



State of Wisconsin
2019 - 2020 LEGISLATURE

LRB-3997/1
SWB:kjf

2019 SENATE BILL 406

September 16, 2019 - Introduced by Senators DARLING, L. TAYLOR and OLSEN, cosponsored by Representatives HUTTON, FELZKOWSKI, SANFELIPPO, TUSLER, RAMTHUN, KNODL, BRANDTJEN, THIESFELDT and SKOWRONSKI. Referred to Committee on Elections, Ethics and Rural Issues.

1 **AN ACT to amend** 757.02 (2) of the statutes; **relating to:** prohibiting a judge from
2 holding a nonjudicial office of public trust while serving in the office to which
3 the judge was appointed or elected.

Analysis by the Legislative Reference Bureau

This bill provides that a judge of any court of record in this state, including a justice of the state supreme court, may not hold an office of public trust, other than a judicial office, while serving in the judicial office to which the judge was appointed or elected. Current law prohibits a judge from holding an office of public trust during the term for which the judge or justice was elected. The Wisconsin Supreme Court, in *Wagner v. Milwaukee County Election Commission*, 2003 WI 103, has interpreted this provision of current law to prohibit a judge from seeking elected office for the duration of the term, regardless of whether the judge resigns from his or her judicial office.

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

4 **SECTION 1.** 757.02 (2) of the statutes is amended to read:

