



2011 SENATE BILL 334

December 9, 2011 – Introduced by Senators GROTHMAN and LASEE, cosponsored by Representatives STROEBEL and THIESFELDT. Referred to Committee on Transportation and Elections.

1 **AN ACT to amend** 8.10 (3) (intro.), 8.15 (4) (a), 8.20 (3) and 8.40 (2) of the statutes;
2 **relating to:** verification of the identity of nomination paper and petition
3 circulators.

Analysis by the Legislative Reference Bureau

Currently, each nomination paper or petition for an election must contain the dated certification of a qualified circulator, as defined by law, at the bottom of each separate sheet, stating his or her residence and affirming that he or she personally circulated the paper or petition and obtained each of the signatures, that the circulator knows that the signers are electors of the jurisdiction or district in which the paper or the petition is circulated, that the circulator knows that the signers signed the paper or petition with full knowledge of its content, that the circulator knows their residences given, that the circulator knows they signed on the dates opposite their names, that the circulator is qualified to circulate the petition, and that the circulator knows that falsifying the certification is punishable as a felony.

This bill provides, in addition, that the circulator's statement must be in the form of an affidavit acknowledged by an officer who is authorized to administer oaths affirming the circulator's identity and stating that the circulator appeared before the officer and executed the statement in the officer's presence.

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

SENATE BILL 334**SECTION 1**

1 **SECTION 1.** 8.10 (3) (intro.) of the statutes is amended to read:

2 8.10 **(3)** (intro.) The ~~certification~~ affidavit of a qualified circulator under s. 8.15
3 (4) (a) shall be appended to each nomination paper. The number of required
4 signatures on nomination papers filed under this section is as follows:

5 **SECTION 2.** 8.15 (4) (a) of the statutes is amended to read:

6 8.15 **(4)** (a) The ~~certification~~ affidavit of a qualified circulator ~~stating~~ certifying
7 his or her residence with street and number, if any, shall appear at the bottom of each
8 nomination paper, ~~stating~~ certifying that he or she personally circulated the
9 nomination paper and personally obtained each of the signatures; he or she knows
10 they are electors of the ward, aldermanic district, municipality or county, as the
11 nomination papers require; he or she knows they signed the paper with full
12 knowledge of its content; he or she knows their respective residences given; he or she
13 knows each signer signed on the date stated opposite his or her name; and, that he
14 or she, the circulator, is a qualified elector of this state, or if not a qualified elector
15 of this state, is a U.S. citizen age 18 or older who, if he or she were a resident of this
16 state, would not be disqualified from voting under s. 6.03, Wis. stats.; that he or she
17 intends to support the candidate; and that he or she is aware that falsifying the
18 ~~certification~~ affidavit is punishable under s. 12.13 (3) (a), Wis. stats. The circulator
19 shall indicate the date that he or she makes the certification next to his or her
20 signature. The affidavit shall be acknowledged by an officer who is authorized to
21 administer oaths affirming the circulator's identity and stating that the circulator
22 appeared before the officer and executed the affidavit in the officer's presence. The
23 ~~certification~~ affidavit may be made by the candidate or any qualified circulator.

24 **SECTION 3.** 8.20 (3) of the statutes is amended to read:

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1 8.20 (3) ~~The certification~~ affidavit of a qualified circulator under s. 8.15 (4) (a)
2 shall be appended to each nomination paper.

3 **SECTION 4.** 8.40 (2) of the statutes is amended to read:

4 8.40 (2) ~~The certification~~ affidavit of a qualified circulator ~~stating~~ certifying his
5 or her residence with street and number, if any, shall appear at the bottom of each
6 separate sheet of each petition specified in sub. (1), ~~stating that he or she~~ certifying
7 that the circulator personally circulated the petition and personally obtained each
8 of the signatures; that the circulator knows that they are electors of the jurisdiction
9 or district in which the petition is circulated; that the circulator knows that they
10 signed the paper with full knowledge of its content; that the circulator knows their
11 respective residences given; that the circulator knows that each signer signed on the
12 date stated opposite his or her name; that the circulator is a qualified elector of this
13 state, or if not a qualified elector of this state, that the circulator is a U.S. citizen age
14 18 or older who, if he or she were a resident of this state, would not be disqualified
15 from voting under s. 6.03, Wis. stats.; and that the circulator is aware that falsifying
16 the ~~certification~~ affidavit is punishable under s. 12.13 (3) (a). The circulator shall
17 indicate the date that he or she makes the certification next to his or her signature.
18 The affidavit shall be acknowledged before an officer who is authorized to administer
19 oaths affirming the circulator's identity and stating that the circulator appeared
20 before the officer and executed the affidavit in the officer's presence.

21 **SECTION 5. Initial applicability.**

22 (1) This act first applies with respect to nomination papers and petitions for
23 which the circulation period begins on or after the effective date of this subsection.

24

(END)