



State of Wisconsin
2011 – 2012 LEGISLATURE



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**ASSEMBLY SUBSTITUTE AMENDMENT 3,
TO 2011 ASSEMBLY BILL 7**

May 11, 2011 – Offered by Representative ROYS.

1 **AN ACT** *to repeal* 6.865 (3) and 6.865 (3m) (c); *to renumber and amend* 5.02
2 (18), 6.25 (1) and 6.86 (2m); *to consolidate, renumber and amend* 6.25 (4)
3 (intro.), (a) and (b); *to amend* 5.05 (13) (title), 5.15 (6) (b), 5.25 (3), 5.37 (4), 5.62
4 (title), 5.62 (1), 5.62 (2), 5.62 (3), 5.62 (5), 6.22 (4) (a), 6.22 (4) (e), 6.22 (6), 6.221
5 (title), 6.221 (1), 6.221 (3), 6.221 (5), 6.24 (2), 6.24 (4) (c), 6.36 (1) (a), 6.50 (8),
6 6.86 (1) (a) (intro.), 6.86 (1) (a) 3., 6.86 (1) (ac), 6.86 (1) (b), 6.86 (1) (b), 6.865
7 (title), 6.865 (3m) (a), 6.865 (3m) (b), 6.869, 6.87 (3) (d), 6.87 (6), 7.08 (2) (b), 7.08
8 (2) (c), 7.10 (3) (a), 7.15 (1) (cm), 7.15 (1) (j), 7.60 (5) (a), 7.70 (3) (a), 7.70 (3) (e)
9 1., 8.10 (1), 8.15 (title), 8.15 (1), 8.16 (1), 8.16 (7), 8.17 (1) (b), 8.17 (4), 8.17 (5)
10 (b), 8.19 (3), 8.20 (8) (a), 8.20 (8) (am), 8.20 (9), 8.50 (intro.), 8.50 (2), 8.50 (3) (a),
11 8.50 (3) (b), 8.50 (3) (c), 8.50 (4) (b), 8.50 (4) (fm), 10.01 (2) (d), 10.01 (2) (e), 10.02
12 (3) (b) 2m., 10.06 (1) (f), 10.06 (1) (h), 10.06 (1) (i), 10.06 (2) (gm), 10.06 (2) (h),
13 10.06 (2) (j), 10.06 (3) (cm), 11.06 (12) (a) 1., 11.26 (17) (d), 11.31 (3m), 11.31 (7)

1 (a), 11.50 (1) (a) 1., 11.50 (2) (b) 4., 11.50 (2) (b) 5., 11.50 (2) (c), 11.50 (2) (f), 11.50
2 (2) (i), 13.123 (3) (b) 1. a., 59.605 (3) (a) 1., 66.0602 (4) (a), 66.0619 (2m) (b),
3 66.0921 (2), 66.1113 (2) (g), 66.1113 (2) (h), 67.05 (6m) (b), 67.12 (12) (e) 5.,
4 117.22 (2) (e), 121.91 (3) (a), 229.824 (15) and 995.20; and **to create** 5.05 (13)
5 (c) and (d), 6.22 (2) (e), 6.24 (4) (e) and 6.25 (1) (b) of the statutes; **relating to:**
6 the dates of the September primary and certain other election occurrences and
7 absentee voting.

Analysis by the Legislative Reference Bureau

This substitute amendment changes the date of the September primary from the 2nd Tuesday in September to the 2nd Tuesday in August and renames it to be the “Partisan Primary”. The substitute amendment also changes the dates of related election events to accommodate the change in the date of the primary.

The substitute amendment also makes various changes in the laws pertaining to absentee voting. Most of the changes relate to absentee voting by military and overseas electors of this state. State law contains different definitions of the terms “military elector” and “overseas elector.” One set of definitions mirrors the definitions found in federal law. Under federal law, a “military elector” includes: 1) a member of a uniformed service on active duty who, by reason of that duty, is absent from the residence where the member is otherwise qualified to vote; 2) a member of the merchant marine who, by reason of service in the merchant marine, is absent from the residence where the member is otherwise qualified to vote; and 3) the spouse or dependent of any such member who, by reason of the duty or service of the member, is absent from the residence where the person is otherwise qualified to vote. The federal definition of “overseas elector” includes an elector who resides outside the United States and who is qualified under federal law to vote in elections for national office in this state because the elector last resided in this state immediately prior to the elector’s departure from the United States. The other set of definitions applies for certain state purposes and includes all the persons who are included in the federal definitions but also includes other persons. The state definition of the term “military elector” includes: 1) members of a uniformed service who are not on active duty or who are not absent from their residences by reason of their service or both; 2) members of the merchant marine who are not absent from their residences; 3) civilian employees of the United States and civilians officially attached to a uniformed service who are serving outside the United States; 4) Peace Corps volunteers; and 5) spouses and dependents of these persons who are residing with or accompanying them. The state definition of “overseas elector” includes children of persons who qualify as overseas electors under federal law who are U.S. citizens at least 18 years of age, who are not disqualified from voting in this state, and who

are not residents of this state. Significant provisions of the substitute amendment include:

1. Under current law, any qualified absentee elector may request an absentee ballot by means of electronic mail or facsimile transmission. If an elector so requests, the elector must mail with his or her voted absentee ballot a copy of an absentee ballot application containing his or her original signature. In addition, an absentee elector may request that his or her absentee ballot be transmitted to him or her by electronic mail or facsimile transmission and a municipal clerk or board of election commissioners may transmit the ballot as requested. This substitute amendment provides that the municipal clerk or board of election commissioners must transmit the ballot if the clerk or board receives a valid request.

2. Current law permits a military or overseas elector, as defined in state law, to cast a vote in any general election in which a federal office is to be filled by writing in the name of a candidate on a blank absentee ballot form prescribed by the U.S. government and returning the ballot to the appropriate municipal clerk or board of election commissioners. This substitute amendment permits a military elector, as defined by state law, to cast such a ballot at any election, including any primary election, at which a federal, state, or local office is to be filled and permits an overseas elector, as defined by state law, to cast such a ballot at any election, including any primary election, at which a federal office is to be filled.

3. This substitute amendment directs the Government Accountability Board (GAB), with the assistance of county and municipal clerks and boards of election commissioners, to designate at least one freely accessible means of electronic communication which shall be used to: 1) permit a military or overseas elector, as defined by federal law, to request a voter registration or absentee ballot application and to indicate whether he or she wishes to receive the application electronically or by mail; and 2) permit a municipal clerk or board of election commissioners to transmit an application to a military or overseas elector, as defined by federal law, electronically or by mail, as requested by the elector, together with related voting, balloting and election information. The substitute amendment also directs GAB, with the assistance of county and municipal clerks and boards of elections commissioners, to maintain a freely accessible system whereby a military or overseas elector, as defined by federal law, who casts an absentee ballot may ascertain whether the ballot has been received by the appropriate municipal clerk or board. No similar provisions exist currently.

4. Currently, an absentee ballot cast by an elector is void unless it is received at the polling place for the elector's residence by 8 p.m. on election night. However, state law provides that if an elector is a military elector, as defined by federal law, the elector has an additional ten days after the general election and seven days after the September primary for the elector's ballot to be received by his or her municipality if the ballot is postmarked by election day. This substitute amendment extends a similar ten-day dispensation to military electors, as defined by federal law, who are voting in the presidential preference primary or a special federal election.

5. Currently, an elector who is a military elector, as defined by state law, or an overseas elector, as defined by state law, and who applies for an absentee ballot no

later than 30 days before an election may cast a blank write-in ballot at that election in lieu of the official printed ballot, for any candidates for federal office whose offices are contested at that election. The ballot is valid only if it is submitted from a location outside the United States. This substitute amendment permits such an elector to cast a blank write-in absentee ballot after official printed ballots become available if he or she applies for an absentee ballot no later than the latest time permitted for application for an absentee ballot under state law. The substitute amendment also permits a military elector to cast such a ballot even if the ballot is submitted from a location inside the United States, including the elector's permanent residence.

6. Currently, GAB must prescribe uniform instructions for absentee voters. This substitute amendment provides that the instructions must include the specific means of electronic communication that absentee voters may use to file an application for an absentee ballot, to request a voter registration form, or to change their registrations.

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

1 **SECTION 1.** 5.02 (18) of the statutes is renumbered 5.02 (12s) and amended to
2 read:

3 5.02 (**12s**) “September Partisan primary” means the primary held on the 2nd
4 Tuesday in September August to nominate candidates to be voted for at the general
5 election, and to determine which candidates for state offices other than district
6 attorney may participate in the Wisconsin election campaign fund.

7 **SECTION 2.** 5.05 (13) (title) of the statutes is amended to read:

8 5.05 (**13**) (title) TOLL-FREE ELECTION INFORMATION EXCHANGE AND REQUESTS.

9 **SECTION 3.** 5.05 (13) (c) and (d) of the statutes are created to read:

10 5.05 (**13**) (c) Maintain a freely accessible system under which a military elector,
11 as defined in s. 6.34 (1) (a), or an overseas elector, as defined in s. 6.34 (1) (b), who
12 casts an absentee ballot may ascertain whether the ballot has been received by the
13 appropriate municipal clerk.

1 (d) Designate and maintain at least one freely accessible means of electronic
2 communication which shall be used for the following purposes:

3 1. To permit a military elector, as defined in s. 6.34 (1) (a), or an overseas elector,
4 as defined in s. 6.34 (1) (b), to request a voter registration application or an
5 application for an absentee ballot at any election at which the elector is qualified to
6 vote in this state.

7 2. To permit a military elector or an overseas elector under subd. 1. to designate
8 whether the elector wishes to receive the applications under subd. 1. electronically
9 or by mail.

10 3. To permit a municipal clerk to transmit to a military elector or an overseas
11 elector under subd. 1. a registration application or absentee ballot application
12 electronically or by mail, as directed by the elector under subd. 2., together with
13 related voting, balloting, and election information.

14 **SECTION 4.** 5.15 (6) (b) of the statutes is amended to read:

15 5.15 **(6)** (b) No later than 60 days before each September partisan primary and
16 general election, and no later than 30 days before each other election the governing
17 body of any municipality may by resolution combine 2 or more wards for voting
18 purposes to facilitate using a common polling place. Whenever wards are so
19 combined, the original ward numbers shall continue to be utilized for all official
20 purposes. Except as otherwise authorized under this paragraph, every municipality
21 having a population of 35,000 or more shall maintain separate returns for each ward
22 so combined. In municipalities having a population of less than 35,000, the
23 governing body may provide in the resolution that returns shall be maintained only
24 for each group of combined wards at any election. Whenever a governing body
25 provides for common ballot boxes and ballots or voting machines, separate returns

1 shall be maintained for each separate ballot required under ss. 5.62 and 5.64 at the
2 ~~September~~ partisan primary and general election. The municipal clerk shall
3 transmit a copy of the resolution to the county clerk of each county in which the
4 municipality is contained. In municipalities having a population of less than 35,000,
5 the resolution shall remain in effect for each election until modified or rescinded, or
6 until a new division is made under this section.

7 **SECTION 5.** 5.25 (3) of the statutes is amended to read:

8 5.25 **(3)** Polling places shall be established for each ~~September~~ partisan
9 primary and general election at least 60 days before the election, and for each other
10 election at least 30 days before the election.

11 **SECTION 6.** 5.37 (4) of the statutes is amended to read:

12 5.37 **(4)** Voting machines may be used at primary elections when they comply
13 with subs. (1) and (2) and the following provisions: All candidates' names entitled to
14 appear on the ballots at the primary shall appear on the machine; the elector cannot
15 vote for candidates of more than one party, whenever the restriction applies, and an
16 elector who votes for candidates of any party may not vote for independent
17 candidates at the ~~September~~ partisan primary; the elector may secretly select the
18 party for which he or she wishes to vote, or the independent candidates in the case
19 of the ~~September~~ partisan primary; the elector may vote for as many candidates for
20 each office as he or she is lawfully entitled to vote for, but no more.

21 **SECTION 7.** 5.62 (title) of the statutes is amended to read:

22 **5.62 (title) September Partisan primary ballots.**

23 **SECTION 8.** 5.62 (1) of the statutes is amended to read:

24 5.62 **(1)** (a) At ~~September primaries~~ the partisan primary, the following ballot
25 shall be provided for the nomination of candidates of recognized political parties for

1 national, state and county offices and independent candidates for state office in each
2 ward, in the same form as prescribed by the board under s. 7.08 (1) (a), except as
3 authorized in s. 5.655. The ballots shall be made up of the several party tickets with
4 each party entitled to participate in the primary under par. (b) or sub. (2) having its
5 own ballot, except as authorized in s. 5.655. The independent candidates for state
6 office other than district attorney shall have a separate ballot for all such candidates
7 as under s. 5.64 (1) (e), except as authorized in s. 5.655. The ballots shall be secured
8 together at the bottom. The party ballot of the party receiving the most votes for
9 president or governor at the last general election shall be on top with the other
10 parties arranged in descending order based on their vote for president or governor
11 at the last general election. The ballots of parties qualifying under sub. (2) shall be
12 placed after the parties qualifying under par. (b), in the same order in which the
13 parties filed petitions with the board. Any ballot required under par. (b) 2. shall be
14 placed next in order. The ballot listing the independent candidates shall be placed
15 at the bottom. At polling places where voting machines are used, each party and the
16 independent candidates shall be represented in one or more separate columns or
17 rows on the ballot. At polling places where an electronic voting system is used other
18 than an electronic voting machine, each party and the independent candidates may
19 be represented in separate columns or rows on the ballot.

20 (b) 1. Except as provided in subd. 2. and s. 5.64 (1) (e) 2., every recognized
21 political party listed on the official ballot at the last gubernatorial election whose
22 candidate for any statewide office received at least 1% of the total votes cast for that
23 office and, if the last general election was also a presidential election, every
24 recognized political party listed on the ballot at that election whose candidate for
25 president received at least 1% of the total vote cast for that office shall have a

1 separate primary ballot or one or more separate columns or rows on the primary
2 ballot as prescribed in par. (a) and a separate column on the general election ballot
3 in every ward and election district. An organization which was listed as
4 “independent” at the last general election and whose candidate meets the same
5 qualification shall receive the same ballot status upon petition of the chairperson
6 and secretary of the organization to the board requesting such status and specifying
7 their party name, which may not duplicate the name of an existing party. A petition
8 under this subdivision may be filed no later than 5 p.m. on ~~June~~ May 1 in the year
9 of each general election.

10 2. Subdivision 1. applies to a party within any assembly district or county at
11 any ~~September~~ partisan primary election only if at least one candidate of the party
12 for any national, state or county office qualifies to have his or her name appear on
13 the ballot under the name of that party within that assembly district or county. The
14 county clerk or county board of election commissioners shall provide a combined
15 separate ballot or one or more separate columns or rows on the ballot that will permit
16 an elector to cast a vote for a write-in candidate for the nomination of any such party
17 for each national, state and county office whenever that party qualifies to be
18 represented on a separate primary ballot or in one or more separate columns or rows
19 under subd. 1. but does not qualify under this subdivision. The ballot shall include
20 the name of each party qualifying for a separate ballot or one or more separate
21 columns or rows on the ballot under each office, with the names of the candidates for
22 each such party appearing in the same order in which the ballots of the parties would
23 appear under par. (a).

24 **SECTION 9.** 5.62 (2) of the statutes is amended to read:

1 5.62 (2) (a) Except as provided in par. (b) and s. 5.64 (1) (e) 2., any political
2 organization may be represented on a separate primary ballot or in one or more
3 separate columns or rows on the primary ballot as prescribed in sub. (1) (a) and in
4 a separate column on the general election ballot in every ward and election district.
5 To qualify for a separate ballot under this paragraph, the political organization shall,
6 not later than 5 p.m. on ~~June~~ May 1 in the year of the ~~September~~ partisan primary,
7 file with the board a petition requesting separate ballot status. The petition shall
8 be signed by at least 10,000 electors, including at least 1,000 electors residing in each
9 of at least 3 separate congressional districts. The petition shall conform to the
10 requirements of s. 8.40. No signature obtained before January 1 in the year of filing
11 is valid. When the candidates of a political organization filing a valid petition fulfill
12 the requirements prescribed by law, they shall appear on a separate ballot or one or
13 more separate columns or rows on the ballot for the period ending with the following
14 general election.

15 (b) Paragraph (a) applies to a party within any assembly district or county at
16 any ~~September~~ partisan primary election only if at least one candidate of the party
17 for any national, state or county office qualifies to have his or her name appear on
18 the ballot under the name of that party within that assembly district or county. The
19 county clerk or county board of election commissioners shall provide a combined
20 separate ballot or one or more separate columns or rows on the ballot that will permit
21 an elector to cast a vote for a write-in candidate for the nomination of any such party
22 for each national, state and county office whenever that party qualifies to be
23 represented on a separate primary ballot or in one or more separate columns or rows
24 under par. (a) but does not qualify under this paragraph. The ballot shall include the
25 name of each party qualifying for a separate ballot or one or more separate columns

1 or rows on the ballot under each office, with the names of the candidates for each such
2 party appearing in the same order in which the ballots of the parties would appear
3 under sub. (1) (a).

4 **SECTION 10.** 5.62 (3) of the statutes is amended to read:

5 5.62 (3) The board shall designate the official primary ballot arrangement for
6 statewide offices and district attorney within each prosecutorial district by using the
7 same procedure as provided in s. 5.60 (1) (b). On each ballot and on each separate
8 column or row on the ballot, the candidates for office shall be listed together with the
9 offices which they seek in the following order whenever these offices appear on the
10 ~~September~~ partisan primary ballot: governor, lieutenant governor, attorney general,
11 secretary of state, state treasurer, U.S. senator, U.S. representative in congress,
12 state senator, representative to the assembly, district attorney and the county offices.
13 Below the names of the independent candidates shall appear the party or principle
14 of the candidates, if any, in 5 words or less, as shown on their nomination papers.

15 **SECTION 11.** 5.62 (5) of the statutes is amended to read:

16 5.62 (5) At the ~~September~~ partisan primary, an elector may vote for the
17 candidates of only one party, or the elector may vote for any of the independent
18 candidates for state office listed; but the elector may not vote for more than one
19 candidate for a single office. A space shall be provided on the ballot for an elector to
20 write in the name of his or her choice as a party candidate for any office, including
21 a party candidate of a party whose name appears on the ballot, column or row
22 designated for independent candidates, as provided in sub. (1) (b) or (2) (b), but no
23 space shall be provided to write in the names of independent candidates.

24 **SECTION 12.** 6.22 (2) (e) of the statutes is created to read:

1 6.22 (2) (e) A military elector may file an application for an absentee ballot by
2 means of electronic mail or facsimile transmission in the manner prescribed in s. 6.86
3 (1) (ac). Upon receipt of a valid application, the municipal clerk shall send the elector
4 an absentee ballot or, if the elector so requests, shall transmit an absentee ballot to
5 the elector by means of electronic mail or facsimile transmission in the manner
6 prescribed in s. 6.87 (3) (d).

7 **SECTION 13.** 6.22 (4) (a) of the statutes is amended to read:

8 6.22 (4) (a) A request for an absentee ballot by an individual who qualifies as
9 a military elector shall be treated as a request for an absentee ballot for all elections
10 unless the individual otherwise requests. Upon receiving a timely request for an
11 absentee ballot under par. (b) by an individual who qualifies as a military elector, the
12 municipal clerk shall send or transmit to the elector an absentee ballot for all
13 elections that occur in the municipality or portion thereof where the elector resides
14 beginning on the date that the clerk receives the request.

15 **SECTION 14.** 6.22 (4) (e) of the statutes is amended to read:

16 6.22 (4) (e) Whenever the material is mailed, the material shall be prepared
17 and mailed to make use of the federal free postage laws. If the material does not
18 qualify for mailing without postage under federal free postage laws, the municipal
19 clerk shall pay the postage required for mailing to the military elector. If the return
20 envelope qualifies for mailing free of postage under federal free postage laws, the
21 clerk shall affix the appropriate legend required by U.S. postal regulations.
22 Otherwise the municipal clerk shall pay the postage required for return when the
23 ballot is mailed from within the United States. If the ballot is not mailed by the
24 military elector from within the United States the military elector shall provide

1 return postage. ~~The mailing list established under this subsection shall be kept~~
2 ~~current in the same manner as provided in s. 6.86 (2) (b).~~

3 **SECTION 15.** 6.22 (6) of the statutes is amended to read:

4 6.22 (6) **MILITARY ELECTOR LIST.** Each municipal clerk shall keep an up-to-date
5 list of all eligible military electors who reside in the municipality; ~~city clerks shall~~
6 ~~keep the lists by wards in the format prescribed by the board.~~ The list shall contain
7 the name, latest-known military residence and military mailing address of each
8 military elector. The list shall indicate whether each elector whose name appears on
9 the list is a military elector, as defined in s. 6.36 (2) (c) 6.34 (1), and has so certified
10 under s. 6.865 (3m). All persons over 18 years of age or who will be 18 years old prior
11 to an election shall be listed and remain on the list for the duration of their tour of
12 duty. The list shall be kept current through all possible means. Each clerk shall
13 exercise reasonable care to avoid duplication of names or listing anyone who is not
14 eligible to vote. Each clerk shall distribute ~~2 copies of~~ one copy of the list to the
15 appropriate ward each polling place in the municipality for use on election day.

16 **SECTION 16.** 6.221 (title) of the statutes is amended to read:

17 **6.221 (title) Counting of absentee ballots for certain military electors;**
18 **September partisan primary and general election.**

19 **SECTION 17.** 6.221 (1) of the statutes is amended to read:

20 6.221 (1) In this section, “military elector” has the meaning given in s. 6.36 (2)
21 (c) 6.34 (1) and active duty status for any election is determined as of election day.

22 **SECTION 18.** 6.221 (3) of the statutes is amended to read:

23 6.221 (3) (a) At the September partisan primary, a ballot that is cast under s.
24 6.22 by an elector who is a military elector, that is received by mail from the U. S.
25 postal service, and that is postmarked no later than election day shall be counted as

1 provided in this section if it is received by a municipal clerk no later than 5 p.m. on
2 the 7th day after the election.

3 (b) At the general election, the presidential preference primary, or a special
4 election for national office, a ballot that is cast under s. 6.22 by an elector who is a
5 military elector, that is received by mail from the U.S. postal service, and that is
6 postmarked no later than election day shall be counted as provided in this section if
7 it is received by a municipal clerk no later than 5 p.m. on the 10th day after the
8 election.

9 **SECTION 19.** 6.221 (5) of the statutes is amended to read:

10 6.221 (5) No later than the closing hour of the polls on the day of the ~~September~~
11 partisan primary and the day of the general election, the municipal clerk of each
12 municipality shall post at his or her office and on the Internet at a site announced
13 by the clerk before the polls open, and shall make available to any person upon
14 request, a statement of the number of absentee ballots that the clerk has mailed or
15 transmitted to military electors under this section and that have not been returned
16 to the polling places where the electors reside by the closing hour on election day. The
17 posting shall not include the names or addresses of any military electors.

18 **SECTION 20.** 6.24 (2) of the statutes is amended to read:

19 6.24 (2) ELIGIBILITY. An overseas elector under sub. (1) may vote in any election
20 for national office, including the ~~September~~ partisan primary and presidential
21 preference primary and any special primary or election. Such elector may not vote
22 in an election for state or local office. An overseas elector shall vote in the ward or
23 election district in which the elector was last domiciled or in which the elector's
24 parent was last domiciled prior to departure from the United States.

25 **SECTION 21.** 6.24 (4) (c) of the statutes is amended to read:

1 6.24 (4) (c) Upon receipt of a timely application from an individual who
2 qualifies as an overseas elector and who has registered to vote in a municipality
3 under sub. (3), the municipal clerk of the municipality shall send an absentee ballot
4 to the individual for all subsequent elections for national office to be held during the
5 year in which the ballot is requested, except as otherwise provided in this paragraph,
6 unless the individual otherwise requests or until the individual no longer qualifies
7 as an overseas elector. of the municipality. The clerk shall not send an absentee ballot
8 for an election if the overseas elector's name appeared on the registration list in
9 eligible status for a previous election following the date of the application but no
10 longer appears on the list in eligible status. The municipal clerk shall ensure that
11 the envelope containing the absentee ballot is clearly marked as not forwardable.
12 If an overseas elector who files an application under this subsection no longer resides
13 at the same address that is indicated on the application form, the elector shall so
14 notify the municipal clerk.

15 **SECTION 22.** 6.24 (4) (e) of the statutes is created to read:

16 6.24 (4) (e) An overseas elector may file an application for an absentee ballot
17 by means of electronic mail or facsimile transmission in the manner prescribed in s.
18 6.86 (1) (ac). Upon receipt of a valid application, the municipal clerk shall send the
19 elector an absentee ballot or, if the elector so requests, shall transmit an absentee
20 ballot to the elector by means of electronic mail or facsimile transmission in the
21 manner prescribed in s. 6.87 (3) (d).

22 **SECTION 23.** 6.25 (1) of the statutes is is renumbered 6.25 (1) (a) and amended
23 to read:

24 6.25 (1) (a) Any individual who qualifies as a military elector under s. 6.22 (1)
25 (b) ~~or an overseas elector under s. 6.24 (1)~~ and who transmits an application for an

1 official absentee ballot for ~~a general election~~ any election, including a primary
2 election, no later than ~~30 days before election day~~ the latest time specified for the
3 elector in s. 6.86 (1) (b) may, in lieu of the official ballot, cast a federal write-in
4 absentee ballot prescribed under 42 USC 1973ff-2 for any candidate for an office
5 listed on the official ballot or for all of the candidates of any recognized political party
6 for ~~national office~~ the offices listed on the official ballot at the ~~general~~ that election
7 if the federal write-in absentee ballot is received by the appropriate municipal clerk
8 no later than the applicable time prescribed in s. 6.221 (3) or 6.87 (6).

9 **SECTION 24.** 6.25 (1) (b) of the statutes is created to read:

10 6.25 (1) (b) Any individual who qualifies as an overseas elector under s. 6.24
11 (1) and who transmits an application for an official absentee ballot for an election for
12 national office, including a primary election, no later than the latest time specified
13 for an elector in s. 6.86 (1) (b) may, in lieu of the official ballot, cast a federal write-in
14 absentee ballot prescribed under 42 USC 1973ff-2 for any candidate or for all
15 candidates of any recognized political party for national office listed on the official
16 ballot at that election, if the federal write-in absentee ballot is received by the
17 appropriate municipal clerk no later than the applicable time prescribed in s. 6.221
18 (3) or 6.87 (6).

19 **SECTION 25.** 6.25 (4) (intro.), (a) and (b) of the statutes are consolidated,
20 renumbered 6.25 (4) and amended to read:

21 6.25 (4) A write-in absentee ballot issued under sub. (1), (2) or (3) is valid only
22 if ~~all of the following apply: (a) The ballot is submitted from a location outside the~~
23 ~~United States. (b) The~~ the elector submitting the ballot does not submit an official
24 ballot within the time prescribed in s. 6.87 (6) and, if the elector is an overseas elector,
25 the elector resides outside the United States.

1 **SECTION 26.** 6.36 (1) (a) of the statutes is amended to read:

2 **6.36 (1) (a)** The board shall compile and maintain electronically an official
3 registration list. The list shall contain the name and address of each registered
4 elector in the state, the date of birth of the elector, the ward and aldermanic district
5 of the elector, if any, and, for each elector, a unique registration identification number
6 assigned by the board, the number of a valid operator's license issued to the elector
7 under ch. 343, if any, or the last 4 digits of the elector's social security account
8 number, if any, any identification serial number issued to the elector under s. 6.47
9 (3), the date of any election in which the elector votes, an indication of whether the
10 elector is a military elector, as defined in ~~sub. (2) (c)~~ s. 6.34 (1), who has so certified
11 under s. 6.865 (3m), an indication of whether the elector is an overseas elector, as
12 defined in s. 6.24 (1), any information relating to the elector that appears on the
13 current list transmitted to the board by the department of corrections under s. 301.03
14 (20m), an indication of any accommodation required under s. 5.25 (4) (a) to permit
15 voting by the elector, an indication of the method by which the elector's registration
16 form was received, and such other information as may be determined by the board
17 to facilitate administration of elector registration requirements.

18 **SECTION 27.** 6.50 (8) of the statutes is amended to read:

19 **6.50 (8)** Any municipal governing body may direct the municipal clerk or board
20 of election commissioners to arrange with the U.S. postal service pursuant to
21 applicable federal regulations, to receive change of address information with respect
22 to individuals residing within the municipality for revision of the elector registration
23 list. If required by the U.S. postal service, the governing body may create a
24 registration commission consisting of the municipal clerk or executive director of the
25 board of election commissioners and 2 other electors of the municipality appointed

1 by the clerk or executive director for the purpose of making application for address
2 changes and processing the information received. The municipal clerk or executive
3 director shall act as chairperson of the commission. Any authorization under this
4 subsection shall be for a definite period or until the municipal governing body
5 otherwise determines. The procedure shall apply uniformly to the entire
6 municipality whenever used. The procedure shall provide for receipt of complete
7 change of address information on an automatic basis, or not less often than once
8 every 2 years during the 60 days preceding the close of registration for the ~~September~~
9 partisan primary. If a municipality adopts the procedure for obtaining address
10 corrections under this subsection, it need not comply with the procedure for mailing
11 address verification cards under subs. (1) and (2).

12 **SECTION 28.** 6.86 (1) (a) (intro.) of the statutes is amended to read:

13 6.86 (1) (a) (intro.) Any elector of a municipality who is registered to vote
14 whenever required and who qualifies under ss. 6.20 and 6.85 as an absent elector
15 may make written application to the municipal clerk of that municipality for an
16 official ballot by one of the following methods:

17 **SECTION 29.** 6.86 (1) (a) 3. of the statutes is amended to read:

18 6.86 (1) (a) 3. By signing a statement and filing a request to receive absentee
19 ballots under sub. (2) or (2m) (a) or s. 6.22 (4) or 6.24 (4).

20 **SECTION 30.** 6.86 (1) (ac) of the statutes is amended to read:

21 6.86 (1) (ac) Any elector qualifying under par. (a) may make written application
22 to the municipal clerk for an official ballot by means of facsimile transmission or
23 electronic mail. Any application under this paragraph shall need not contain a copy
24 of the applicant's original signature. An elector requesting a ballot under this

1 paragraph shall return with the voted ballot a copy of the request bearing an original
2 signature of the elector as provided in s. 6.87 (4).

3 **SECTION 31.** 6.86 (1) (b) of the statutes is amended to read:

4 6.86 (1) (b) Except as provided in this section, if application is made by mail,
5 the application, ~~signed by the elector,~~ shall be received no later than 5 p.m. on the
6 5th day immediately preceding the election. If application is made in person, the
7 application shall be made no later than 5 p.m. on the day preceding the election. If
8 Except as provided in par. (c), if the elector is making written application for an
9 absentee ballot at the September partisan primary ~~or, the~~ general election, the
10 presidential preference primary, or a special election for national office, and the
11 application indicates that the elector is a military elector, as defined in s. 6.36 (2) (c),
12 the application shall be received by the municipal clerk no later than 5 p.m. on
13 election day. If the application indicates that the reason for requesting an absentee
14 ballot is that the elector is a sequestered juror, the application shall be received no
15 later than 5 p.m. on election day. If the application is received after 5 p.m. on the
16 Friday immediately preceding the election, the municipal clerk or the clerk's agent
17 shall immediately take the ballot to the court in which the elector is serving as a juror
18 and deposit it with the judge. The judge shall recess court, as soon as convenient,
19 and give the elector the ballot. The judge shall then witness the voting procedure as
20 provided in s. 6.87 and shall deliver the ballot to the clerk or agent of the clerk who
21 shall deliver it to the polling place or, in municipalities where absentee ballots are
22 canvassed under s. 7.52, to the municipal clerk as required in s. 6.88. If application
23 is made under sub. (2) or (2m), the application may be received no later than 5 p.m.
24 on the Friday immediately preceding the election.

1 **SECTION 32.** 6.86 (1) (b) of the statutes, as affected by 2011 Wisconsin Act ...
2 (this act), is amended to read:

3 **6.86 (1) (b)** Except as provided in this section, if application is made by mail,
4 the application shall be received no later than 5 p.m. on the 5th day immediately
5 preceding the election. If application is made in person, the application shall be
6 made no later than 5 p.m. on the day preceding the election. Except as provided in
7 par. (c), if the elector is making written application for an absentee ballot at the
8 partisan primary, the general election, the presidential preference primary, or a
9 special election for national office, and the application indicates that the elector is
10 a military elector, as defined in s. ~~6.36 (2) (c)~~ 6.34 (1), the application shall be received
11 by the municipal clerk no later than 5 p.m. on election day. If the application
12 indicates that the reason for requesting an absentee ballot is that the elector is a
13 sequestered juror, the application shall be received no later than 5 p.m. on election
14 day. If the application is received after 5 p.m. on the Friday immediately preceding
15 the election, the municipal clerk or the clerk's agent shall immediately take the ballot
16 to the court in which the elector is serving as a juror and deposit it with the judge.
17 The judge shall recess court, as soon as convenient, and give the elector the ballot.
18 The judge shall then witness the voting procedure as provided in s. 6.87 and shall
19 deliver the ballot to the clerk or agent of the clerk who shall deliver it to the polling
20 place or, in municipalities where absentee ballots are canvassed under s. 7.52, to the
21 municipal clerk as required in s. 6.88. If application is made under sub. (2) or (2m),
22 the application may be received no later than 5 p.m. on the Friday immediately
23 preceding the election.

24 **SECTION 33.** 6.86 (2m) of the statutes is renumbered 6.86 (2m) (a) and amended
25 to read:

1 6.86 (2m) (a) ~~An~~ Except as provided in this subsection, any elector other than
2 an elector who is ~~eligible to receive absentee ballots under sub. (2)~~ receives an
3 absentee ballot under s. 6.22 (4) or 6.24 (4) (c) may by written application filed with
4 the municipal clerk of the municipality where the elector resides require that an
5 absentee ballot be sent to the elector automatically for every election that is held
6 within the same calendar year in which the application is filed. The application form
7 and instructions shall be prescribed by the board, and furnished upon request to any
8 elector by each municipal clerk. The municipal clerk shall thereupon mail an
9 absentee ballot to the elector for all elections that are held in the municipality during
10 the same calendar year that the application is filed, except that the clerk shall not
11 send an absentee ballot for an election if the elector's name appeared on the
12 registration list in eligible status for a previous election following the date of the
13 application but no longer appears on the list in eligible status. The municipal clerk
14 shall ensure that the envelope containing the absentee ballot is clearly marked as
15 not forwardable. If an elector who files an application under this subsection no
16 longer resides at the same address that is indicated on the application form, the
17 elector shall so notify the municipal clerk. The municipal clerk shall discontinue
18 mailing absentee ballots to an elector under this subsection upon receipt of reliable
19 information that the elector no longer qualifies ~~for the service~~ as an elector of the
20 municipality. In addition, the municipal clerk shall discontinue mailing absentee
21 ballots to an elector under this subsection if the elector fails to return any absentee
22 ballot mailed to the elector. The municipal clerk shall notify the elector of any such
23 action not taken at the elector's request within 5 days, if possible. An elector who
24 fails to cast an absentee ballot but who remains qualified to receive absentee ballots
25 under this subsection may then receive absentee ballots for subsequent elections by

1 notifying the municipal clerk that the elector wishes to continue receiving absentee
2 ballots for subsequent elections.

3 (b) If a municipal clerk is notified by an elector that the elector's residence is
4 changed to another municipality within this state, the municipal clerk shall forward
5 the request to the municipal clerk of that municipality and that municipal clerk shall
6 honor the request, except as provided in this subsection.

7 **SECTION 34.** 6.865 (title) of the statutes is amended to read:

8 **6.865 (title) Federal absentee ballot requests ballots.**

9 **SECTION 35.** 6.865 (3) of the statutes is repealed.

10 **SECTION 36.** 6.865 (3m) (a) of the statutes is amended to read:

11 6.865 (3m) (a) ~~Except as provided in par. (c), if any elector who certifies~~ If an
12 individual who will be a military elector on election day applies for an absentee
13 ballot, the individual may certify that he or she will be a military elector on election
14 day requests an absentee ballot, the municipal clerk shall send or transmit to the
15 elector an absentee ballot for all elections that occur in the municipality or portion
16 thereof where the elector resides beginning on the date that the clerk receives the
17 request and ending on the day after the 3rd successive general election that follows
18 receipt of the request, unless the elector otherwise requests. In addition, the
19 municipal clerk shall continue to send or transmit to the elector an absentee ballot
20 for all elections ending on the day after the 3rd successive general election that
21 follows any election at which the elector returns an absentee ballot under this section
22 or renews his or her request under par. (c) and the municipal clerk shall treat the
23 ballot as provided under s. 6.221.

24 **SECTION 37.** 6.865 (3m) (b) of the statutes is amended to read:

1 6.865 **(3m)** (b) A military elector may indicate an alternate address on his or
2 her absentee ballot application. If the elector’s ballot is returned as undeliverable
3 prior to the deadline for receipt and return of absentee ballots under ~~sub. (3) s. 6.87~~
4 (6) and the elector remains eligible to receive absentee ballots under this subsection,
5 the municipal clerk shall immediately send or transmit an absentee ballot to the
6 elector at the alternate address.

7 **SECTION 38.** 6.865 (3m) (c) of the statutes is repealed.

8 **SECTION 39.** 6.869 of the statutes is amended to read:

9 **6.869 Uniform instructions.** The board shall prescribe uniform instructions
10 for municipalities to provide to absentee voters. electors. The instructions shall
11 include the specific means of electronic communication that an absentee elector may
12 use to file an application for an absentee ballot and, if the absentee elector is required
13 to register, to request a registration form or change his or her registration. The
14 instructions also shall include information concerning the procedure for correcting
15 errors in marking a ballot and obtaining a replacement for a spoiled ballot. The
16 procedure shall, to the extent possible, respect the privacy of each elector and
17 preserve the confidentiality of each elector’s vote.

18 **SECTION 40.** 6.87 (3) (d) of the statutes is amended to read:

19 6.87 **(3)** (d) A municipal clerk ~~may~~ shall, if the clerk is reliably informed by an
20 absent elector of a facsimile transmission number or electronic mail address where
21 the elector can receive an absentee ballot, transmit a facsimile or electronic copy of
22 the absent elector’s ballot to that elector in lieu of mailing under this subsection ~~if,~~
23 ~~in the judgment of the clerk, the time required to send the ballot through the mail~~
24 ~~may not be sufficient to enable return of the ballot by the time provided under sub.~~
25 ~~(6).~~ An elector may receive an absentee ballot ~~under this subsection~~ only if the elector

1 has filed a valid application for the ballot under s. 6.86 (1). If the clerk transmits an
2 absentee ballot ~~under this paragraph~~ to an absent elector electronically, the clerk
3 shall also transmit a facsimile or electronic copy of the text of the material that
4 appears on the certificate envelope prescribed in sub. (2), together with instructions
5 prescribed by the board. The instructions shall require the absent elector to make
6 and subscribe to the certification as required under sub. (4) and to enclose the
7 absentee ballot in a separate envelope contained within a larger envelope, that shall
8 include the completed certificate. The elector shall then affix sufficient postage
9 unless the absentee ballot qualifies for mailing free of postage under federal free
10 postage laws and shall mail the absentee ballot to the municipal clerk. Except as
11 authorized in s. 6.97 (2), an absentee ballot received ~~under this paragraph~~ from an
12 elector who receives the ballot electronically shall not be counted unless it is cast in
13 the manner prescribed in this paragraph and sub. (4) and in accordance with the
14 instructions provided by the board.

15 **SECTION 41.** 6.87 (6) of the statutes is amended to read:

16 6.87 **(6)** Except as provided in s. 6.221 (3), the ballot shall be returned so it is
17 received by the municipal clerk no later than 8 p.m. on election day. Except in
18 municipalities where absentee ballots are canvassed under s. 7.52, if the municipal
19 clerk receives an absentee ballot on election day, the clerk shall secure the ballot and
20 cause the ballot to be delivered to the polling place serving the elector's residence
21 before the closing hour. Except as provided in s. 6.221 (3), the any ballot not mailed
22 or delivered as provided in this subsection may not be counted.

23 **SECTION 42.** 7.08 (2) (b) of the statutes is amended to read:

24 7.08 **(2)** (b) The certified list of candidates for president and vice president
25 nominated at a national convention by a party entitled to a September partisan

1 primary ballot or for whom electors have been nominated under s. 8.20 shall be sent
2 as soon as possible after the closing date for filing nomination papers, but no later
3 than the deadlines established in s. 10.06.

4 **SECTION 43.** 7.08 (2) (c) of the statutes is amended to read:

5 7.08 (2) (c) As soon as possible after the canvass of the spring and September
6 partisan primary votes, but no later than the first Tuesday in March and the 4th
7 Tuesday in ~~September~~ August, transmit to the state treasurer a certified list of all
8 eligible candidates for state office who have filed applications under s. 11.50 (2) and
9 whom the board determines to be eligible to receive payments from the Wisconsin
10 election campaign fund. The list shall contain each candidate's name, the mailing
11 address indicated upon the candidate's registration form, the office for which the
12 individual is a candidate and the party or principle which he or she represents, if any.

13 **SECTION 44.** 7.10 (3) (a) of the statutes is amended to read:

14 7.10 (3) (a) The county clerk shall distribute the ballots to the municipal clerks
15 no later than 31 days before each September partisan primary and general election
16 and no later than 22 days before each other primary and election. Election forms
17 prepared by the board shall be distributed at the same time. If the board transmits
18 an amended certification under s. 7.08 (2) (a) or if the board or a court orders a ballot
19 error to be corrected under s. 5.06 (6) or 5.72 (3) after ballots have been distributed,
20 the county clerk shall distribute corrected ballots to the municipal clerks as soon as
21 possible.

22 **SECTION 45.** 7.15 (1) (cm) of the statutes is amended to read:

23 7.15 (1) (cm) Prepare official absentee ballots for delivery to electors requesting
24 them, and send an official absentee ballot to each elector who has requested one no
25 later than the 30th day before each ~~September~~ partisan primary and general election

1 and no later than the 21st day before each other primary and election if the request
2 is made before that day; otherwise, the municipal clerk shall send an official
3 absentee ballot within one day of the time the elector's request is received.

4 **SECTION 46.** 7.15 (1) (j) of the statutes is amended to read:

5 7.15 (1) (j) Send an absentee ballot automatically to each person making an
6 authorized request therefor in accordance with s. 6.22 (4), 6.24 (4) (c), or 6.86 (2) or
7 (2m).

8 **SECTION 47.** 7.60 (5) (a) of the statutes is amended to read:

9 7.60 (5) (a) Immediately following the canvass, the county clerk shall deliver
10 or send to the government accountability board, by 1st class mail, a certified copy of
11 each statement of the county board of canvassers for president and vice president,
12 state officials, senators and representatives in congress, state legislators, justice,
13 court of appeals judge, circuit judge, district attorney, and metropolitan sewerage
14 commissioners, if the commissioners are elected under s. 200.09 (11) (am). The
15 statement shall record the returns for each office or referendum by ward, unless
16 combined returns are authorized under s. 5.15 (6) (b) in which case the statement
17 shall record the returns for each group of combined wards. Following primaries the
18 county clerk shall enclose on forms prescribed by the government accountability
19 board the names, party or principle designation, if any, and number of votes received
20 by each candidate recorded in the same manner. The county clerk shall deliver or
21 transmit the certified statement to the government accountability board no later
22 than 7 days after each primary except the ~~September~~ partisan primary, no later than
23 10 days after the ~~September~~ partisan primary and any other election except the
24 general election, and no later than 14 days after the general election. The board of
25 canvassers shall deliver or transmit a certified copy of each statement for any

1 technical college district referendum to the secretary of the technical college district
2 board.

3 **SECTION 48.** 7.70 (3) (a) of the statutes is amended to read:

4 7.70 (3) (a) The chairperson of the board or a designee of the chairperson
5 appointed by the chairperson to canvass a specific election shall publicly canvass the
6 returns and make his or her certifications and determinations on or before the 2nd
7 Tuesday following a spring primary, the 15th day of May following a spring election,
8 the 3rd Wednesday following a September partisan primary, the first day of
9 December following a general election, the 2nd Thursday following a special primary,
10 or within 18 days after any special election.

11 **SECTION 49.** 7.70 (3) (e) 1. of the statutes is amended to read:

12 7.70 (3) (e) 1. After each September partisan primary, the name of each
13 candidate not defeated in the primary who receives at least 6% of the total vote cast
14 for all candidates on all ballots at the primary for each separate state office except
15 district attorney, and the percentage of the total vote received by that candidate.
16 Such percentage shall be calculated within each district in the case of legislative
17 candidates.

18 **SECTION 50.** 8.10 (1) of the statutes is amended to read:

19 8.10 (1) Candidates for office to be filled at the spring election shall be
20 nominated by nomination papers, or by nomination papers and selection at the
21 primary if a primary is held, except as provided for towns and villages under s. 8.05.
22 Unless designated in this section or s. 8.05, the general provisions pertaining to
23 nomination at the September partisan primary apply.

24 **SECTION 51.** 8.15 (title) of the statutes is amended to read:

25 **8.15 (title) Nominations for September partisan primary.**

1 **SECTION 52.** 8.15 (1) of the statutes is amended to read:

2 **8.15 (1)** Nomination papers may be circulated no sooner than ~~June~~ May 1
3 preceding the general election and may be filed no later than 5 p.m. on the 2nd
4 Tuesday of ~~July~~ June preceding the ~~September~~ partisan primary, except as
5 authorized in this subsection. If an incumbent fails to file nomination papers and
6 a declaration of candidacy by 5 p.m. on the 2nd Tuesday of ~~July~~ June preceding the
7 ~~September~~ partisan primary, all candidates for the office held by the incumbent,
8 other than the incumbent, may file nomination papers no later than 72 hours after
9 the latest time prescribed in this subsection. No extension of the time for filing
10 nomination papers applies if the incumbent files written notification with the filing
11 officer or agency with whom nomination papers are filed for the office which the
12 incumbent holds, no later than 5 p.m. on the 2nd Friday preceding the latest time
13 prescribed in this subsection for filing nomination papers, that the incumbent is not
14 a candidate for reelection to his or her office, and the incumbent does not file
15 nomination papers for that office within the time prescribed in this subsection. Only
16 those candidates for whom nomination papers containing the necessary signatures
17 acquired within the allotted time and filed before the deadline may have their names
18 appear on the official ~~September~~ partisan primary ballot.

19 **SECTION 53.** 8.16 (1) of the statutes is amended to read:

20 **8.16 (1)** Except as provided in sub. (2), the person who receives the greatest
21 number of votes for an office on a party ballot at any partisan primary, regardless of
22 whether the person's name appears on the ballot, shall be the party's candidate for
23 the office, and the person's name shall so appear on the official ballot at the next
24 election. All independent candidates shall appear on the general election ballot

1 regardless of the number of votes received by such candidates at the ~~September~~
2 partisan primary.

3 **SECTION 54.** 8.16 (7) of the statutes is amended to read:

4 8.16 (7) Nominees chosen at a national convention and under s. 8.18 (2) by each
5 party entitled to a ~~September~~ partisan primary ballot shall be the party's candidates
6 for president, vice president and presidential electors. The state or national
7 chairperson of each such party shall certify the names of the party's nominees for
8 president and vice president to the board no later than 5 p.m. on the first Tuesday
9 in ~~September~~ partisan preceding a presidential election. Each name shall be in one
10 of the formats authorized in s. 7.08 (2) (a).

11 **SECTION 55.** 8.17 (1) (b) of the statutes is amended to read:

12 8.17 (1) (b) Each political party shall elect one committeeman or
13 committeewoman from each election district. In this section, each village, each town
14 and each city is an "election district"; except that in cities having a population of more
15 than 7,500 which are divided into aldermanic districts, each aldermanic district is
16 an "election district"; and in cities having a population of more than 7,500 which are
17 not divided into aldermanic districts and villages or towns having a population of
18 more than 7,500, each ward or group of combined wards under s. 5.15 (6) (b)
19 constituting a polling place on ~~June~~ May 1 of the year in which committeemen or
20 committeewomen are elected is an "election district". To be eligible to serve as its
21 committeeman or committeewoman, an individual shall be, at the time of filing
22 nomination papers or at the time of appointment under this section, a resident of the
23 election district which he or she is chosen to represent and shall be at least 18 years
24 of age.

25 **SECTION 56.** 8.17 (4) of the statutes is amended to read:

1 8.17 (4) The term of office of each committeeman or committeewoman shall end
2 on the date of the meeting held under sub. (5) (b) following each September partisan
3 primary.

4 **SECTION 57.** 8.17 (5) (b) of the statutes is amended to read:

5 8.17 (5) (b) A combined meeting of the county committee and members in good
6 standing of the party in the county shall be held no sooner than 15 days after the
7 September partisan primary and no later than April 1 of the following year. At this
8 meeting, the party committeemen or committeewomen and the county committee
9 offices of chairperson, vice chairperson, secretary and treasurer shall be filled by
10 election by the incumbent committeemen, committeewomen and other party
11 members present and voting, each of whom is entitled to one vote. At this meeting,
12 the county committee shall elect the members of the congressional district committee
13 as provided in sub. (6) (b), (c) and (d). The secretary of the county committee shall
14 give at least 7 days' written notice of the meeting to party and committee members.
15 Individuals elected as county committee officers or as congressional district
16 committee members may be, but are not required to be, committeemen or
17 committeewomen. They are required to be party members in good standing. The
18 terms of committeemen and committeewomen, county committee officers and
19 congressional district committee members begin during the meeting immediately
20 upon completion and verification of the voting for each office.

21 **SECTION 58.** 8.19 (3) of the statutes is amended to read:

22 8.19 (3) Every political party entitled, under s. 5.62, to have its candidates on
23 the September partisan primary and general election ballots has exclusive right to
24 the use of the name designating it at any election involving political parties. The
25 board shall not certify nor the county clerk print the name of any person whose

1 nomination papers indicate a party name comprising a combination of existing party
2 names, qualifying words, phrases, prefixes or suffixes in connection with any
3 existing party name.

4 **SECTION 59.** 8.20 (8) (a) of the statutes is amended to read:

5 8.20 (8) (a) Nomination papers for independent candidates for any office to be
6 voted upon at a general election or ~~September~~ partisan primary and general election,
7 except president, vice president and presidential elector, may be circulated no sooner
8 than ~~June~~ May 1 preceding the election and may be filed no later than 5 p.m. on the
9 2nd Tuesday of ~~July~~ June preceding the ~~September~~ partisan primary, except as
10 authorized in this paragraph. If an incumbent fails to file nomination papers and
11 a declaration of candidacy by 5 p.m. on the 2nd Tuesday of ~~July~~ June preceding the
12 ~~September~~ partisan primary, all candidates for the office held by the incumbent,
13 other than the incumbent, may file nomination papers no later than 72 hours after
14 the latest time prescribed in this paragraph. No extension of the time for filing
15 nomination papers applies if the incumbent files written notification with the filing
16 officer or agency with whom nomination papers are filed for the office which the
17 incumbent holds, no later than 5 p.m. on the 2nd Friday preceding the latest time
18 prescribed in this paragraph for filing nomination papers, that the incumbent is not
19 a candidate for reelection to his or her office, and the incumbent does not file
20 nomination papers for that office within the time prescribed in this paragraph.

21 **SECTION 60.** 8.20 (8) (am) of the statutes is amended to read:

22 8.20 (8) (am) Nomination papers for independent candidates for president and
23 vice president, and the presidential electors designated to represent them, may be
24 circulated no sooner than ~~August~~ July 1 and may be filed not later than 5 p.m. on the
25 first Tuesday in ~~September~~ August preceding a presidential election.

1 **SECTION 61.** 8.20 (9) of the statutes is amended to read:

2 **8.20 (9)** Persons nominated by nomination papers without a recognized
3 political party designation shall be placed on the official ballot at the general election
4 and at any partisan election to the right or below the recognized political party
5 candidates in their own column or row designated “Independent”. At the ~~September~~
6 partisan primary, persons nominated for state office by nomination papers without
7 a recognized political party designation shall be placed on a separate ballot or, if a
8 consolidated paper ballot under s. 5.655 (2), an electronic voting system or voting
9 machines are used, in a column or row designated “Independent”. If the candidate’s
10 name already appears under a recognized political party it may not be listed on the
11 independent ballot, column or row.

12 **SECTION 62.** 8.50 (intro.) of the statutes is amended to read:

13 **8.50 Special elections.** (intro.) Unless otherwise provided, this section
14 applies to filling vacancies in the U.S. senate and house of representatives, executive
15 state offices except the offices of governor, lieutenant governor, and district attorney,
16 judicial and legislative state offices, county, city, village, and town offices, and the
17 offices of municipal judge and member of the board of school directors in school
18 districts organized under ch. 119. State legislative offices may be filled in
19 anticipation of the occurrence of a vacancy whenever authorized in sub. (4) (e). No
20 special election may be held after February 1 preceding the spring election unless it
21 is held on the same day as the spring election, nor after ~~September~~ August 1
22 preceding the general election unless it is held on the same day as the general
23 election, until the day after that election. If the special election is held on the day
24 of the general election, the primary for the special election, if any, shall be held on
25 the day of the ~~September~~ partisan primary. If the special election is held on the day

1 of the spring election, the primary for the special election, if any, shall be held on the
2 day of the spring primary.

3 **SECTION 63.** 8.50 (2) of the statutes is amended to read:

4 **8.50 (2) DATE OF SPECIAL ELECTION.** (a) The date for the special election shall
5 be not less than 62 nor more than 77 days from the date of the order except when the
6 special election is held on the day of the general election or spring election. If a
7 special election is held concurrently with the spring or general election, the special
8 election may be ordered not earlier than 92 days prior to the spring primary or
9 ~~September~~ partisan primary, respectively, and not later than 49 days prior to that
10 primary.

11 (b) If a primary is required, the primary shall be on the day 4 weeks before the
12 day of the special election except when the special election is held on the same day
13 as the general election the special primary shall be held on the same day as the
14 ~~September~~ partisan primary or if the special election is held concurrently with the
15 spring election, the primary shall be held concurrently with the spring primary, and
16 except when the special election is held on the Tuesday after the first Monday in
17 November of an odd-numbered year, the primary shall be held on the 2nd Tuesday
18 of ~~September~~ August in that year.

19 **SECTION 64.** 8.50 (3) (a) of the statutes is amended to read:

20 **8.50 (3) (a)** Nomination papers may be circulated no sooner than the day the
21 order for the special election is filed and shall be filed not later than 5 p.m. 28 days
22 before the day that the special primary will or would be held, if required, except when
23 a special election is held concurrently with the spring election or general election, the
24 deadline for filing nomination papers shall be specified in the order and the date shall
25 be no earlier than the date provided in s. 8.10 (2) (a) or 8.15 (1), respectively, and no

1 later than 35 days prior to the date of the spring or ~~September~~ partisan primary.
2 Nomination papers may be filed in the manner specified in s. 8.10, 8.15, or 8.20. Each
3 candidate shall file a declaration of candidacy in the manner provided in s. 8.21 no
4 later than the latest time provided in the order for filing nomination papers. If a
5 candidate for state or local office has not filed a registration statement under s. 11.05
6 at the time he or she files nomination papers, the candidate shall file the statement
7 with the papers. A candidate for state office shall also file a statement of economic
8 interests with the board no later than the end of the 3rd day following the last day
9 for filing nomination papers specified in the order.

10 **SECTION 65.** 8.50 (3) (b) of the statutes is amended to read:

11 8.50 (3) (b) Except as otherwise provided in this section, the provisions for
12 ~~September primaries~~ the partisan primary under s. 8.15 are applicable to all
13 partisan primaries held under this section, and the provisions for spring primaries
14 under s. 8.10 are applicable to all nonpartisan primaries held under this section. In
15 a special partisan primary or election, the order of the parties on the ballot shall be
16 the same as provided under s. 5.62 (1) or 5.64 (1) (b). Independent candidates for
17 state office at a special partisan election shall not appear on the primary ballot. No
18 primary is required for a nonpartisan election in which not more than 2 candidates
19 for an office appear on the ballot or for a partisan election in which not more than one
20 candidate for an office appears on the ballot of each recognized political party. In
21 every special election except a special election for nonpartisan state office where no
22 candidate is certified to appear on the ballot, a space for write-in votes shall be
23 provided on the ballot, regardless of whether a special primary is held.

24 **SECTION 66.** 8.50 (3) (c) of the statutes is amended to read:

1 8.50 (3) (c) Notwithstanding ss. 5.37 (4), 5.91 (6) and 6.80 (2) (f), whenever a
2 special partisan primary is held concurrently with the presidential preference
3 primary, an elector may choose the party column or ballot in which the elector will
4 cast his or her vote separately for each of the 2 primaries. Whenever 2 or more special
5 partisan primaries or one or more special partisan primaries and a September
6 partisan primary are held concurrently, the procedure prescribed in ss. 5.37 (4), 5.91
7 (6) and 6.80 (2) (f) applies.

8 **SECTION 67.** 8.50 (4) (b) of the statutes is amended to read:

9 8.50 (4) (b) A vacancy in the office of U.S. senator or representative in congress
10 occurring prior to the 2nd Tuesday in ~~May~~ April in the year of the general election
11 shall be filled at a special primary and election. A vacancy in that office occurring
12 between the 2nd Tuesday in ~~May~~ April and the 2nd Tuesday in ~~July~~ June in the year
13 of the general election shall be filled at the ~~September~~ partisan primary and general
14 election.

15 **SECTION 68.** 8.50 (4) (fm) of the statutes is amended to read:

16 8.50 (4) (fm) A permanent vacancy in the office of municipal judge may be filled
17 by temporary appointment of the municipal governing body, or, if the judge is elected
18 under s. 755.01 (4), jointly by the governing bodies of all municipalities served by the
19 judge. The office shall then be permanently filled by special election, which shall be
20 held concurrently with the next spring election following the occurrence of the
21 vacancy, except that a vacancy occurring during the period after December 1 and on
22 or before the date of the spring election shall be filled at the 2nd succeeding spring
23 election, and except that the governing body of a city or village or, if the judge is
24 elected under s. 755.01 (4), the governing bodies of the participating cities or villages
25 may, if the vacancy occurs before ~~June~~ May 1 in the year preceding expiration of the

1 term of office, order a special election to be held on the Tuesday after the first Monday
2 in November following the date of the order. A person so elected shall serve for the
3 residue of the unexpired term.

4 **SECTION 69.** 10.01 (2) (d) of the statutes is amended to read:

5 10.01 (2) (d) Type D—The type D notice shall state the hours the polls will be
6 open and the polling places to be utilized at the election or shall include a concise
7 statement of how polling place information may be obtained. In cities over 500,000
8 population, the board of election commissioners shall determine the form of the
9 notice. In other municipalities and special purpose districts, the clerk of the
10 municipality or special purpose district shall give the polling place information in the
11 manner the governing body of the municipality or special purpose district decides
12 will most effectively inform the electors. The type D notice shall be published by the
13 municipal clerk or board of election commissioners of each municipality once on the
14 day before each spring primary and election, each special national, state, county or
15 municipal election at which the electors of that municipality are entitled to vote and
16 each ~~September~~ partisan primary and general election. The clerk of each special
17 purpose district which calls a special election shall publish a type D notice on the day
18 before the election, and the day before the special primary, if any, except as
19 authorized in s. 8.55 (3).

20 **SECTION 70.** 10.01 (2) (e) of the statutes is amended to read:

21 10.01 (2) (e) Type E—The type E notice shall state the qualifications for
22 absentee voting, the procedures for obtaining an absentee ballot in the case of
23 registered and unregistered voters, the places and the deadlines for application and
24 return of application, including any alternate site under s. 6.855, and the office hours
25 during which an elector may cast an absentee ballot in the municipal clerk's office

1 or at an alternate site under s. 6.855. The municipal clerk shall publish a type E
2 notice on the 4th Tuesday preceding each spring primary and election, on the 4th
3 Tuesday preceding each ~~September~~ partisan primary and general election, on the
4 4th Tuesday preceding the primary for each special national, state, county or
5 municipal election if any, on the 4th Tuesday preceding a special county or municipal
6 referendum, and on the 3rd Tuesday preceding each special national, state, county
7 or municipal election to fill an office which is not held concurrently with the spring
8 or general election. The clerk of each special purpose district which calls a special
9 election shall publish a type E notice on the 4th Tuesday preceding the primary for
10 the special election, if any, on the 4th Tuesday preceding a special referendum, and
11 on the 3rd Tuesday preceding a special election for an office which is not held
12 concurrently with the spring or general election except as authorized in s. 8.55 (3).

13 **SECTION 71.** 10.02 (3) (b) 2m. of the statutes is amended to read:

14 10.02 (3) (b) 2m. At the ~~September~~ partisan primary, the elector shall select the
15 party ballot of his or her choice or the ballot containing the names of the independent
16 candidates for state office, and make a cross (X) next to or depress the lever or button
17 next to the candidate's name for each office for whom the elector intends to vote or
18 insert or write in the name of the elector's choice for a party candidate, if any. In order
19 to qualify for participation in the Wisconsin election campaign fund, a candidate for
20 state office at the ~~September~~ partisan primary, other than a candidate for district
21 attorney, must receive at least 6% of all votes cast on all ballots for the office for which
22 he or she is a candidate, in addition to other requirements.

23 **SECTION 72.** 10.06 (1) (f) of the statutes is amended to read:

1 10.06 (1) (f) On or before the 2nd Tuesday in ~~May~~ April preceding a ~~September~~
2 partisan primary and general election the board shall send a type A notice to each
3 county clerk.

4 **SECTION 73.** 10.06 (1) (h) of the statutes is amended to read:

5 10.06 (1) (h) As soon as possible after the deadline for determining ballot
6 arrangement for the ~~September~~ partisan primary on the 3rd Tuesday in ~~July~~ June,
7 the board shall send a type B notice to each county clerk certifying the list of
8 candidates for the ~~September~~ partisan primary.

9 **SECTION 74.** 10.06 (1) (i) of the statutes is amended to read:

10 10.06 (1) (i) As soon as possible after the state canvass, but no later than the
11 4th Tuesday in ~~September~~ August, the board shall send a type B notice certifying the
12 list of candidates and type A and C notices certifying each question for any
13 referendum to each county clerk for the general election and a certified list of
14 candidates under s. 11.50 to the state treasurer pursuant to s. 7.08 (2) (c).

15 **SECTION 75.** 10.06 (2) (gm) of the statutes is amended to read:

16 10.06 (2) (gm) On the last Tuesday in ~~May~~ April the county clerk shall send
17 notice of the coming ~~September~~ partisan primary and general election to each
18 municipal clerk.

19 **SECTION 76.** 10.06 (2) (h) of the statutes is amended to read:

20 10.06 (2) (h) On the last Tuesday in ~~May~~ April preceding a ~~September~~ partisan
21 primary and general election, the county clerk shall publish a type A notice based on
22 the notice received from the board for all national and state offices to be filled at the
23 election by any electors voting in the county and incorporating county offices.

24 **SECTION 77.** 10.06 (2) (j) of the statutes is amended to read:

1 10.06 (2) (j) On the Monday preceding the ~~September~~ partisan primary the
2 county clerk shall publish a type B notice.

3 **SECTION 78.** 10.06 (3) (cm) of the statutes is amended to read:

4 10.06 (3) (cm) On the 4th Tuesday preceding the ~~September~~ partisan primary
5 and general election, when held, the municipal clerk shall publish a type E notice.
6 If there are municipal referenda, the municipal clerk shall publish a type A notice
7 of the referenda at the same time.

8 **SECTION 79.** 11.06 (12) (a) 1. of the statutes is amended to read:

9 11.06 (12) (a) 1. “Election period” means the period between December 1 and
10 the date of the spring election, the period between ~~June~~ May 1 and the day of the
11 general election in any even–numbered year or the period between the first day for
12 circulation of nomination papers and the day of a special election for any state office.

13 **SECTION 80.** 11.26 (17) (d) of the statutes is amended to read:

14 11.26 (17) (d) In the case of any candidate at the spring primary or election or
15 the ~~September~~ partisan primary or general election, the “campaign” of the candidate
16 ends on June 30 or December 31 following the date on which the election or primary
17 is held in which the candidate is elected or defeated, or the date on which the
18 candidate receives sufficient contributions to retire any obligations incurred in
19 connection with that contest, whichever is later. In the case of any candidate at a
20 special primary or election, the “campaign” of the candidate ends on the last day of
21 the month following the month in which the primary or election is held in which the
22 candidate is elected or defeated, or the date on which the candidate receives
23 sufficient contributions to retire any obligations incurred in connection with that
24 contest, whichever is later.

25 **SECTION 81.** 11.31 (3m) of the statutes is amended to read:

1 **11.31 (3m) UNOPPOSED CANDIDATES; EXCEPTION.** Notwithstanding subs. (1) and
2 (2), if all candidates for state senator or representative to the assembly in a
3 legislative district who are certified under s. 7.08 (2) (a) to appear on the ~~September~~
4 partisan primary ballot of all parties recognized under s. 5.62 (1) (b) or (2) have no
5 opponent who is certified to appear on the same primary ballot, or if no primary is
6 required for all candidates of parties recognized under s. 5.62 (1) (b) or (2) for state
7 senator or representative to the assembly in a legislative district who are certified
8 under s. 8.50 (1) (d) to appear on a special partisan election ballot, then the separate
9 limitation specified in sub. (1) for disbursements during the primary and election
10 period does not apply to candidates for that office in that primary and election, and
11 the candidates are bound only by the total limitations specified for the primary and
12 election.

13 **SECTION 82.** 11.31 (7) (a) of the statutes is amended to read:

14 **11.31 (7) (a)** For purposes of this section, the “campaign” of a candidate extends
15 from July 1 preceding the date on which the spring primary or election occurs or
16 January 1 preceding the date on which the ~~September~~ partisan primary or general
17 election occurs for the office which the candidate seeks, or from the date of the
18 candidate’s public announcement, whichever is earlier, through the last day of the
19 month following the month in which the election or primary is held.

20 **SECTION 83.** 11.50 (1) (a) 1. of the statutes is amended to read:

21 **11.50 (1) (a) 1.** With respect to a spring or general election, any individual who
22 is certified under s. 7.08 (2) (a) as a candidate in the spring election for state
23 superintendent, or an individual who receives at least 6% of the vote cast for all
24 candidates on all ballots for any state office, except district attorney, for which the
25 individual is a candidate at the ~~September~~ partisan primary and who is certified

1 under s. 7.08 (2) (a) as a candidate for that office in the general election, or an
2 individual who has been lawfully appointed and certified to replace either such
3 individual on the ballot at the spring or general election; and who has qualified for
4 a grant under sub. (2).

5 **SECTION 84.** 11.50 (2) (b) 4. of the statutes is amended to read:

6 11.50 (2) (b) 4. The financial reports filed by or on behalf of the candidate as
7 of the date of the spring or ~~September~~ partisan primary, or the date that the special
8 primary is or would be held, if required, indicate that his or her statement filed with
9 the application under par. (a) is true; and

10 **SECTION 85.** 11.50 (2) (b) 5. of the statutes is amended to read:

11 11.50 (2) (b) 5. The financial reports filed by or on behalf of the candidate as
12 of the date of the spring or ~~September~~ partisan primary, or the date that the special
13 primary is or would be held, if required, indicate that the candidate has received at
14 least the amount provided in this subdivision, from contributions of money, other
15 than loans, made by individuals, which have been received during the period ending
16 on the date of the spring primary and July 1 preceding such date in the case of
17 candidates at the spring election, or the date of the ~~September~~ partisan primary and
18 January 1 preceding such date in the case of candidates at the general election, or
19 the date that a special primary will or would be held, if required, and 90 days
20 preceding such date or the date a special election is ordered, whichever is earlier, in
21 the case of special election candidates, which contributions are in the aggregate
22 amount of \$100 or less, and which are fully identified and itemized as to the exact
23 source thereof. A contribution received from a conduit which is identified by the
24 conduit as originating from an individual shall be considered a contribution made by
25 the individual. Only the first \$100 of an aggregate contribution of more than \$100

1 may be counted toward the required percentage. For a candidate at the spring or
2 general election for an office identified in s. 11.26 (1) (a) or a candidate at a special
3 election, the required amount to qualify for a grant is 5 percent of the candidate's
4 authorized disbursement limitation under s. 11.31. For any other candidate at the
5 general election, the required amount to qualify for a grant is 10 percent of the
6 candidate's authorized disbursement limitation under s. 11.31.

7 **SECTION 86.** 11.50 (2) (c) of the statutes is amended to read:

8 11.50 (2) (c) If a candidate has not filed financial reports as of the date of the
9 spring primary, ~~September~~ partisan primary, special primary, or date that the
10 special primary would be held, if required, which indicate that he or she has met the
11 qualification under par. (b) 5., the candidate may file a special report with the board.
12 Such report shall be filed not later than the 7th day after the primary, or 7th day after
13 the date the primary would be held, if required, and shall include such
14 supplementary information as to sources of contributions which may be necessary
15 to complete the candidate's qualification. The special report shall cover the period
16 from the day after the last date covered on the candidate's most recent report, or from
17 the date on which the first contribution was received or the first disbursement was
18 made, whichever is earlier, if the candidate has not previously filed a report, to the
19 date of such report. All information included on the special report shall also be
20 included in the candidate's next report under s. 11.20.

21 **SECTION 87.** 11.50 (2) (f) of the statutes is amended to read:

22 11.50 (2) (f) The board shall inform each candidate in writing of the approval
23 or disapproval of the candidate's application, as promptly as possible after the date
24 of the spring primary, ~~September~~ partisan primary, special primary, or date that the
25 primary would be held, if required. With respect to a candidate at a special election

1 who applies for a postelection grant under sub. (1) (a) 2., the board shall inform the
2 candidate in writing of the conditional approval or disapproval of the candidate's
3 application at the same time.

4 **SECTION 88.** 11.50 (2) (i) of the statutes is amended to read:

5 11.50 (2) (i) Notwithstanding par. (g), if an eligible candidate at the spring
6 election or a special nonpartisan election who accepts a grant is opposed by one or
7 more candidates in the election, or if an eligible candidate at the general election or
8 a special partisan election who accepts a grant is opposed by one or more candidates
9 in the election who receive at least 6 percent of the vote cast for all candidates for the
10 same office on all ballots at the September partisan primary or a special partisan
11 primary if a primary was held, and in either case if any such opponent of the eligible
12 candidate does not accept a grant under this section in whole or in part, the eligible
13 candidate is not bound by the pledge made in his or her application to adhere to the
14 contribution limitations prescribed in s. 11.26 and the disbursement limitation
15 prescribed under s. 11.31, unless each such opponent files an affidavit of voluntary
16 compliance under s. 11.31 (2m).

17 **SECTION 89.** 13.123 (3) (b) 1. a. of the statutes is amended to read:

18 13.123 (3) (b) 1. a. After the day of the September partisan primary, that the
19 member either has not filed nomination papers for reelection or election to another
20 legislative seat or has sought a party nomination for a legislative seat but it is
21 generally acknowledged that the member has not won nomination.

22 **SECTION 90.** 59.605 (3) (a) 1. of the statutes is amended to read:

23 59.605 (3) (a) 1. If the governing body of a county wishes to exceed the operating
24 levy rate limit otherwise applicable to the county under this section, it shall adopt
25 a resolution to that effect. The resolution shall specify either the operating levy rate

1 or the operating levy that the governing body wishes to impose for either a specified
2 number of years or an indefinite period. The governing body shall call a special
3 referendum for the purpose of submitting the resolution to the electors of the county
4 for approval or rejection. In lieu of a special referendum, the governing body may
5 specify that the referendum be held at the next succeeding spring primary or election
6 or ~~September~~ partisan primary or general election to be held not earlier than 42 days
7 after the adoption of the resolution of the governing body. The governing body shall
8 file the resolution to be submitted to the electors as provided in s. 8.37.

9 **SECTION 91.** 66.0602 (4) (a) of the statutes is amended to read:

10 66.0602 (4) (a) A political subdivision may exceed the levy increase limit under
11 sub. (2) if its governing body adopts a resolution to that effect and if the resolution
12 is approved in a referendum. The resolution shall specify the proposed amount of
13 increase in the levy beyond the amount that is allowed under sub. (2), and shall
14 specify whether the proposed amount of increase is for the next fiscal year only or if
15 it will apply on an ongoing basis. With regard to a referendum relating to the 2005
16 levy, or any levy in an odd-numbered year thereafter, the political subdivision may
17 call a special referendum for the purpose of submitting the resolution to the electors
18 of the political subdivision for approval or rejection. With regard to a referendum
19 relating to the 2006 levy, or any levy in an even-numbered year thereafter, the
20 referendum shall be held at the next succeeding spring primary or election or
21 ~~September~~ partisan primary or general election.

22 **SECTION 92.** 66.0619 (2m) (b) of the statutes is amended to read:

23 66.0619 (2m) (b) If a referendum is to be held on a resolution, the municipal
24 governing body shall file the resolution as provided in s. 8.37 and shall direct the
25 municipal clerk to call a special election for the purpose of submitting the resolution

1 to the electors for a referendum on approval or rejection. In lieu of a special election,
2 the municipal governing body may specify that the election be held at the next
3 succeeding spring primary or election or ~~September~~ partisan primary or general
4 election.

5 **SECTION 93.** 66.0921 (2) of the statutes is amended to read:

6 66.0921 (2) FACILITIES AUTHORIZED. A municipality may enter into a joint
7 contract with a nonprofit corporation organized for civic purposes and located in the
8 municipality to construct or otherwise acquire, equip, furnish, operate and maintain
9 a facility to be used for municipal and civic activities if a majority of the voters voting
10 in a referendum at a special election or at a spring primary or election or ~~September~~
11 partisan primary or general election approve the question of entering into the joint
12 contract.

13 **SECTION 94.** 66.1113 (2) (g) of the statutes is amended to read:

14 66.1113 (2) (g) The village of Sister Bay may enact an ordinance or adopt a
15 resolution declaring itself to be a premier resort area under par. (a) even if less than
16 40 percent of the equalized assessed value of the taxable property within Sister Bay
17 is used by tourism–related retailers. The village may not impose the tax authorized
18 under par. (b) unless the village board adopts a resolution proclaiming its intent to
19 impose the tax and the resolution is approved by a majority of the electors in the
20 village voting on the resolution at a referendum, to be held at the first spring primary
21 or election or ~~September~~ partisan primary or general election following by at least
22 45 days the date of adoption of the resolution.

23 **SECTION 95.** 66.1113 (2) (h) of the statutes is amended to read:

24 66.1113 (2) (h) The village of Ephraim may enact an ordinance or adopt a
25 resolution declaring itself to be a premier resort area under par. (a) even if less than

1 40 percent of the equalized assessed value of the taxable property within Ephraim
2 is used by tourism–related retailers. The village may not impose the tax authorized
3 under par. (b) unless the village board adopts a resolution proclaiming its intent to
4 impose the tax and the resolution is approved by a majority of the electors in the
5 village voting on the resolution at a referendum, to be held at the first spring primary
6 or election or ~~September~~ partisan primary or general election following by at least
7 45 days the date of adoption of the resolution.

8 **SECTION 96.** 67.05 (6m) (b) of the statutes is amended to read:

9 67.05 **(6m)** (b) If a referendum is to be held on an initial resolution, the district
10 board shall direct the technical college district secretary to call a special election for
11 the purpose of submitting the initial resolution to the electors for a referendum on
12 approval or rejection. In lieu of a special election, the district board may specify that
13 the election be held at the next succeeding spring primary or election or ~~September~~
14 partisan primary or general election.

15 **SECTION 97.** 67.12 (12) (e) 5. of the statutes is amended to read:

16 67.12 **(12)** (e) 5. Within 10 days of the adoption by a technical college district
17 board of a resolution under subd. 1. to issue a promissory note for a purpose under
18 s. 38.16 (2), the secretary of the district board shall publish a notice of such adoption
19 as a class 1 notice, under ch. 985. The notice need not set forth the full contents of
20 the resolution, but shall state the amount proposed to be borrowed, the method of
21 borrowing, the purpose thereof, that the resolution was adopted under this
22 subsection and the place where and the hours during which the resolution is
23 available for public inspection. If the amount proposed to be borrowed is for building
24 remodeling or improvement and does not exceed \$1,500,000 or is for movable
25 equipment, the district board need not submit the resolution to the electors for

1 approval unless, within 30 days after the publication or posting, a petition
2 conforming to the requirements of s. 8.40 is filed with the secretary of the district
3 board requesting a referendum at a special election to be called for that purpose.
4 Such petition shall be signed by electors from each county lying wholly or partially
5 within the district. The number of electors from each county shall equal at least 1.5%
6 of the population of the county as determined under s. 16.96 (2) (c). If a county lies
7 in more than one district, the technical college system board shall apportion the
8 county's population as determined under s. 16.96 (2) (c) to the districts involved and
9 the petition shall be signed by electors equal to the appropriate percentage of the
10 apportioned population. In lieu of a special election, the district board may specify
11 that the referendum shall be held at the next succeeding spring primary or election
12 or September partisan primary or general election. Any resolution to borrow
13 amounts of money in excess of \$1,500,000 for building remodeling or improvement
14 shall be submitted to the electors of the district for approval. If a referendum is held
15 or required under this subdivision, no promissory note may be issued until the
16 issuance is approved by a majority of the district electors voting at such referendum.
17 The referendum shall be noticed, called and conducted under s. 67.05 (6a) insofar as
18 applicable, except that the notice of special election and ballot need not embody a
19 copy of the resolution and the question which shall appear on the ballot shall be
20 "Shall (name of district) be authorized to borrow the sum of \$.... for (state purpose)
21 by issuing its general obligation promissory note (or notes) under section 67.12 (12)
22 of the Wisconsin Statutes?"

23 **SECTION 98.** 117.22 (2) (e) of the statutes is amended to read:

24 117.22 (2) (e) If a primary election for the school board positions is required
25 under s. 120.06 (7) (b), it shall be held on the day which is 4 weeks before the election,

1 except that if the school board election is held on the day of the general election, the
2 primary shall be held on the day of the ~~September~~ partisan primary, and if the school
3 board election is held on the day of the spring election, the primary shall be held on
4 the day of the spring primary. The school district clerk shall notify the clerk of each
5 city, village or town, any part of which is contained within an affected school district,
6 of the primary election. The school district clerk shall give the notices under s. 120.06
7 (8) (c) on the Monday before the primary election, if one is held, and on the Monday
8 before the school board election.

9 **SECTION 99.** 121.91 (3) (a) of the statutes is amended to read:

10 121.91 **(3)** (a) If a school board wishes to exceed the limit under sub. (2m)
11 otherwise applicable to the school district in any school year, it shall promptly adopt
12 a resolution supporting inclusion in the final school district budget of an amount
13 equal to the proposed excess revenue. The resolution shall specify whether the
14 proposed excess revenue is for a recurring or nonrecurring purpose, or, if the
15 proposed excess revenue is for both recurring and nonrecurring purposes, the
16 amount of the proposed excess revenue for each purpose. The resolution shall be filed
17 as provided in s. 8.37. Within 10 days after adopting the resolution, the school board
18 shall notify the department of the scheduled date of the referendum and submit a
19 copy of the resolution to the department. The school board shall call a special
20 referendum for the purpose of submitting the resolution to the electors of the school
21 district for approval or rejection. In lieu of a special referendum, the school board
22 may specify that the referendum be held at the next succeeding spring primary or
23 election or ~~September~~ partisan primary or general election, if such election is to be
24 held not sooner than 42 days after the filing of the resolution of the school board. The

1 school district clerk shall certify the results of the referendum to the department
2 within 10 days after the referendum is held.

3 **SECTION 100.** 229.824 (15) of the statutes is amended to read:

4 229.824 (15) Impose, by the adoption of a resolution, the taxes under subch. V
5 of ch. 77, except that the taxes imposed by the resolution may not take effect until
6 the resolution is approved by a majority of the electors in the district's jurisdiction
7 voting on the resolution at a referendum, to be held at the first spring primary or
8 ~~September~~ partisan primary following by at least 45 days the date of adoption of the
9 resolution. Two questions shall appear on the ballot. The first question shall be:
10 "Shall a sales tax and a use tax be imposed at the rate of 0.5% in County for
11 purposes related to football stadium facilities in the Professional Football
12 Stadium District?" The 2nd question shall be: "Shall excess revenues from the 0.5%
13 sales tax and use tax be permitted to be used for property tax relief purposes in
14 County?" Approval of the first question constitutes approval of the resolution of the
15 district board. Approval of the 2nd question is not effective unless the first question
16 is approved. The clerk of the district shall publish the notices required under s. 10.06
17 (4) (c), (f) and (i) for any referendum held under this subsection. Notwithstanding
18 s. 10.06 (4) (c), the type A notice under s. 10.01 (2) (a) relating to the referendum is
19 valid even if given and published late as long as it is given and published prior to the
20 election as early as practicable. A district may not levy any taxes that are not
21 expressly authorized under subch. V of ch. 77. The district may not levy any taxes
22 until the professional football team and the governing body of the municipality in
23 which the football stadium facilities are located agree on how to fund the
24 maintenance of the football stadium facilities. The district may not levy any taxes
25 until the professional football team and the governing body of the municipality in

1 which the football stadium facilities are located agree on how to distribute the
2 proceeds, if any, from the sale of naming rights related to the football stadium
3 facilities. If a district board adopts a resolution that imposes taxes and the resolution
4 is approved by the electors, the district shall deliver a certified copy of the resolution
5 to the secretary of revenue at least 120 days before its effective date. If a district
6 board adopts a resolution that imposes taxes and the resolution is not approved by
7 the electors, the district is dissolved.

8 **SECTION 101.** 995.20 of the statutes is amended to read:

9 **995.20 Legal holidays.** January 1, January 15, the 3rd Monday in February
10 (which shall be the day of celebration for February 12 and 22), the last Monday in
11 May (which shall be the day of celebration for May 30), June 19, which shall be the
12 day of observation for Juneteenth Day, July 4, the 1st Monday in September which
13 shall be known as Labor day, the 2nd Monday in October, November 11, the 4th
14 Thursday in November (which shall be the day of celebration for Thanksgiving),
15 December 25, the day of holding the September partisan primary election, and the
16 day of holding the general election in November are legal holidays. On Good Friday
17 the period from 11 a.m. to 3 p.m. shall uniformly be observed for the purpose of
18 worship. In every 1st class city the day of holding any municipal election is a legal
19 holiday, and in every such city the afternoon of each day upon which a primary
20 election is held for the nomination of candidates for city offices is a half holiday and
21 in counties having a population of 500,000 or more the county board may by
22 ordinance provide that all county employees shall have a half holiday on the day of
23 such primary election and a holiday on the day of such municipal election, and that
24 employees whose duties require that they work on such days be given equivalent

1 time off on other days. Whenever any legal holiday falls on Sunday, the succeeding
2 Monday shall be the legal holiday.

3 **SECTION 102. Initial applicability.**

4 (1) The treatment of sections 6.24 (4) (c), 6.86 (1) (a) 3. and (b) (by SECTION 32)
5 and (2m), 6.865 (title), (3), and (3m) (a), (b), and (c), and 7.15 (1) (j) of the statutes first
6 applies with respect to requests for absentee ballots made for voting at elections held
7 on or after the effective date of this subsection.

8 **SECTION 103. Effective dates.** This act takes effect on the day after
9 publication, except as follows:

10 (1) The treatment of sections 6.24 (4) (c), 6.86 (1) (a) 3. and (b) (by SECTION 32)
11 and (2m), 6.865 (title), (3), and (3m) (a), (b), and (c), and 7.15 (1) (j) of the statutes and
12 SECTION 102 (1) of this act take effect on the 90th day beginning after publication.

13 (END)