9.01 (6) (a).

(8) DECEMBER. (a) *December 1.* 1. December 1 is the latest that the chairperson of the board, or the chairperson's designee, may canvass the general election and make his or her certifications and determinations. See s. 7.70 (3) (a).

2. Following the canvass, the government accountability board issues certificates of election. See s. 7.70 (5) (a).

(e) *90 days after primary.* Most September primary election materials may be destroyed 90 days after the September primary. See s. 7.23.

(f) *First Monday after 2nd Wednesday in December.* The first Monday after the 2nd Wednesday in December is the latest the board may deliver to one of the presidential electors, in presidential election years, 3 lists of the electors. See s. 7.70 (5) (b).

(g) *90 days after election.* 1. Most general election materials may be destroyed 90 days after the general election. See s. 7.23.

2. No later than 90 days after the general election, the board compiles the information contained in the reports received from municipal clerks under s. 6.276 (2) and transmits the information to the federal Election Assistance Commission. See s. 6.276 (3).

(h) *3 years after any election.* Records transferred to the board by any former registrant who has submitted a dissolution report may be destroyed 3 years after the last election in which the registrant participated. See ss. 11.12 (3) and 11.23 (3).

(i) *6 years after any election.* Financial reports may be destroyed 6 years after any election. See ss. 7.23 (1) (d) and 11.21 (11) (a).

(k) *10 years after any election.* Official canvasses may be destroyed 10 years after the election to which they relate. See s. 7.23 (1) (i).

**History:** 1971 c. 304 s. 29 (2); 1973 c. 334 s. 29; 1973 c. 339; Stats. 1973 s. 10.72; 1975 c. 41, 420; 1977 c. 448; 1979 c. 354; 1981 c. 314 s. 146; 1983 a. 36, 539; 1985 a. 333 ss. 83 to 92, 173; 1987 a. 404; 1989 a. 368; 1993 a. 487; 2001 a. 62; 2005 a. 149; 2007 a. 98; 2009 a. 180.

**Cross-reference:** See also s. GAB 6.04, Wis. adm. code.

**10.74 County clerk; September primary and general election.** The following subsections set forth, in chronological order, dates relating to the September primary and general election or occurrences during the fall period that affect the county clerk:

**(2) JUNE.** (a) *June 1.* June 1 is the earliest nomination papers may be circulated for candidates for offices to be filled at the general election and for party committeemen and committeewomen. See ss. 8.15 (1) and 8.20 (8) (a).

(b) *Last Tuesday in May.* On the last Tuesday in May the county clerk publishes a type A notice for the general election. See s. 10.06 (2) (h).

(c) *June 26.* No later than June 26, the county clerk mails to each candidate for county office or such person's campaign treasurer, to each committee or individual supporting or opposing a candidate and to each group or individual supporting or opposing a local referendum who is registered with such clerk, forms for the continuing report. See s. 11.22 (3).

**(3) JULY.** (c) *Beginning on July 11.* 1. The clerk sends notice to delinquents of failure to comply with filing requirements. See s. 11.22 (9).

2. The clerk makes a list of delinquents available for public inspection. See s. 11.22 (5).

3. The clerk notifies the district attorney or attorney general of delinquencies. See ss. 11.22 (4), 11.60 (4) and 11.61 (2).

(d) *2nd Tuesday in July.* 5 p.m., on the 2nd Tuesday in July, is the deadline for candidates for county offices to be filled at the general election and candidates for party committeemen and committeewomen to file nomination papers and a declaration of candidacy with the county clerk unless the deadline for filing is extended. See ss. 8.15 (1) and (4) (b), 8.20 (6) and (8) (a), and 8.21.

(e) *July 20.* No earlier than July 1 and no later than July 20, the county clerk receives continuing reports by candidates for county office, by committees and individuals supporting or opposing candidates for county office, and by groups, individuals, or corporations attempting to influence the outcome of a local referendum. See s. 11.20 (4).

**(4) AUGUST.** (am) *31 days before primary.* 31 days before the September primary is the latest county clerks may distribute primary ballots and election forms prescribed by the board to municipal clerks. See s. 7.10 (3) (a).

(b) *22 days prior to primary.* No later than 22 days prior to the September primary, the county clerk mails to each candidate for county office or such person's campaign treasurer, and to each committee or individual supporting or opposing a candidate who is registered with the clerk, forms for the pre-primary report. See s. 11.22 (3).

(f) *Last 14 days before primary.* The county clerk shall receive reports of late contributions of \$500 or more by candidates for county office or committees or individuals supporting or opposing such a candidate, and reports of late disbursements exceeding \$20 by committees or individuals supporting or opposing a candidate for county office during the last 14 days before the September primary. See s. 11.12 (5) and (6).

**(5) SEPTEMBER.** (a) *September 1.* In a general election year, no special election may be scheduled between September 1 and the general election. See s. 8.50 (intro.).

(b) *2nd Monday before primary.* No earlier than 14 days and no later than 8 days before the primary, the county clerk shall receive election reports by candidates for county office and by committees and individuals supporting or opposing such candidates. See s. 11.20 (2).

(c) *Beginning 7 days before primary.* 1. The clerk sends notice to delinquents of failure to comply with filing requirements. See s. 11.22 (9).

2. The clerk makes a list of delinquents available for public inspection. See s. 11.22 (5).

3. The clerk notifies the district attorney or attorney general of delinquencies. See ss. 11.22 (4), 11.60 (4) and 11.61 (2).

(d) *Monday before primary.* On the Monday before the September primary the county clerk publishes a type B notice for the primary. See s. 10.06 (2) (j).

(e) *2nd Tuesday in September.* 1. The 2nd Tuesday in September is the day of the September primary. See s. 5.02 (18).

(f) *Thursday after primary.* 9 a.m., on the Thursday after the September primary, is the latest county canvass may begin. See s. 7.60 (3).

(g) *3 days after last day of county canvass.* 1. 5 p.m., 3 days after the last day of the county canvass, is the deadline to demand the first recount. See s. 9.01 (1) (a).

2. At 9 a.m. on the day following the last day for filing of a recount petition the board of canvassers reconvenes to begin the recount procedure. See s. 9.01 (1) (b).

3. 5 p.m., 3 days after completion of the first recount, is the deadline to demand a recount in any remaining wards or municipalities. See s. 9.01 (4).

4. No later than 5 business days after the recount determination aggrieved parties may appeal to circuit court. See s. 9.01 (6) (a).

(h) *7 days after primary.* No later than 7 days after the September primary, the county clerk transmits to the board a statement of votes cast for state and national offices at the primary. See s. 7.60 (5).

**(6) OCTOBER.** (am) *31 days before election.* 31 days before the general election is the latest county clerks may distribute ballots and election blanks prescribed by the board to municipal clerks. See s. 7.10 (3) (a).

(ar) *4th Tuesday before election.* On the 4th Tuesday before the general election, the county clerk publishes a type A notice of any state or county referendum to be held at the election. See s. 10.06 (2) (L).

(b) *22 days prior to election.* No later than 22 days prior to the general election, the county clerk mails to each candidate for county office or such person's campaign treasurer, to each committee or individual supporting or opposing a candidate, and to each group or individual supporting or opposing a local referendum who is registered with the clerk, forms for the pre-election report. See s. 11.22 (3).

(e) *Last 14 days before election.* The county clerk shall receive reports of late contributions of \$500 or more by candidates for county office or committees or individuals supporting or opposing such a candidate, and by groups or individuals supporting or opposing a county referendum and reports of late disbursements exceeding \$20 by committees and individuals supporting or opposing a candidate for county office during the last 14 days before the election. See ss. 11.12 (5) and (6) and 11.23 (6).

(f) *2nd Monday before election.* No earlier than 14 days and no later than 8 days before the election, the county clerk shall receive election reports by candidates for county office, by committees and individuals supporting or opposing candidates for county office, and by groups, individuals, or corporations supporting or opposing a county referendum. See s. 11.20 (2).

(g) *Beginning 7 days before election.* 1. The clerk sends notice to delinquents of failure to comply with filing requirements. See s. 11.22 (9).

2. The clerk makes a list of delinquents available for public inspection. See s. 11.22 (5).

3. The clerk notifies the district attorney or attorney general of delinquencies. See ss. 11.22 (4), 11.60 (4) and 11.61 (2).

**(7) NOVEMBER.** (a) *Monday before election.* On the Monday before the general election the county clerk publishes a type B notice, and a type C notice when necessary, for the general election. See s. 10.06 (2) (m).



(b) *Tuesday after first Monday in November.* The Tuesday after the first Monday in November is the day of the general election. See s. 5.02 (5).

(c) *Thursday after election.* 9 a.m., on the Thursday after the general election, is the latest county canvass may begin. See s. 7.60 (3).

(d) *3 days after last day of county canvass.* 1. 5 p.m., 3 days after the last day of county canvass, is the deadline to demand the first recount. See s. 9.01 (1) (a).

2. At 9 a.m. on the day following the last day for filing of a recount petition the board of canvassers reconvenes to begin the recount procedure. See s. 9.01 (1) (b).

3. 5 p.m., 2 days after completion of the first recount, is the deadline to demand a recount in any remaining wards or municipalities. See s. 9.01 (4).

4. No later than 5 business days after the recount determination aggrieved parties may appeal to circuit court. See s. 9.01 (6) (a).

(e) *Expiration of recount period.* Immediately after expiration of the recount period, the county clerks issue a certificate of election to each individual elected to county office. See s. 7.60 (6).

(f) *10 days after election.* No later than 10 days after the general election, the county clerk delivers or transmits to the board a statement of votes cast for state and national offices and statewide referenda at the election. See s. 7.60 (5).

**(8) DECEMBER.** (c) *90 days after primary.* Most September primary election materials may be destroyed 90 days after the September primary. See s. 7.23.

(d) *90 days after election.* Most general election materials may be destroyed 90 days after the general election. See s. 7.23.

(dm) *1 year after any election.* Election notices, correspondence in connection with such notices and proofs of publication may be destroyed 1 year after the election to which they relate. See s. 7.23 (1) (j).

(e) *3 years after any election.* Records transferred to the county clerk by any former registrant who has submitted a dissolution report may be destroyed 3 years after the last election in which the registrant participated. See ss. 11.12 (3) and 11.23 (3).

(f) *6 years after any election.* Financial reports may be destroyed 6 years after any election. See s. 7.23 (1) (d).

(g) *10 years after any election.* Official canvasses may be destroyed 10 years after the election to which they relate. See s. 7.23 (1) (i).

**History:** 1971 c. 304 ss. 17, 29 (2); 1973 c. 334 s. 29; 1973 c. 336 s. 1m; 1973 c. 339; Stats. 1973 s. 10.74; 1975 c. 420; 1977 c. 448; 1979 c. 354; 1981 c. 314 s. 146; 1983 a. 539; 1985 a. 333; 1987 a. 404; 1989 a. 56, 368; 1993 a. 487; 2001 a. 62, 107; 2005 a. 149.

**10.76 Municipal clerk and governing body; September primary and general election.** The following subsections set forth, in chronological order, dates relating to the September primary and general election or occurrences during the fall period that affect the municipal clerk and governing body:

**(1) MARCH.** (a) *March 1.* March 1 is the earliest application may be made for absentee ballots for the September primary. See s. 6.86 (1).

**(1g) MAY.** (a) *May 1.* May 1 is the earliest application may be made for absentee ballots for the general election. See s. 6.86 (1).

**(1r) JUNE.** (a) *90 days before primary.* No later than the 90th day before the September primary, the municipal clerk mails write-in absentee ballots to qualified electors who have requested them. See s. 7.15 (1) (cs).

(b) *June 26.* No later than June 26, the municipal clerk mails to each candidate for municipal office or such person's campaign treasurer, to each committee or individual supporting or opposing a candidate and to each group or individual supporting or opposing a municipal referendum who is registered with the clerk, forms for the continuing report. See s. 11.22 (3).

**(2) JULY.** (a) *July 1.* On July 1 preceding a September primary, the municipal clerks certify to the county clerk the approximate number of electors in the district. See s. 5.66 (1).

(b) *60 days before primary.* 1. Until 60 days before the September primary, wards may be united to facilitate using a common polling place. See s. 5.15 (6) (b).

2. The deadline for establishing polling places is 60 days before the September primary. See s. 5.25 (3).

(d) *Beginning on July 11.* 1. The clerk sends notice to delinquents of failure to comply with filing requirements. See s. 11.22 (9).

2. The clerk makes a list of delinquents available for public inspection. See s. 11.22 (5).

3. The clerk notifies the district attorney of delinquencies. See s. 11.22 (4).

(e) *July 20.* No earlier than July 1 and no later than July 20, the municipal clerk receives continuing reports by candidates for municipal office, by committees and individuals supporting or opposing candidates for municipal office, and by groups, individuals, or corporations attempting to influence the outcome of a municipal referendum. See s. 11.20 (4).

**(3) AUGUST.** (a) *90 days before election.* No later than the 90th day before the general election, the municipal clerk mails write-in absentee ballots to qualified electors who have requested them. See s. 7.15 (1) (cs).

(b) *30 days before primary.* 1. No later than the 30th day before the September primary, the municipal clerk sends official absentee ballots to qualified electors who have requested them. See s. 7.15 (1) (cm).

2. The deadline for selecting tabulators to assist with the September primary canvass is 30 days before the September primary. See s. 7.30 (3).

3. In municipalities employing an electronic voting system, the deadline for placement of a demonstrator system is 30 days before the September primary. See s. 5.80.

(bm) *4th Tuesday before primary.* On the 4th Tuesday before the September primary, the municipal clerk publishes a type E notice for the September primary. If there is a municipal referendum, the municipal clerk publishes a type A notice of the referendum. See s. 10.06 (3) (cm).

(c) *22 days prior to primary.* No later than 22 days prior to the September primary, the municipal clerk mails to each candidate for municipal office or such person's campaign treasurer, and to each committee or individual supporting or opposing a candidate who is registered with the clerk, forms for the preprimary report. See s. 11.22 (3).

(em) *10 days before primary.* No later than 10 days before the September primary, in any municipality employing an electronic voting system which utilizes automatic tabulating equipment, the municipal clerk has the equipment publicly tested. See s. 5.84 (1).

(f) *2nd Wednesday before primary.* 5 p.m., on the 2nd Wednesday before the September primary, is the deadline for registration. See s. 6.28 (1).

**(4) SEPTEMBER.** (a) *22 months after federal election.* Applications for ballots or registration, or other records and papers relating to voting at a federal election, other than registration forms, may be destroyed 22 months after the election. See s. 7.23 (1) (f).

(am) *60 days before election.* 2. Until 60 days before the general election, wards may be united to facilitate the use of a common polling place. See s. 5.15 (6) (b).

3. The deadline for establishing polling places is 60 days before the general election. See s. 5.25 (3).

(b) *2nd Monday before primary.* 2. No earlier than 14 days and no later than 8 days before the primary, the municipal clerk shall receive election reports by candidates for municipal office and by committees and individuals supporting or opposing such candidates. See s. 11.20 (2).

(c) *Beginning 7 days before primary.* 1. The clerk sends notice to delinquents of failure to comply with filing requirements. See s. 11.22 (9).

2. The clerk makes a list of delinquents available for public inspection. See s. 11.22 (5).

3. The clerk notifies the district attorney of delinquencies. See s. 11.22 (4).

(d) *Wednesday before primary.* On the Wednesday before the September primary in cities of the 1st class the board of election commissioners sits to hear registration objections. See s. 6.48 (2).

(e) *Friday before primary.* 2. Vacancies may be filled within 4 days. See s. 7.38 (2).

3. 5 p.m., on the Friday before the September primary, is the deadline for receipt of mail applications for absentee ballots for the primary. See s. 6.86 (1).

(f) *Monday before primary.* 1. The Monday before the September primary is the latest election materials may be delivered to wards. See s. 7.15 (3) (b) and (5).

3. 5 p.m., on the Monday before the September primary, is the deadline for application in person for absentee ballots for the September primary. See s. 6.86 (1).

4. On the Monday before the September primary, the municipal clerk publishes type B and D notices for the primary. If voting machines or electronic voting systems in which ballots are distributed to electors are used in the municipality, the type B notice shall include all offices to be voted on at the primary. See ss. 10.01 (2) (d) and 10.06 (3) (e).

(g) *2nd Tuesday in September.* 1. The 2nd Tuesday in September is the day of the September primary. See s. 5.02 (18).

2. 5 p.m. on the day of the primary is the deadline for hospitalized electors to make application for an absentee ballot by agent or to file a registration form by agent. See s. 6.86 (3) (c).

3. Upon completion of the ward canvass, the results shall be announced, the results telephoned to the proper clerks and all materials returned to the municipal clerk immediately. See ss. 7.51 (4) (b) and (5) and 7.53 (1).

4. Following the September primary any unused election materials and contents of blank ballot box may be destroyed as the municipal clerk directs. See s. 7.23 (1) (a).

5. No earlier than the day of the September primary, poll lists created for the September primary that was held 4 years earlier may be destroyed. See s. 7.23 (1) (e).

(h) *Day after primary.* 1. 2 p.m., on the day after the September primary, is the deadline for municipal clerks to deliver election materials to the county clerk. See ss. 7.51 (5) and 7.53 (3).

2. In municipalities having registration, the municipal clerk checks the name of each elector who has been allowed to vote at the election whose name did not appear on the registration list and revises the list accordingly. See s. 6.56.

3. Beginning on the day after the September primary, the municipal clerk investigates to assure that no person has been allowed to vote more than once at the primary. See s. 6.56 (4).

(i) *14 days after primary.* No earlier than 14 days after the September primary, voting machine recorders used in the primary may be cleared and reactivated and detachable recording units and compartments used with electronic voting machines may be cleared or erased. See s. 7.23 (1) (b) and (g).

NOTE: Section 7.23 (1) (b) was repealed by 2009 Wis. Act 397. Corrective legislation is pending.

(5) OCTOBER. (a) *30 days before election.* 1. The deadline for selecting tabulators to assist with the general election canvass is 30 days before the general election. See s. 7.30 (3).

2. No later than the 30th day before the general election, the municipal clerk sends official absentee ballots to qualified electors who have requested them. See s. 7.15 (1) (cm).

3. In municipalities employing an electronic voting system, the deadline for placement of a demonstrator system is 30 days before the general election. See s. 5.80.

(am) *4th Tuesday before election.* On the 4th Tuesday before the general election, the municipal clerk publishes a type E notice for the general election. If there is a municipal referendum, the municipal clerk publishes a type A notice of the referendum. See s. 10.06 (3) (cm).

(b) *30 days after primary.* 1. No later than 30 days after the September primary, the municipal clerk submits to the county clerk a statement of registration and voting information. See s. 6.275 (1).

2. No earlier than 30 days after the September primary, primary ballots may be destroyed. See s. 7.23 (1) (h).

3. No later than 30 days after the September primary, the municipal clerk enters on the registration list under the name of each elector of the municipality who has voted at the election the date of the election in which the elector voted. See s. 7.15 (4).

(d) *22 days prior to election.* No later than 22 days prior to the general election, the municipal clerk mails to each candidate for municipal office or such person's campaign treasurer, to each committee or individual supporting or opposing a candidate and to each group or individual supporting or opposing a municipal referendum who is registered with the clerk, forms for the preelection report. See s. 11.22 (3).

(f) *2nd Wednesday before election.* 5 p.m., on the 2nd Wednesday before the general election, is the deadline for voter registration. See s. 6.28 (1).

(g) *Last 14 days before election.* The municipal clerk shall receive reports of late contributions exceeding \$500 by groups or individuals supporting or opposing municipal referenda during the last 14 days before the spring election. See s. 11.23 (6).

(gm) *10 days before election.* No later than 10 days before the general election, in any municipality employing an electronic voting system which utilizes automatic tabulating equipment, the municipal clerk has the equipment publicly tested. See s. 5.84 (1).

(h) *Monday before election.* 2. No earlier than 14 days and no later than 8 days before the election, the municipal clerk shall receive election reports by candidates for municipal office, by committees and individuals supporting or opposing candidates for municipal office, and by groups, individuals, and corporations supporting or opposing municipal referenda. See s. 11.20 (2).

(i) *Beginning 7 days before election.* 1. The clerk sends notice to delinquents of failure to comply with filing requirements. See s. 11.22 (9).

2. The clerk makes a list of delinquents available for public inspection. See s. 11.22 (5).

3. The clerk notifies the district attorney of delinquencies. See s. 11.22 (4).

(j) *Wednesday before election.* On the Wednesday before the general election in cities of the 1st class, the board of election commissioners sits to hear registration objections. See s. 6.48 (2).

(k) *Friday before election.* 2. Vacancies may be filled within 4 days. See s. 7.38 (2).

3. 5 p.m., on the Friday before the general election, is the deadline for receipt of applications by mail for absentee ballots for the election. See s. 6.86 (1).

(6) NOVEMBER. (a) *Monday before election.* 1. 5 p.m. on the Monday before the general election is the deadline for application in person for absentee ballots for the general election. See s. 6.86 (1).

3. The Monday before the general election is the latest election materials may be delivered to wards. See s. 7.15 (3) (b) and (5).

4. On the Monday before the general election, the municipal clerk publishes type B and D notices for the election. If voting machines or electronic voting systems in which ballots are distributed to electors are used in the municipality, the type B notice shall include all offices and questions to be voted on at the election. See s. 10.06 (3) (d) and (e).

(b) *Tuesday after first Monday in November.* 1. The Tuesday after the first Monday in November is the day of the general election. See s. 5.02 (5).

2. 5 p.m. on the day of the election is the deadline for hospitalized electors to make application for an absentee ballot by agent or to file a registration form by agent. See s. 6.86 (3) (c).

3. Upon completion of the ward canvass, the results shall be announced, the results telephoned to the proper clerks and all materials returned to the municipal clerk immediately. See ss. 7.51 (4) (b) and (5) and 7.53 (1).

4. Following the general election any unused election materials may be destroyed as the municipal clerk directs. See s. 7.23 (1) (a).

5. No earlier than the day of the general election, poll lists created for the general election that was held 4 years earlier may be destroyed. See s. 7.23 (1) (e).

(c) *Following general election.* 1. Following each general election municipal clerks in municipalities having registration conduct a mail canvass of nonvoting electors to revise and update the registration list. See s. 6.50.

2. 4 years after an elector's registration is changed to ineligible status, the registration form of the elector whose registrations is changed may be destroyed. See s. 7.23 (1) (c).

3. Beginning on the day after the general election, the municipal clerk investigates to assure that no person has been allowed to vote more than once in the election. See s. 6.56 (4).

(d) *Day after general election.* 2 p.m., on the day after the general election, is the deadline for municipal clerks to deliver election materials to the county clerk. See ss. 7.51 (5) and 7.53 (3).

(dm) *21 days after election.* No later than 21 days after the general election, voting machine recorders used in the election may be cleared and reactivated and detachable recording units and compartments used with electronic voting machines may be cleared or erased. See s. 7.23 (1) (b) and (g).

NOTE: Section 7.23 (1) (b) was repealed by 2009 Wis. Act 397. Corrective legislation is pending.

(7) DECEMBER. (a) *30 days after election.* 1. No earlier than 30 days after the general election, election ballots may be destroyed. See s. 7.23 (1) (h).

2. No later than 30 days after the general election, the municipal clerk submits to the county clerk a statement of registration and voting information. See s. 6.275 (1).

3. No later than 30 days after the general election, the municipal clerk enters on the registration list under the name of each elector of the municipality who has voted at the election the date of the election in which the elector voted. See s. 7.15 (4).

4. No later than 30 days after the general election, the municipal clerk transmits to the board a report of the number of absentee ballots transmitted by the clerk to absent military electors and overseas electors for that election and the combined number of those ballots that were cast by those electors in that election. See s. 6.276 (2).

(am) *90 days after primary.* 1. Most September primary election materials may be destroyed 90 days after the September primary. See s. 7.23.

(b) *December 15.* On December 15 in the year prior to the time for appointment of new election officials, and political parties shall submit their nominees for election officials. See s. 7.30 (4) (c).

(c) *90 days after election.* Most general election materials may be destroyed 90 days after general election. See s. 7.23.

(cm) *1 year after any election.* Election notices, correspondence in connection with such notices and proofs of publication may be destroyed 1 year after the election to which they relate. See s. 7.23 (1) (j).

(d) *3 years after any election.* Records transferred to the municipal clerk by any former registrant who has submitted a dissolution report may be destroyed 3 years after the last election in which the registrant participated. See ss. 11.12 (3) and 11.23 (3).

(e) *6 years after any election.* Financial reports may be destroyed 6 years after any election. See s. 7.23.

(f) *10 years after any election.* Official canvasses may be destroyed 10 years after the election to which they relate. See s. 7.23 (1) (i).

History: 1971 c. 304 ss. 18, 29 (2); 1973 c. 166; 1973 c. 334 s. 29; 1973 c. 336 s. 2; 1973 c. 339; Stats. 1973 s. 10.76; 1975 c. 420; 1977 c. 394 s. 53; 1977 c. 448; 1979 c. 354; 1981 c. 314 s. 146; 1981 c. 391; 1983 a. 36, 539; 1985 a. 135 s. 85; 1985 a. 333 ss. 115 to 149, 173; 1987 a. 404 ss. 33, 35, 39 to 49; 1989 a. 56, 368; 1991 a. 32; 2001 a. 62; 2003 a. 324; 2005 a. 149; 2007 a. 98 ss. 4, 16 to 27.

**10.78 Candidates; September primary and general election.** The following subsections set forth, in chronological order, dates relating to the September primary and general election or occurrences during the fall period that affect the candidates:

(1) JUNE. (a) *June 1.* June 1 is the earliest nomination papers may be circulated for candidates for offices to be filled at the general election, except president and vice president, and for party committeemen and committeewomen. See ss. 8.15 (1) and 8.20 (8) (a).

(2) JULY. (b) *2nd Tuesday in July.* 1. 5 p.m., on the 2nd Tuesday in July, is the deadline for candidates for offices to be filled at the general election, except president and vice president, and candidates for party committeemen and committeewomen to file nomination papers and a declaration of candidacy unless the deadline for filing is extended. See ss. 8.15 (1) and (4) (b), 8.20 (6), and 8.21.

2. 5 p.m., on the 2nd Tuesday in July, is the deadline for candidates for state office to file applications to participate in the Wisconsin election campaign fund. See s. 11.50 (2) (a).

(c) *Friday after 2nd Tuesday in July.* 4:30 p.m., on the Friday after the 2nd Tuesday in July, is the deadline for candidates for state office to file statements of economic interests with the government accountability board unless the deadline for filing is extended. See s. 19.43 (4).

(d) *July 20.* July 20 is the deadline for every candidate for state or local office or such person's personal campaign committee to file a continuing report with the board or other appropriate filing officer. Such report is current to the end of June 30. See s. 11.20 (4) and (7).

(3) AUGUST. (a) *August 1.* August 1 is the earliest nomination papers may be circulated for independent candidates for president and vice president. See s. 8.20 (8) (am).

(b) *Last 14 days before primary.* During the last 14 days before the September primary, any contribution of \$500 or more which is received by a candidate, or by his or her personal campaign committee within 14 days of the primary must be reported to the board or other appropriate filing officer within 24 hours. See s. 11.12 (5).

(4) SEPTEMBER. (a) *8 days before primary.* The 8th day before the primary is the deadline for each candidate for state or local office or his or her personal campaign committee to file a pre-primary report with the board or other appropriate filing officer. Such report is current to the end of the 15th day preceding the primary. See s. 11.20 (2) and (7).

(am) *1st Tuesday in September.* 5 p.m., on the 1st Tuesday in September, is the deadline for independent candidates for president and vice president to file nomination papers and a declaration of candidacy with the board. See ss. 8.20 (8) (am) and 8.21.

(b) *Friday before primary.* Vacancies may be filled within 4 days. See s. 7.38 (2).

(c) *2nd Tuesday in September.* 1. The 2nd Tuesday in September is the day of the September primary. See s. 5.02 (18).

2. Upon completion of the ward canvass, the results shall be announced, the results telephoned to the proper clerks and all materials returned to the municipal clerk immediately. See ss. 7.51 (4) (b) and (5) and 7.53 (1).

(d) *Thursday after primary.* 9 a.m., on the Thursday after the September primary, is the latest county canvass may begin. See s. 7.60 (3).

(g) *3 days after last day of county canvass.* 1. 5 p.m., 3 days after the last day of county canvass, is the deadline to demand the first recount. See s. 9.01 (1) (a).

2. At 9 a.m. on the day following the last day for filing of a recount petition the board of canvassers reconvenes to begin the recount procedure. See s. 9.01 (1) (b).

3. 5 p.m., 2 days after completion of the first recount, is the deadline to demand a recount in any remaining wards or municipalities. See s. 9.01 (4).

4. No later than 5 business days after the recount determination aggrieved parties may appeal to the circuit court. See s. 9.01 (6) (a).

(h) *3rd Tuesday in September.* 1. 4:30 p.m., on the 3rd Tuesday in September, is the deadline for any write-in candidate for state office who is certified to appear on the general election ballot to file an application to participate in the Wisconsin election campaign fund. See s. 11.50 (2) (a).

2. The 3rd Tuesday in September is the deadline for any candidate seeking to participate in the Wisconsin election campaign fund to file a special financial report with the board. See s. 11.50 (2) (c).

3. The 3rd Tuesday in September is the deadline for any candidate in the general election who filed an application to participate in the Wisconsin election campaign fund to withdraw the application. See s. 11.50 (2) (h).

(hm) *15 days after September primary.* No earlier than 15 days after the September primary nor later than April 1 of the following year, each county party committee under s. 8.17 and members in good standing of the party in the county hold a combined meeting. See s. 8.17 (5) (b).

(i) *4th Tuesday after primary.* The 4th Tuesday after the September primary is the latest that the chairperson of the board, or the chairperson's designee, may canvass the September primary and make his or her certifications and determinations. See s. 7.70 (3) (a).

(j) *3 days after last day of state canvass.* 1. 5 p.m., 3 days after the last day of state canvass, is the deadline to demand the first recount. See s. 9.01 (1) (a).

2. At 9 a.m. on the day following the last day for filing of a recount petition the board of canvassers reconvenes to begin the recount procedure. See s. 9.01 (1) (b).

3. 5 p.m., 2 days after completion of the first recount, is the deadline to demand a recount in any remaining wards or municipalities. See s. 9.01 (4).

4. No later than 5 business days after the recount determination aggrieved parties may appeal to circuit court. See s. 9.01 (6) (a).

(5) OCTOBER. (a) *First Tuesday in October.* At 10 a.m. on the first Tuesday in October in presidential election years, each political party shall hold a convention in the state capitol to select presidential electors. See s. 8.18.

(b) *2nd Tuesday in October.* The 2nd Tuesday in October is the last day on which a candidate for state office who accepts a campaign grant may return any portion of the grant. See s. 11.50 (10m).

(c) *2nd Tuesday before election.* Write-in candidates for the office of president and vice president shall file their list of presidential electors and a declaration of candidacy with the board by

4:30 p.m. on the 2nd Tuesday before the election. See ss. 8.185 (2) and 8.21.

(d) *Last 14 days before election.* During the last 14 days before the general election, any contribution of \$500 or more which is received by a candidate or by his or her personal campaign committee within 14 days of the election must be reported to the board or other appropriate filing officer within 24 hours. See s. 11.12 (5).

(e) *8 days before election.* The 8th day before the election is the deadline for each candidate for state or local office or his or her personal campaign committee to file a pre-election report with the board or other appropriate filing officer. Such report is current to the end of the 14th day preceding the election. See s. 11.20 (2) and (7).

(f) *Friday before election.* Vacancies may be filled within 4 days. See s. 7.38 (2).

(6) NOVEMBER. (a) *Tuesday after first Monday in November.* 1. The Tuesday after the first Monday in November is the day of the general election. See s. 5.02 (5).

2. Upon completion of the ward canvass, the results shall be announced, the results telephoned to the proper clerks and all materials returned to the municipal clerk immediately. See ss. 7.51 (4) (b) and (5) and 7.53 (1).

(b) *Thursday after election.* At 9 a.m. on the Thursday after the general election is the latest county canvass may begin. See s. 7.60 (3).

(c) *1st Friday after election.* On the 1st Friday after the election, whenever the board permits, write-in candidates for the offices of president and vice president who have not filed as provided in sub. (5) (c) but would otherwise be eligible to receive the electoral votes of this state shall file their list of presidential electors and a declaration of candidacy with the board by 4:30 p.m. See ss. 8.185 (2) and 8.21.

(d) *3 days after last day of county canvass.* 1. 5 p.m., 3 days after the last day of county canvass, is the deadline to demand the first recount. See s. 9.01 (1) (a).

2. At 9 a.m. on the day following the last day for filing of a recount petition the board of canvassers reconvenes to begin the recount procedure. See s. 9.01 (1) (b).

3. 5 p.m., 2 days after completion of the first recount, is the deadline to demand a recount in any remaining wards or municipalities. See s. 9.01 (4).

4. No later than 5 business days after the recount determination aggrieved parties may appeal to circuit court. See s. 9.01 (6) (a).

(e) *November 30.* No later than November 30 in the even-numbered years, the political parties submit their nominees for election officials. See s. 7.30 (4) (c).

(7) DECEMBER. (a) *December 1.* December 1 is the latest that the chairperson of the board, or the chairperson's designee, may canvass the general election and make his or her certifications and determinations. See s. 7.70 (3) (a).

(b) *3 days after last day of state canvass.* 1. 5 p.m., 3 days after the last day of state canvass, is the deadline to demand the first recount. See s. 9.01 (1) (a).

2. At 9 a.m. on the day following the last day for filing of a recount petition the board of canvassers reconvenes to begin the recount procedure. See s. 9.01 (1) (b).

3. 5 p.m., 2 days after completion of the first recount, is the deadline to demand a recount in any remaining wards or municipalities. See s. 9.01 (4).

4. No later than 5 business days after the recount determination aggrieved parties may appeal to circuit court. See s. 9.01 (6) (a).

(c) *First Monday after the 2nd Wednesday in December.* At 12 noon on the first Monday after the 2nd Wednesday in December, in presidential election years, the presidential electors meet at the state capitol. See s. 7.75 (1).

(e) *3 years after any election.* Records maintained by a candidate or his or her campaign treasurer relating to any election may be destroyed 3 years after such election. See s. 11.12 (3).

(8) JANUARY. (a) *January 31.* January 31 is the deadline for each candidate at the general election who receives a grant from the Wisconsin election campaign fund to deliver or transmit to the board proof of payment for disbursements made unless a candidate participates in a special election at least 30 days before that date. See s. 11.50 (12).

**History:** 1971 c. 304 s. 29 (2); 1973 c. 334 s. 29; 1973 c. 336 s. 3; 1973 c. 339; Stats. 1973 s. 10.78; 1975 c. 420; 1977 c. 448; 1979 c. 354; 1981 c. 314 s. 146; 1981 c. 390 s. 252; 1983 a. 539; 1985 a. 333 ss. 150 to 156, 173; 1987 a. 404; 1989 a. 368; 1991 a. 32; 1993 a. 487; 2001 a. 62; 2005 a. 149; 2009 a. 180.

**Cross-reference:** See also s. GAB 6.04, Wis. adm. code.

**10.80 Public and general provisions; September primary and general election.** The following subsections set forth, in chronological order, dates relating to the September primary and general election or occurrences during the fall period that affect the public:

(1) MARCH. (a) *March 1.* March 1 is the earliest application may be made for absentee ballots for the September primary. See s. 6.86 (1).

(1g) MAY. (a) *May 1.* May 1 is the earliest application may be made for absentee ballots for the general election. See s. 6.86 (1).

(1r) JUNE. (a) *June 1.* 5 p.m. on June 1 is the deadline for political organizations which were listed as independent at the last general election and which qualified for a separate ballot to file a petition with the board so requesting. See s. 5.62 (1) (b).

2. June 1 is the deadline for political organizations which seek to qualify for a separate ballot at the September primary to file a petition with the board so requesting. See s. 5.62 (2).

(2) JULY. (a) *July 20.* July 20 is the deadline for every candidate and committee or individual supporting or opposing a candidate for state or local office and every group, individual, or corporation attempting to influence the outcome of a referendum to file a continuing report with the board or other appropriate filing officer. The report is current to the end of June 30. See s. 11.20 (4) and (7).

(3) AUGUST. (b) *Last 14 days before primary.* During the last 14 days before the September primary, any contribution of \$500 or more which is received by a candidate, committee or individual registered under s. 11.05 and any disbursement exceeding \$20 which is made by a committee or individual supporting or opposing a candidate within 14 days of the primary must be reported to the board or other appropriate filing officer within 24 hours. See s. 11.12 (5) and (6).

(c) *Wednesday before primary.* 5 p.m., on the 2nd Wednesday before the September primary, is the deadline for voter registration. See s. 6.28 (1).

(4) SEPTEMBER. (b) *8 days before primary.* The 8th day before the primary is the deadline for each candidate for state or local office and each committee or individual supporting or opposing a candidate to file a preprimary report with the board or other appropriate filing officer. The report is current to the end of the 15th day preceding the primary. See ss. 11.09 (3) and 11.20 (3) (b) and (7).

(bm) *1st Tuesday in September.* No later than 5 p.m. on the 1st Tuesday in September of presidential election years, the state or national chairperson of each party entitled to a separate ballot certifies to the board the names of the party's nominees for president and vice president. See s. 8.16 (7).

(c) *Wednesday before primary.* On the Wednesday before the September primary, in cities of the 1st class, the board of election commissioners sits to hear registration objections. See s. 6.48 (2).

(cm) *Friday before primary.* 5 p.m., on the Friday before the September primary, is the deadline for application by mail for an absentee ballot for the September primary. See s. 6.86 (1).

(d) *Monday before primary.* 1. 5 p.m., on the Monday before the September primary, is the deadline for application, in person, for absentee ballots for the September primary. See s. 6.86 (1).

2. 5 p.m. on the day before the September primary is the deadline for registration at the office of the municipal clerk. See s. 6.29 (2) (a).

3. 5 p.m., on the day before the September primary, is the latest that voting may be conducted in nursing homes, retirement homes and community-based residential facilities. See s. 6.875 (6).

(e) *2nd Tuesday in September.* 1. The 2nd Tuesday in September is the day of the September primary. See s. 5.02 (18).

2. 5 p.m. on the day of the primary is the deadline for hospitalized electors to make application for an absentee ballot by agent or to file a registration form by agent. See s. 6.86 (3) (c).

3. Upon completion of the ward canvass, the results shall be announced, the results telephoned to the proper clerks and all materials returned to the municipal clerk immediately. See ss. 7.51 (4) (b) and (5) and 7.53 (1).

(f) *Thursday after primary.* At 9 a.m. on Thursday after the September primary is the latest county canvass shall begin. See s. 7.60 (3).

(g) *3 days after last day of state canvass.* 1. 5 p.m., 3 days after the last day of state canvass, is the deadline to demand the first recount. See s. 9.01 (1) (a).

2. At 9 a.m. on the day following the last day for filing of a recount petition the board of canvassers reconvenes to begin the recount procedure. See s. 9.01 (1) (b).

3. 5 p.m., 2 days after completion of the first recount, is the deadline to demand a recount in any remaining wards or municipalities. See s. 9.01 (4).

4. No later than 5 business days after the recount determination aggrieved parties may appeal to circuit court. See s. 9.01 (6) (a).

(5) OCTOBER. (a) *First Tuesday in October.* At 10 a.m. on the first Tuesday in October in presidential election years, each recognized political party shall hold a convention in the state capitol to select presidential electors. See s. 8.18.

(c) *Last 14 days before election.* During the last 14 days before the general election, any contribution of \$500 or more which is received by a candidate, committee, individual or group registered under s. 11.05 and any disbursement exceeding \$20 which is made by a committee or individual supporting or opposing a candidate within 14 days of the election must be reported to the board or other appropriate filing officer within 24 hours. See ss. 11.12 (5) and (6) and 11.23 (6).

(d) *2nd Wednesday before election.* 5 p.m., on the 2nd Wednesday before the general election, is the deadline for voter registration. See s. 6.28 (1).

(dm) *9 days before election.* 9 days before a presidential election is the earliest that new residents may apply to vote for president and vice president at the office of the municipal clerk. See s. 6.15 (3) (a) [s. 6.15 (2) (a)].

**NOTE:** The correct cross-reference is shown in brackets. Corrective legislation is pending.

(e) *8 days before election.* The 8th day before the election is the deadline for each candidate for state or local office, each committee or individual supporting or opposing a candidate, and each group, individual, or corporation supporting or opposing a referendum to file a preelection report with the board or other appropriate filing officer. The report is current to the end of the 14th day preceding the election. See ss. 11.09 (3) and 11.20 (2) and (7).

(f) *Wednesday before election.* On the Wednesday before the general election in cities of the 1st class, the board of election commissioners sits to hear registration objections. See s. 6.48 (2).

(g) *Friday before election.* 5 p.m., on the Friday before the general election, is the deadline for application by mail for an absentee ballot for the general election. See s. 6.86 (1).

**(6) NOVEMBER.** (a) *Monday before election.* 1. 5 p.m., on the Monday before the general election, is the deadline for application in person for absentee ballots for the general election. See s. 6.86 (1).

2. 5 p.m. on the day before the general election in presidential election years is the latest that new residents may apply to vote for president and vice president at the office of the municipal clerk. See s. 6.15 (3) (a) [s. 6.15 (2) (a)].

**NOTE:** The correct cross-reference is shown in brackets. Corrective legislation is pending.

3. 5 p.m., on the day before the general election, is the latest that voting may be conducted in nursing homes, retirement homes and community-based residential facilities. See s. 6.875 (6).

(b) *Tuesday after first Monday in November.* 1. The Tuesday after the first Monday in November is the day of the general election. See s. 5.02 (5).

2. 5 p.m. on the day of the election is the deadline for hospitalized electors to make application for an absentee ballot by agent or to file a registration form by agent. See s. 6.86 (3) (c).

3. Upon completion of the ward canvass, the results shall be announced, the results telephoned to the proper clerks and all materials returned to the municipal clerk immediately. See ss. 7.51 (4) (b) and (5) and 7.53 (1).

(c) *Following general election.* Municipal clerks in municipalities having registration conduct a mail canvass of nonvoting electors to revise and update the registration list. See s. 6.50.

(d) *Thursday after election.* At 9 a.m. on the Thursday after the general election is the latest that the county canvass may begin. See s. 7.60 (3).

(e) *3 days after last day of county canvass.* 1. 5 p.m., 3 days after the last day of county canvass, is the deadline to demand the first recount. See s. 9.01 (1) (a).

2. At 9 a.m. on the day following the last day for filing of a recount petition, the board of canvassers reconvenes to begin the recount procedure. See s. 9.01 (1) (b).

3. 5 p.m., 2 days after completion of the first recount, is the deadline to demand a recount in any remaining wards or municipalities. See s. 9.01 (4).

4. No later than 5 business days after the recount determination aggrieved parties may appeal to circuit court. See s. 9.01 (6) (a).

**(7) DECEMBER.** (a) *December 1.* December 1 is the latest that the chairperson of the board, or the chairperson's designee, may canvass the general election and make his or her certifications and determinations. See s. 7.70 (3) (a).

(b) *3 days after last day of state canvass.* 1. 5 p.m., 3 days after the last day of state canvass, is the deadline to demand the first recount. See s. 9.01 (1) (a).

2. At 9 a.m. on the day following the last day for filing of a recount petition the board of canvassers reconvenes to begin the recount procedure. See s. 9.01 (1) (b).

3. 5 p.m., 2 days after completion of the first recount, is the deadline to demand a recount in any remaining wards or municipalities. See s. 9.01 (4).

4. No later than 5 business days after the recount determination aggrieved parties may appeal to circuit court. See s. 9.01 (6) (a).

(c) *First Monday after 2nd Wednesday in December.* At 12 noon on the first Monday after the 2nd Wednesday in December, in presidential election years, the presidential electors meet at the state capitol. See s. 7.75 (1).

(d) *3 years after any election.* Records maintained by a candidate or his or her campaign treasurer relating to any election may be destroyed 3 years after such election. See ss. 11.12 (3) and 11.23 (3).

**History:** 1971 c. 304 s. 29 (2); 1973 c. 334 s. 29; 1973 c. 339; Stats. 1973 s. 10.80; 1975 c. 420; 1977 c. 394 s. 53; 1977 c. 448; 1979 c. 354; 1981 c. 314 s. 146; 1983

a. 539; 1985 a. 333 ss. 157 to 167, 173; 1987 a. 404; 1989 a. 368; 2001 a. 62; 2003 a. 324; 2005 a. 149; 2007 a. 98.

**Cross-reference:** See also s. GAB 6.04, Wis. adm. code.

**10.82 Special primary and election.** **(1) GOVERNMENT ACCOUNTABILITY BOARD.** (a) *General.* The provisions for campaign financing, recount, registration, absentee voting and other general provisions apply to special elections.

(b) *Special dates affecting filling vacancies by special election.* See s. 8.50 (4).

(c) *Nomination papers.* Nomination papers may be circulated no sooner than the day the order for the special election is filed and shall be filed no later than 5 p.m. 28 days before the special primary, except when the special primary is held concurrently with the spring or September primary. See s. 8.50 (3).

(cm) *Campaign grants.* Applications by candidates for state office for grants from the Wisconsin election campaign fund may be filed with the board no later than 5 p.m. on the 28th day preceding the date the special primary will or would be held, if required, except when the special primary is held concurrently with the spring or September primary. See s. 11.50 (2) (a).

(d) *Date for special primary.* The date for the special primary is 4 weeks before the day of the special election except when the special election is held on the day of the general election the special primary shall be held on the day of the September primary or if the special election is held concurrently with the spring election, the primary shall be held concurrently with the spring primary, and except when the special election is held on the Tuesday after the first Monday in November of an odd-numbered year, the primary shall be held on the 2nd Tuesday of September in that year. See ss. 5.02 (20) and 8.50 (2) (b).

(dm) *Campaign grants.* 1. Applications by write-in candidates for state office for grants from the Wisconsin election campaign fund may be filed with the board no later than 4:30 p.m. on the 7th day after the special primary, or the date the special primary would be held, if required. See s. 11.50 (2) (a).

2. Candidates for state office seeking to participate in the Wisconsin election campaign fund may file a special financial report with the board no later than the 7th day after the special primary, or the date the special primary would be held, if required. See s. 11.50 (2) (c).

3. Candidates for state office who have filed an application with the board to participate in the Wisconsin election campaign fund may withdraw the application no later than the 7th day after the special primary, or the date the special primary would be held, if required. See s. 11.50 (2) (h).

(e) *Date for special election.* The date for the special election shall be not less than 62 nor more than 77 days from date of order except when the special election is held on the day of the spring election or the general election. See s. 8.50 (2).

(f) *Special election notice.* 1. Notice shall be given upon filing of the order calling the election. See s. 8.50 (1) (b).

2. If the special election includes a candidate for state or national office or a statewide referendum the board shall give one notice. See s. 8.50 (1) (b).

(g) *22 days before special primary.* 22 days before the special primary the board sends a certified list of candidates to the county clerk. See s. 8.50 (1) (d).

(h) *2nd Thursday after special primary.* The 2nd Thursday after the special primary is the latest that the chairperson of the board, or the chairperson's designee, may canvass returns and make his or her certifications and determinations. See s. 7.70 (3) (a).

(hm) *Following primary canvass.* As soon as possible after the canvass of the special primary, or the date the primary would be held, if required, the board sends a certified list of candidates who are eligible to participate in the Wisconsin election campaign fund to the state treasurer. See s. 7.08 (2) (cm).

(i) *Special election.* See ss. 5.02 (19) and 8.50.

(j) *18 days after special election.* No later than 18 days after a special election is the latest that the chairperson of the board, or the chairperson's designee, may canvass the special election and make his or her certifications and determinations. See s. 7.70 (3) (a).

(k) *Following election canvass.* After the canvass of the special election, the board sends a certified list of candidates who are eligible to receive a postelection grant from the Wisconsin election campaign fund to the state treasurer. See s. 7.08 (2) (cm).

**(2) COUNTY CLERK.** (a) *General.* The provisions for campaign financing, recount, registration, absentee voting and other general provisions apply to special elections.

(b) *Special dates affecting filling vacancies by special election.* See s. 8.50 (4).

(c) *Date for special primary.* The special primary shall be 4 weeks before the day of the special election except when the special election is held on the day of the general election the special primary shall be held on the day of the 1 September primary or if the special election is held concurrently with the spring election, the primary shall be held concurrently with the spring primary, and except when the special election is held on the Tuesday after the first Monday in November of an odd-numbered year, the primary shall be held on the 2nd Tuesday of September in that year. See ss. 5.02 (20) and 8.50 (2) (b).

(d) *Date for special election.* The date for the special election shall be not less than 62 nor more than 77 days from date of order except when the special election is held on the day of the spring election or the general election. See s. 8.50 (2).

(e) *Nomination papers.* Nomination papers may be circulated no sooner than the day the order for the special election is filed and shall be filed no later than 5 p.m. 28 days before the special primary. See s. 8.50 (3).

(f) *Special election notice.* The county clerk gives notice of any special election for national, state or county office or any special state or county referendum. See ss. 8.50 (1) (b) and (c), 8.55, 10.01 (2) and 10.06 (2) (n).

(h) *Monday before special primary and election.* On the Monday before the special primary and election the county clerk publishes a type B notice. See ss. 8.50 (1) (d), 10.01 and 10.06 (2) (n).

(i) *7 days after special primary.* The 7th day after the special primary is the deadline for the county clerk to make returns to the board. See s. 7.60 (5).

(j) *Special election.* See ss. 5.02 (19) and 8.50.

(k) *13 days after special election.* The 13th day after the special election is the deadline for the county clerk to make returns to the board. See s. 7.60 (5).

**(3) MUNICIPAL CLERK AND GOVERNING BODY.** (a) *General.* The provisions for campaign financing, recount, registration, absentee voting and other general provisions apply to special elections.

(b) *Special dates affecting filling vacancies by special election.* See s. 8.50 (4).

(c) *Date for special primary.* The special primary shall be 4 weeks before the day of the special election except when the special election is held on the day of the general election the special primary shall be held on the day of the September primary or if the special election is held concurrently with the spring election, the primary shall be held concurrently with the spring primary, and except when the special election is held on the Tuesday after the first Monday in November of an odd-numbered year, the primary shall be held on the 2nd Tuesday of September in that year. See ss. 5.02 (20) and 8.50 (2) (b).

(d) *Date for special election.* The date for the special election shall be not less than 62 nor more than 77 days from date of order except when the special election is held on the day of the spring election or the general election. See s. 8.50 (2).

(e) *Special election notice.* The municipal clerk gives notice of any special election for municipal office or any special municipal referendum. See ss. 8.55, 10.01 (2) and 10.06 (3) (f).

(f) *Special election.* See ss. 5.02 (19) and 8.50.

**(4) CANDIDATES.** (a) *General.* The provisions for campaign financing, recount, registration, absentee voting and other general provisions apply to special elections.

(b) *Special dates affecting filling vacancies by special election.* See s. 8.50 (3).

(bm) *Campaign grants.* Applications by candidates for state office for grants from the Wisconsin election campaign fund may be filed with the board no later than 5 p.m. on the 28th day preceding the date the special primary will or would be held, if required, except when the special primary is held concurrently with the spring or September primary. See s. 11.50 (2) (a).

(c) *Date for special primary.* The special primary shall be 4 weeks before the day of the special election except when the special election is held on the day of the general election the special primary shall be held on the day of the general primary or if the special election is held concurrently with the spring election, the primary shall be held concurrently with the spring primary. See ss. 5.02 (20) and 8.50 (2).

(cm) *Campaign grants.* 1. Applications by write-in candidates for state office for grants from the Wisconsin election campaign fund may be filed with the board no later than 4:30 p.m. on the 7th day after the special primary, or the date the special primary would be held, if required. See s. 11.50 (2) (a).

2. Candidates for state office seeking to participate in the Wisconsin election campaign fund may file a special financial report with the board no later than the 7th day after the special primary, or the date the special primary would be held, if required. See s. 11.50 (2) (c).

3. Candidates for state office who have filed an application with the board to participate in the Wisconsin election campaign fund may withdraw the application no later than the 7th day after the special primary, or the date the special primary would be held, if required. See s. 11.50 (2) (h).

(d) *Date for special election.* The date for the special election shall be not less than 62 nor more than 77 days from date of order except when the special election is held on the day of the spring election or the general election. See s. 8.50 (2).

(e) *Nomination papers.* Nomination papers may be circulated no sooner than the day the order for the special election is filed and shall be filed no later than 5 p.m. 28 days before the special primary. See s. 8.50 (3).

(f) *Special election.* See ss. 5.02 (20) and 8.50.

(fm) *Finance reports.* Candidates and personal campaign committees of candidates at a special election shall file campaign finance reports with the appropriate filing officer no later than 8 days before each special primary and special election and no later than 30 days after each special election, unless a continuing report is required to be filed on or before that date. See s. 11.20 (2) and (2m).

(g) *Proof of payment.* Candidates for state office who participate in the Wisconsin election campaign fund must deliver or transmit proof of payment for disbursements made to the board no later than the next due date for continuing reports which occurs at least 30 days after the special election. See s. 11.50 (12).

**(5) PUBLIC AND GENERAL PROVISIONS.** (a) *General.* The provisions for campaign financing, recount, registration, absentee voting and other general provisions apply to special elections.

(b) *Date for special primary.* The special primary shall be 4 weeks before the day of the special election except when the special election is held on the day of the general election the special primary shall be held on the day of the September primary or if the special election is held concurrently with the spring election, the primary shall be held concurrently with the spring primary, and except when the special election is held on the Tuesday after the

first Monday in November of an odd-numbered year, the primary shall be held on the 2nd Tuesday of September in that year. See ss. 5.02 (20) and 8.50 (2) (b).

(c) *Date for special election.* The date for the special election shall be not less than 62 nor more than 77 days from date of order except when the special election is held on the day of the spring election or the general election. See s. 8.50 (2).

(d) *Nomination papers.* Nomination papers may be circulated no sooner than the day the order for the special election is filed and shall be filed no later than 5 p.m. 28 days before the special primary. See s. 8.50 (3).

(e) *Finance reports.* Individuals and committees supporting or opposing candidates at a special election shall file campaign finance reports with the appropriate filing officer no later than 8 days before each special primary and special election and no later than 30 days after each special election, unless a continuing report is required to be filed on or before that date. See s. 11.20 (2) and (2m).

**History:** 1971 c. 40, 164, 211; 1973 c. 334 s. 29; 1973 c. 339; Stats. 1973 s. 10.82; 1975 c. 420; 1977 c. 448; 1979 c. 354; 1981 c. 314 s. 146; 1983 a. 539; 1985 a. 333; 1987 a. 404; 2001 a. 62; 2007 a. 98; 2009 a. 180.

**Cross-reference:** See also s. GAB 6.04, Wis. adm. code.