2023 SENATE BILL 490

October 16, 2023 - Introduced by Senator WANGGAARD, cosponsored by Representatives MACCO, GUNDRUM, S. JOHNSON, MICHALSKI, O'CONNOR, ORTIZ-VELEZ and ROZAR. Referred to Committee on Shared Revenue, Elections and Consumer Protection.

1   AN ACT *to renumber and amend* 7.50 (2) (em) of the statutes; **relating to:**

2   counting write-in votes in the general election.

Analysis by the Legislative Reference Bureau

Under current law, subject to certain exceptions, write-in votes for a candidate in the general election may be counted only if the candidate, through his or her candidate committee, filed a registration statement for purposes of the election no later than noon on the Friday immediately preceding the election. The registration must include, among other information, the name and mailing address of the candidate committee and the candidate committee treasurer.

Under this bill, no candidate losing in the partisan primary may file a registration statement to have write-in votes for the candidate counted in the general election.

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

3   **SECTION 1.** 7.50 (2) (em) of the statutes is renumbered 7.50 (2) (em) 1. and

4   amended to read:

5   7.50 **(2)** (em) 1. ~~Except as otherwise provided in this paragraph, write-in~~

6   Write-in votes shall only be counted if no candidates have been certified to appear

1   on the ballot. ~~If,~~ except that if a candidate has been certified to appear on the ballot,

2   write-in votes may only be counted for a candidate that files a registration statement

3   under s. 11.0202 (1) (a) no later than noon on the Friday immediately preceding the

4   election. ~~If~~ No candidate losing in the partisan primary may file a registration

5   statement under s. 11.0202 (1) (a) to have write-in votes for the candidate counted

6   in the general election.

7   2. Notwithstanding subd. 1., if a candidate certified to appear on the ballot dies

8   or withdraws before the election, all write-in votes shall be counted.

9   3. When write-in votes are counted, every vote shall be counted for the

10   candidate for whom it was intended, if the elector's intent can be ascertained from

11   the ballot itself.

12   **(END)**