



State of Wisconsin
2013 - 2014 LEGISLATURE



Stays

LRB-1763/P2
JTK/JK/TKK/aj/jm

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Stays

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

Today
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1 AN ACT *to repeal* 11.09, 11.26 (4), 11.26 (9), 11.38 (1) (a) 3. and 11.38 (2) (c); *to*
2 *renumber and amend* 11.01 (16) (b) and 11.05 (8); *to amend* 5.15 (6) (b), 5.35
3 (6) (a) 2., 5.90 (1), 6.34 (2), 6.34 (3) (a) 8., 6.86 (1) (b), 7.30 (2) (a) and (b), 9.01
4 (1) (ag) 1m., 9.10 (2) (b), 9.10 (2) (d), 11.01 (16) (intro.), 11.01 (16) (a) (intro.),
5 11.05 (1), 11.05 (2), 11.05 (2r), 11.05 (3) (c), 11.05 (12) (b), 11.06 (1) (intro.), 11.06
6 (1) (j), 11.12 (1) (d), 11.12 (3), 11.12 (4), 11.16 (1) (d), 11.19 (2), 11.23 (1), 11.23
7 (3), 11.26 (1) (a), 11.26 (1) (b), 11.26 (1) (c), 11.26 (1) (cc), 11.26 (1) (cg), 11.26 (1)
8 (cn), 11.26 (1) (cw), 11.26 (1) (d) 1. and 2., 11.26 (2) (a), 11.26 (2) (b), 11.26 (2) (c),
9 11.26 (2) (cc), 11.26 (2) (cg), 11.26 (2) (cn), 11.26 (2) (cw), 11.26 (2) (e) 1. and 2.,
10 11.26 (5), 11.26 (6), 11.26 (8) (a), 11.26 (8) (b), 11.26 (8) (c), 11.26 (17) (a), 11.29
11 (1), 11.31 (1) (a), 11.31 (1) (b), 11.31 (1) (c), 11.31 (1) (d), 11.31 (1) (e), 11.31 (1)
12 (f), 11.38 (title) and (1) (a) 1. and 11.38 (1) (b); *to repeal and recreate* 11.01
13 (16) (a) 1.; and *to create* 6.86 (1) (bb), 11.01 (11g) and (11r), 11.01 (16) (b) 1.,
14 11.05 (11g), 11.06 (1g), 11.25 (4), 11.26 (18), 11.31 (2m) and 11.38 (1) (a) 4. of the
15 statutes; **relating to:** various changes in the campaign finance laws;

recording the type of identifying document provided
as proof of residence

- ① identifying documentation to establish proof of residency for voter registration;
- 2 limiting the times for voting by absentee ballots in person; the method of
- 3 reporting election returns by municipalities; fees for election recounts; the
- 4 method of recounting votes cast with automatic tabulating equipment;
- 5 residency of election officials; and recall petition requirements.

Analysis by the Legislative Reference Bureau

This bill makes various changes in the campaign finance, election, and lobbying regulation laws. Significant provisions include:

Disclosure of political activity

Currently, with certain exceptions, individuals who accept contributions, organizations that make or accept contributions, and individuals who or organizations that incur obligations or make disbursements for the purpose of influencing an election for state or local office are required to register with the appropriate filing officer or agency and to file financial reports with that officer or agency, regardless of whether they act in conjunction with or independently of any candidate who is supported or opposed.

This bill provides that registration and reporting requirements apply to any communication that contains certain explicit terms with reference to a clearly identified candidate that expressly advocates the election or defeat of that candidate and unambiguously relates to that candidate. The bill also provides that these requirements do not apply to a communication made by an individual other than a candidate, or by an organization that receives donations or other income not directed at political activity, if the communication does not expressly advocate the election or defeat of a clearly identified candidate or the adoption or rejection of a question at a referendum. The change in the scope of reportable activity under the bill also affects contribution limitations and prohibitions by causing the term “contribution” to exclude the cost of any communication that is not reportable under the bill.

Corporate political activity

Under current law, corporations and cooperatives are prohibited from making contributions or disbursements (expenditures) in campaigns for state or local office. Violators are subject to a forfeiture (civil penalty) of not more than \$500 for each violation. Intentional violators are guilty of a Class I felony, which is punishable by a fine of not more than \$10,000 or imprisonment for not more than three and one-half years, or both, except that if a violation involves \$100 or less, the violation is punishable as a misdemeanor with a fine of not more than \$1,000 or imprisonment for not more than six months, or both. A recent decision of the U.S. Supreme Court casts doubt upon whether this law is enforceable as it applies to disbursements. See *Citizens United v. F.E.C.*, 130 S. Ct. 876 (2010).

This bill deletes the current prohibition on disbursements by corporations and cooperatives. The bill permits a corporation, cooperative, or other entity that is not primarily organized for political purposes to sponsor a separate individual or committee that is not organized exclusively for political purposes but makes independent disbursements. Under the bill, a corporation, cooperative, or other entity that engages in such activity is not subject to periodic reporting requirements on account of such activity, including disclosure of sources of income, unless the corporation, cooperative, or other entity receives contributions or other income for the express purpose of making independent disbursements. However, the corporation, cooperative, or other entity must register with the appropriate filing officer, appoint a treasurer, file periodic reports of administrative expenses on behalf of the sponsored entity and contributions made to the entity, and include an attribution on its political communications. The bill also permits corporations and cooperatives to make contributions to committees that make disbursements independently of any candidate or authorized committee or agent of a candidate. Under the bill, no such committee may make a contribution to a candidate. The bill provides that corporations and cooperatives that make such contributions are not subject to periodic reporting requirements for that activity, including disclosure of sources of income, but any committee that receives such a contribution is subject to registration and periodic reporting requirements, as currently provided for such committees.

Campaign finance registration, record-keeping, and reporting thresholds

With some exceptions, current law requires an individual, candidate, group, or committee that makes or accepts a contribution, incurs an obligation, or makes a disbursement for political purposes and in an amount that exceeds \$25 to register with the Government Accountability Board. This bill increases that threshold from \$25 to \$1,000.

Under current law, a registrant is not subject to the filing requirements related to campaign financing if the registrant does not anticipate accepting contributions, making disbursements, or incurring obligations in an aggregate amount exceeding \$1,000 in a year or does not anticipate accepting any contribution from a single source, other than a candidate's contribution to his or her own campaign, exceeding \$100 in a year or, for purposes of promoting or opposing a referendum, \$750 in a year.

Under this bill, a registrant is not subject to the filing requirements if the registrant does not anticipate accepting contributions, making disbursements, or incurring obligations in an aggregate amount exceeding \$2,000 in a year or does not anticipate accepting any contribution from a single source, other than a candidate's contribution to his or her own campaign, exceeding \$200 in a year or, for purposes of promoting or opposing a referendum, \$1,500 in a year.

Expenditures made to solicit contributions to a segregated fund

Current law permits any corporation, including a foreign corporation and a limited liability company, cooperative, or association, to establish, administer, and solicit contributions to a separate segregated fund set up by the corporation, cooperative, or association for the purpose of supporting or opposing a candidate for state or local office. Although current law prohibits the corporation, association, or

cooperative from making a contribution to the segregated fund, the corporation, cooperative, or association may expend up to \$500 annually for the purpose of soliciting contributions. This bill eliminates the \$500 cap on expenditures made to solicit contributions to the segregated fund.

Contribution limits

This bill increases the limits for contributions by an individual or committee to a candidate's campaign as follows:

1. For candidates for governor, lieutenant governor, secretary of state, state treasurer, attorney general, state superintendent, or justice, from \$10,000 to \$20,000.

2. For candidates for state senator, from \$1,000 to \$2,000.

3. For candidates for state assembly representative, from \$500 to \$1,000.

✓ 4. For candidates for court of appeals judge in districts within a county having a population exceeding 500,000, from \$3,000 to \$6,000.

✓ 5. For candidates for court of appeals judge in other districts, from \$2,500 to \$5,000.

✓ 6. For candidates for circuit judge in circuits having a population exceeding 300,000, from \$3,000 to \$6,000.

✓ 7. For candidates for circuit judge in other circuits, from \$1,000 to \$2,000.

✓ 8. For candidates for district attorney in prosecutorial units having a population exceeding 300,000, from \$3,000 to \$6,000.

✓ 9. For candidates for district attorney in other prosecutorial units, from \$1,000 to \$2,000.

Under current law, the limit for a individual's contribution to a candidate for local office is the greater of \$250 or an amount equal to one cent multiplied by the number of the jurisdiction's inhabitants, not to exceed \$3,000. Under the bill, the limit for a individual's contribution to a candidate for local office is the greater of \$500 or an amount equal to two cents multiplied by the number of the jurisdiction's inhabitants, not to exceed \$6,000.

Under current law, the limit for a contribution by a committee, other than a political party committee or a legislative campaign committee, is the greater of \$200 or an amount equal to three-fourths of one cent multiplied by the number of the jurisdiction's inhabitants, not to exceed \$2,500. Under the bill, the limit for a committee's contribution is the greater of \$400 or an amount equal to one and one-half cents multiplied by the number of the jurisdiction's inhabitants, not to exceed \$5,000.

Under current law, the total amount that an individual may contribute annually to all candidates for state and local offices, and to persons who are required to register for campaign financing purposes, is \$10,000. The bill eliminates this limitation.

Under current law, a political party may not receive more than \$150,000 in value of its contributions in any biennium from committees, other than political party or legislative campaign committees. The bill increases that amount to \$300,000.

Under current law, a political party may not receive more than \$6,000 in value of its contributions annually from any specific committee, excluding a political party or legislative campaign committee. The bill increases that amount to \$12,000.

The bill also increases the total value of contributions that a committee, other than a political party or legislative campaign committee, may make to a political party from \$6,000 each year to \$12,000 each year.

Finally, the bill provides that, beginning on July 1, 2015, and every two years thereafter, the Government Accountability Board will modify the contribution limits under the campaign finance laws to adjust for the change in the consumer price index for the preceding two-year period ending on December 31.

Disbursement levels

This bill increases the disbursement levels as follows:

1. For candidates for governor, from \$1,078,200 to \$2,156,400.
2. For candidates for lieutenant governor, from \$323,475 to \$646,950.
3. For candidates for attorney general, from \$539,000 to \$1,078,000.
4. For candidates for secretary of state, state treasurer, state superintendent, or justice, from \$215,625 to \$431,250.
5. For candidates for state senator, from \$34,500 to \$69,000 total in the primary and election and from \$21,575 to \$43,150 for the maximum disbursement for either the primary or the election.
6. For candidates for state assembly representative, from \$17,250 to \$34,500 total in the primary and election and from \$10,775 to \$21,550 for the maximum disbursement for either the primary or the election.

The bill also provides that, beginning on July 1, 2015, and every two years thereafter, the Government Accountability Board will modify these disbursement levels to adjust for the change in the consumer price index for the preceding two-year period ending on December 31.

Campaign finance record keeping

With some exceptions, current law requires an individual, candidate, group, or committee that makes or accepts a contribution, incurs an obligation, or makes a disbursement for political purposes and in an amount that exceeds \$25 to register with the Government Accountability Board. Under current law, each registrant must maintain records of any contribution, disbursement, and incurred obligation that exceeds \$10. This bill increases the \$10 record-keeping threshold to \$20.

Communications with members of certain entities

Current law permits any corporation, cooperative, unincorporated cooperative association, or voluntary association to make a disbursement for the purpose of communicating only with its members to endorse a candidate, explain its views or interests, or take a position on a referendum without being subject to reporting requirements for this activity. This bill clarifies that any such communication, while remaining exempt from the reporting requirement, may include information on how a member may contribute to an endorsed candidate.

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Communications by legislators (D)(B)

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Proof of residency for voter registration

With limited exceptions, current law requires each person who is an eligible elector and who wishes to vote in this state to first register. In certain circumstances, an eligible elector must submit proof of residence with his or her registration form or prior to being permitted to vote. For example, a person who registers in the clerk's office of his or her municipality within 20 days of an election must provide proof of residence in order to obtain registration. Current law provides a list of qualifying identifying documents and specifies the information that must appear on those documents. Identifying documents must contain the registrant's name and current address and qualifying identifying documents include a real estate tax bill, a bank statement, and a current and valid Wisconsin driver license or identification card.

This bill prohibits an elector from providing an identifying document that is stored or displayed electronically to establish proof of residence; the identifying document must be provided in hard-copy form. The bill adds to the list of qualifying identifying documents a bill for cellular or wireless telephone service for the period commencing no earlier than 90 days before election day

Voting by absentee ballots in person

Under current law, a person may apply to the municipal clerk in person to vote using an absentee ballot. In-person applications to vote using an absentee ballot may be made beginning on the third Monday preceding the election and ending on the later of 5 p.m. or the close of business on the Friday preceding the election.

Under this bill, in-person applications to vote using absentee ballots may be received only Monday to Friday between the hours of 7:30 a.m. and 6 p.m., except that an individual may make an appointment with the actual city, town, or village clerk, as appropriate, so that the clerk, not a member of the clerk's staff or a designated agent, may receive the individual's application made in person after 6 p.m. or anytime on Saturday or Sunday, not including the Saturday and Sunday after the Friday preceding the election.

Reporting of election returns by municipalities

Currently, the voters of each ward vote at the same polling place, which is generally separate from other polling places in a municipality. Election returns are reported by ward unless otherwise authorized by law. Currently, no later than 60 days before each September primary and general election, and no later than 30 days before each other election, the governing body of a municipality may combine two or more wards for voting purposes to permit the use of a common polling place. In municipalities with a population of 35,000 or more, a municipality must continue to report all election returns by ward even where wards are combined for voting purposes at a single location. Other municipalities may report returns for combined wards together unless a separate ballot is required in a partisan election, in which case separate returns must be reported for the offices listed on each separate ballot so that the results of the various elections may be determined.

Under this bill, any municipality having a population of 35,000 or more may provide that election returns for any ward having a population of 20 or less will be combined with returns for any adjacent ward, unless separate returns are required to determine the results of an election. A municipality, however, may not combine

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and a credit card statement for the period commencing no earlier than 90 days before election day

wards if the total population of the combined wards would exceed the applicable population range for wards in that municipality. The bill allows the municipal clerk to estimate ward populations for the purpose of combining returns if the population cannot be determined from census results.

Fees for election recounts

Currently, any candidate who receives votes in an election and any elector who votes in a referendum may petition for a recount of the votes cast. If the difference between the votes cast for the leading candidate and those cast for the petitioner or the difference between the affirmative and negative votes cast upon any referendum question is at least ten votes if 1,000 or fewer votes are cast or more than 0.5 percent but not more than 2 percent of the total votes if more than 1,000 votes are cast, the petitioner must pay a fee of \$5 per ward or \$5 per municipality if a municipality is not divided into wards. The bill increases that amount to \$25 per ward or \$25 per municipality if a municipality is not divided into wards.

Recounting votes cast with automatic tabulating equipment

Currently, with a limited exception, a board of canvassers must use automatic tabulating equipment to conduct a recount of ballots that are in machine-readable form. However, a candidate, or an elector if the recount is for a referendum question, may petition the circuit court for an order requiring ballots in machine-readable form to be recounted by hand or by another method approved by the court. To obtain such an order, the candidate or elector must show by clear and convincing evidence that due to an irregularity, defect, or mistake committed during the voting or canvassing process the results of a recount using automatic tabulating equipment will produce incorrect results and there is a substantial probability that recounting the ballots by hand or by another method will produce a more correct result and change the outcome of the election.

This bill permits the board of canvassers conducting a recount to determine to conduct the recount of a specific election by hand unless a court orders the recount to be conducted by another method.

Residency of election officials

Current law generally requires election officials to be qualified electors of the municipality in which the officials serve. In addition, current law generally requires election officials who serve at a polling place to be qualified electors of the ward for which the polling place is established, whenever a municipality is divided into wards. However, special registration deputies who register electors at a polling place on election day, election officials who are appointed to work at a polling place that serves more than one ward, election officials who are reassigned by a municipal clerk or board of election commissioners to correct staffing deficiencies, or election officials who are appointed to fill a temporary or permanent vacancy need not be electors of any particular ward, but must be qualified electors of the municipality in which they serve. Officials who are appointed to work at a polling place that serves more than one ward must be electors of one of the wards served by the polling place. A high school pupil who is 16 or 17 years of age may serve as an inspector (poll worker) at the polling place serving his or her residence. In addition, if the municipal clerk or the executive director of a board of election commissioners or a deputy to the clerk

or executive director serves as a special registration deputy or is appointed to work at a polling place to fill a vacancy in an inspector position, the clerk, executive director, or deputy need not be a resident of the municipality in which he or she serves.

This bill provides, with certain exceptions, that an individual who serves as an election official at a polling place on election day need be an elector only of a county in which the municipality where the official serves is located. An individual who serves as the chief inspector at a polling place must be a qualified elector of the municipality where he or she serves unless no qualified candidate is available or the chief inspector is appointed to fill a temporary vacancy. A high school pupil who serves as an inspector must continue to meet the current residency requirement.

Recall petition requirements

Under current law, a petition for the recall of a city, village, town, town sanitary district, or school district officer, in addition to other requirements, must indicate a reason for the recall that is related to the officer's official responsibilities. Under this bill, any person who wishes to circulate a petition for the recall of a city, village, town, town sanitary district, or school district officer must include with the person's registration under the campaign finance laws a statement indicating that the officer for whom the recall is sought has been charged with committing a crime or violating a code of ethics law applicable to local officials. The person must also include a copy of the criminal or civil complaint alleging the crime or violation.

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

1 **SECTION 1.** 5.15 (6) (b) of the statutes is amended to read:

2 5.15 (6) (b) No later than 30 days before each election, the governing body of
3 any municipality may by resolution combine 2 or more wards for voting purposes to
4 facilitate using a common polling place. Whenever wards are so combined, the
5 original ward numbers shall continue to be utilized for all official purposes. Except
6 as otherwise authorized under this paragraph, every municipality having a
7 population of 35,000 or more shall maintain separate returns for each ward so
8 combined. In municipalities having a population of 35,000 or more, the governing
9 body may provide in a resolution that returns for any ward having a population of
10 20 or less be combined with returns for any adjacent ward, if the total population of

1 the combined wards does not exceed the applicable population range under sub. (2)
2 (b) for wards in that municipality. In municipalities having a population of less than
3 35,000, the governing body may provide in the resolution that returns shall be
4 maintained only for each group of combined wards at any election. Whenever a
5 governing body provides ~~for common ballot boxes and ballots or voting machines,~~
6 that returns shall be maintained only for combined wards under this paragraph, the
7 municipality shall report separate returns shall be maintained results for each
8 separate ballot required under ss. ~~5.62 and 5.58 to 5.64 at the partisan primary and~~
9 ~~general election.~~ The municipal clerk shall transmit a copy of the resolution to the
10 county clerk of each county in which the municipality is contained. In municipalities
11 having a population of less than 35,000, the resolution shall remain in effect for each
12 election until modified or rescinded, or until a new division is made under this
13 section. Whenever needed for purposes of this paragraph, the municipal clerk shall
14 determine the population of each ward in his or her municipality. If the population
15 of a ward cannot be determined from census results, the clerk shall determine the
16 population of the smallest unit encompassing the entire ward that can be determined
17 from census results. The clerk shall then divide the land area of the ward by the land
18 area of that unit. The clerk shall then multiply that result by the population of the
19 unit to determine the population of the ward for purposes of this paragraph.

20 **SECTION 2.** 5.35 (6) (a) 2. of the statutes is amended to read:

21 5.35 (6) (a) 2. A copy of the election fraud laws provided in s. 12.13 (1) and (3)
22 (intro), (d), (f), (g), (k), (L), (o), (q), (r), (u), and (x), together with the applicable
23 penalties provided in s. 12.60 (1). The materials described in this subdivision shall
24 be positioned so that the electors entering the polling place approach and pass by the
25 materials.

1 **SECTION 3.** 5.90 (1) of the statutes is amended to read:

2 5.90 (1) Except as otherwise provided in this subchapter, recounts of votes cast
3 on an electronic voting system shall be conducted in the manner prescribed in s. 9.01.
4 Except as provided in this subsection, sub. (2), and s. 9.01 (1) (b) 8s., if the ballots are
5 distributed to the electors, the board of canvassers shall recount the ballots with
6 automatic tabulating equipment. The board of canvassers shall test the automatic
7 tabulating equipment to be used prior to the recount as provided in s. 5.84, and then
8 the official ballots or the record of the votes cast shall be recounted on the automatic
9 tabulating equipment. In addition, the board of canvassers shall check the ballots
10 for the presence or absence of the initials and other distinguishing marks, shall
11 examine the ballots marked "Rejected", "Defective" and "Objected to" to determine
12 the propriety of such labels, and shall compare the "Duplicate Overvoted Ballots"
13 and "Duplicate Damaged Ballots" with their respective originals to determine the
14 correctness of the duplicates. Unless a court orders a recount to be conducted by
15 another method under sub. (2), the board of canvassers may determine to conduct the
16 recount of a specific election by hand. If electronic voting machines are used, the
17 board of canvassers shall perform the recount using the permanent paper record of
18 the votes cast by each elector, as generated by the machines.

19 **SECTION 4.** 6.34 (2) of the statutes is amended to read:

20 6.34 (2) Upon completion of a registration form prescribed under s. 6.33, each
21 eligible elector who is required to register under s. 6.27, who is not a military elector
22 or an overseas elector, and who registers after the close of registration under s. 6.29
23 or 6.86 (3) (a) 2., shall provide an one of the identifying document that establishes
24 documents specified under sub. (3) to establish proof of residence under sub. (3).
25 Each eligible elector who is required to register under s. 6.27, who is not a military

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1 elector or an overseas elector, who registers by mail, and who has not voted in an
 2 election in this state shall, if voting in person, provide ~~an~~ one of the identifying
 3 ~~document that establishes~~ documents specified under sub. (3) to establish proof of
 4 residence ~~under sub. (3)~~ or, if voting by absentee ballot, provide a copy of an
 5 identifying document specified under sub. (3) that establishes proof of residence
 6 ~~under sub. (3)~~. If the elector registered by mail, the identifying document may not
 7 be a residential lease. Any identifying document provided to establish proof of
 8 residence under this section may not be stored or displayed electronically, but must
 9 be provided in hard-copy form.

10 SECTION 5. 6.34 (3) (a) 8. of the statutes is amended to read:

11 6.34 (3) (a) 8. A utility bill, including a bill for cellular or wireless telephone
 12 service, for the period commencing not earlier than 90 days before the day
 13 registration is made.

14 SECTION 6. 6.86 (1) (b) of the statutes is amended to read:

15 6.86 (1) (b) Except as provided in this section, if application is made by mail,
 16 the application shall be received no later than 5 p.m. on the 5th day immediately
 17 preceding the election. If Except as provided in par. (bb), if application is made in
 18 person, the application shall be made no earlier than the opening of business on the
 19 3rd Monday preceding the election and no later than ~~5 p.m. or the close of business,~~
 20 ~~whichever is later,~~ 6 p.m. on the Friday preceding the election. Except as provided
 21 in par. (c), if the elector is making written application for an absentee ballot at the
 22 partisan primary, the general election, the presidential preference primary, or a
 23 special election for national office, and the application indicates that the elector is
 24 a military elector, as defined in s. 6.34 (1), the application shall be received by the
 25 municipal clerk no later than 5 p.m. on election day. If the application indicates that

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1 the reason for requesting an absentee ballot is that the elector is a sequestered juror,
 2 the application shall be received no later than 5 p.m. on election day. If the
 3 application is received after 5 p.m. on the Friday immediately preceding the election,
 4 the municipal clerk or the clerk's agent shall immediately take the ballot to the court
 5 in which the elector is serving as a juror and deposit it with the judge. The judge shall
 6 recess court, as soon as convenient, and give the elector the ballot. The judge shall
 7 then witness the voting procedure as provided in s. 6.87 and shall deliver the ballot
 8 to the clerk or agent of the clerk who shall deliver it to the polling place or, in
 9 municipalities where absentee ballots are canvassed under s. 7.52, to the municipal
 10 clerk as required in s. 6.88. If application is made under sub. (2) or (2m), the
 11 application may be received no later than 5 p.m. on the Friday immediately
 12 preceding the election.

13 **SECTION 7.** 6.86 (1) (bb) of the statutes is created to read:

14 6.86 (1) (bb) An application made in person may only be received Monday to
 15 Friday between the hours of 7:30 a.m. and 6 p.m, except that an individual may make
 16 an appointment with the actual city, town, or village clerk, as appropriate, so that,
 17 notwithstanding s. 7.21 (1), the clerk, not a member of the clerk's staff or a designated
 18 agent, may receive the individual's application made in person after 6 p.m. or
 19 anytime on Saturday or Sunday, not including the Saturday and Sunday after the
 20 Friday preceding the election.

21 **SECTION 8.** 7.30 (2) (a) and (b) of the statutes are amended to read:

22 7.30 (2) (a) Only election officials appointed under this section or s. 6.875 may
 23 conduct an election. Except as otherwise provided in this paragraph and in ss. 7.15
 24 (1) (k) and 7.52 (1) (b), each election official shall be a qualified elector of the ward
 25 or wards, or the election district, for a county in which the polling place is established.

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1 ~~A special registration deputy who is appointed under s. 6.55 (6) or an election official~~
2 ~~who is appointed under this section to fill a vacancy under par. (b) need not be a~~
3 ~~resident of the ward or wards, or the election district, but shall be a resident of the~~
4 ~~municipality, except that if where the official serves is located, and each chief~~
5 ~~inspector shall be a qualified elector of the municipality in which the chief inspector~~
6 ~~serves. If no qualified candidate for chief inspector is available or if the chief~~
7 ~~inspector is appointed to fill a vacancy under par. (b), the person so appointed need~~
8 ~~not be a qualified elector of the municipality. If a municipal clerk or deputy clerk~~
9 ~~serves as a registration deputy or is appointed to fill a vacancy under par. (b), the~~
10 ~~clerk or deputy clerk need not be a resident of the municipality county, but shall be~~
11 ~~a resident of the state. No more than 2 individuals holding the office of clerk or~~
12 ~~deputy clerk may serve without regard to municipal county residency in any~~
13 ~~municipality at any election. Special registration deputies who are appointed under~~
14 ~~s. 6.55 (6) may be appointed to serve more than one polling place. All officials~~
15 ~~appointed under this section shall be able to read and write the English language,~~
16 ~~be capable, and be of good understanding, and may not be a candidate for any office~~
17 ~~to be voted for at an election at which they serve. In 1st class cities, they may hold~~
18 ~~no public office other than notary public. Except as authorized under subs. (1) (b) and~~
19 ~~(4) (c), all inspectors shall be affiliated with one of the 2 recognized political parties~~
20 ~~which received the largest number of votes for president, or governor in~~
21 ~~nonpresidential general election years, in the ward or combination of wards served~~
22 ~~by the polling place at the last election. Excluding the inspector who may be~~
23 ~~appointed under sub. (1) (b), the party which received the largest number of votes is~~
24 ~~entitled to one more inspector than the party receiving the next largest number of~~
25 ~~votes at each polling place. ~~Election officials appointed under this section may serve~~~~

1 ~~the electors of more than one ward where wards are combined under s. 5.15 (6) (b).~~
2 ~~If a municipality is not divided into wards, the ward requirements in this paragraph~~
3 ~~apply to the municipality at large.~~

4 (b) When a vacancy occurs in an office under this section, the vacancy shall be
5 filled by appointment of the municipal clerk. Unless the vacancy occurs in the
6 position of an inspector appointed under sub. (1) (b), the vacancy shall be filled from
7 the remaining names on the lists submitted under sub. (4) or from additional names
8 submitted by the chairperson of the county party committee of the appropriate party
9 under sub. (4) whenever names are submitted under sub. (4) (d). If the vacancy is
10 due to candidacy, sickness or any other temporary cause, the appointment shall be
11 a temporary appointment and effective only for the election at which the temporary
12 vacancy occurs. The same qualifications that applied to original appointees shall be
13 required of persons who fill vacancies except that ~~a vacancy may be filled in cases of~~
14 ~~emergency or because of time limitations by a person who resides in another~~
15 ~~aldermanic district or ward within the municipality, and if a municipal clerk or~~
16 ~~deputy clerk fills the vacancy, the clerk or deputy, but not more than a total of 2~~
17 ~~individuals in any municipality, may serve without regard to the clerk's or deputy's~~
18 ~~municipality~~ county of residence, if the clerk or deputy meets the other
19 qualifications.

20 **SECTION 9.** 9.01 (1) (ag) 1m. of the statutes is amended to read:

21 9.01 (1) (ag) 1m. If the difference between the votes cast for the leading
22 candidate and those cast for the petitioner or the difference between the affirmative
23 and negative votes cast upon any referendum question is at least 10 if 1,000 or less
24 fewer votes are cast or is more than ~~0.5%~~ 0.5 percent but not more than ~~2%~~ 2 percent
25 if more than 1,000 votes are cast following canvassing of all valid provisional and

1 absentee ballots, the petitioner shall pay a fee of \$5 ~~\$25~~ for each ward for which the
2 petition requests a ballot recount, or \$5 ~~\$25~~ for each municipality for which the
3 petition requests a recount where no wards exist.

4 **SECTION 10.** 9.10 (2) (b) of the statutes is amended to read:

5 9.10 (2) (b) A recall petition for a city, village, town, town sanitary district, or
6 school district ~~office officer~~ shall contain a statement of a reason for the recall which
7 ~~is related to the official responsibilities of~~ indicating that the official for whom
8 removal is sought has been charged with committing a crime, as defined under s.
9 939.12, violating s. 19.59 (1), or violating a local ordinance establishing a local code
10 of ethics, as provided under s. 19.59 (1m).

11 **SECTION 11.** 9.10 (2) (d) of the statutes is amended to read:

12 9.10 (2) (d) No petition may be offered for filing for the recall of an officer unless
13 the petitioner first files a registration statement under s. 11.05 (1) or (2) with the
14 filing officer with whom the petition is filed. The petitioner shall append to the
15 registration a statement indicating his or her intent to circulate a recall petition, the
16 name of the officer for whom recall is sought and, in the case of a petition for the recall
17 of a city, village, town, town sanitary district, or school district officer, a statement
18 ~~of a reason for the recall which is related to the official responsibilities of~~ indicating
19 that the official for whom removal is sought has been charged with committing a
20 crime, as defined under s. 939.12, violating s. 19.59 (1), or violating a local ordinance
21 establishing a local code of ethics, as provided under s. 19.59 (1m), and a copy of the
22 criminal or civil complaint alleging the crime or violation. No petitioner may
23 circulate a petition for the recall of an officer prior to completing registration. The
24 last date that a petition for the recall of an officer may be offered for filing is 5 p.m.
25 on the 60th day commencing after registration. After the recall petition has been

1 offered for filing, no name may be added or removed. No signature may be counted
2 unless the date of the signature is within the period provided in this paragraph.

3 **SECTION 12.** 11.01 (11g) and (11r) of the statutes are created to read:

4 **11.01 (11g)** “Independent disbursement” means a disbursement to make a
5 communication that expressly advocates the election or defeat of a clearly identified
6 candidate, that is made without cooperation or consultation with a candidate, or any
7 authorized committee or agent of a candidate, and that is not made in concert with,
8 or at the request or suggestion of, any candidate, or any authorized committee or
9 agent of a candidate.

10 **(11r)** “Independent disbursement committee” means a committee that makes
11 no disbursements other than independent disbursements and disbursements made
12 for the administrative support of the committee.

13 **SECTION 13.** 11.01 (16) (intro.) of the statutes is amended to read:

14 **11.01 (16)** (intro.) An act is for “political purposes” when it is done for the
15 purpose of influencing the election or nomination for election of any individual to
16 state or local office, for the purpose of influencing the recall from or retention in office
17 of an individual holding a state or local office, for the purpose of payment of expenses
18 incurred as a result of a recount at an election, or for the purpose of influencing a
19 particular vote at a referendum, except as provided in par. (b). In the case of a
20 candidate, or a committee or group which is organized primarily for the purpose of
21 influencing the election or nomination for election of any individual to state or local
22 office, for the purpose of influencing the recall from or retention in office of an
23 individual holding a state or local office, or for the purpose of influencing a particular
24 vote at a referendum, all administrative and overhead expenses for the maintenance

1 of an office or staff which are used principally for any such purpose are deemed to
2 be for a political purpose.

3 **SECTION 14.** 11.01 (16) (a) (intro.) of the statutes is amended to read:

4 11.01 (16) (a) (intro.) Acts which are for “political purposes” include ~~but are not~~
5 ~~limited to:~~

6 **SECTION 15.** 11.01 (16) (a) 1. of the statutes is repealed and recreated to read:

7 11.01 (16) (a) 1. The making of a communication that contains one or more
8 terms such as the following or their functional equivalents with reference to a clearly
9 identified candidate that expressly advocates the election or defeat of that candidate
10 and that unambiguously relates to the campaign of that candidate:

- 11 a. “Vote for.”
- 12 b. “Elect.”
- 13 c. “Support.”
- 14 d. “Cast your ballot for.”
- 15 e. “Smith for Assembly.”
- 16 f. “Vote against.”
- 17 g. “Defeat.”
- 18 h. “Reject.”

19 **SECTION 16.** 11.01 (16) (b) of the statutes renumbered 11.01 (16) (b) (intro.) and
20 is amended to read:

21 11.01 (16) (b) (intro.) A “political purpose” does not include ~~expenditures:~~

22 2. An expenditure made for the purpose of supporting or defending a person
23 who is being investigated for, charged with or convicted of a criminal violation of state
24 or federal law, or an agent or dependent of such a person.

25 **SECTION 17.** 11.01 (16) (b) 1. of the statutes is created to read:

1 11.01 (16) (b) 1. A communication made by an individual other than a
2 candidate, or by an organization that receives one or more contributions or other
3 income for purposes not specified in this subsection, that does not expressly advocate
4 the election or defeat of a clearly identified candidate or the adoption or rejection of
5 a question at a referendum.

6 **SECTION 18.** 11.05 (1) of the statutes is amended to read:

7 11.05 (1) COMMITTEES AND GROUPS. Except as provided in s. 9.10 (2) (d), every
8 committee other than a personal campaign committee which makes or accepts
9 contributions, incurs obligations, or makes disbursements in a calendar year in an
10 aggregate amount in excess of ~~\$25~~ \$1,000, and every political group subject to
11 registration under s. 11.23 shall file a statement with the appropriate filing officer
12 giving the information required by sub. (3). In the case of any committee other than
13 a personal campaign committee, the statement shall be filed by the treasurer. A
14 personal campaign committee shall register under sub. (2g) or (2r).

15 **SECTION 19.** 11.05 (2) of the statutes is amended to read:

16 11.05 (2) INDIVIDUALS. Except as provided in s. 9.10 (2) (d), every individual,
17 other than a candidate or agent of a candidate, who accepts contributions, incurs
18 obligations, or makes disbursements in a calendar year in an aggregate amount in
19 excess of ~~\$25~~ \$1,000 to support or oppose the election or nomination of a candidate
20 at an election and every individual subject to registration under s. 11.23 shall file a
21 statement with the appropriate filing officer giving the information required by sub.
22 (3). An individual who guarantees a loan on which an individual, committee or group
23 subject to a registration requirement defaults is not subject to registration under this
24 subsection solely as a result of such default.

25 **SECTION 20.** 11.05 (2r) of the statutes is amended to read:

1 11.05 (2r) GENERAL REPORTING EXEMPTIONS. Any committee, group, or
2 individual, other than a committee or individual required to file an oath under s.
3 11.06 (7), who or which does not anticipate accepting contributions, making
4 disbursements or incurring obligations in an aggregate amount in excess of ~~\$1,000~~
5 \$2,000 in a calendar year and does not anticipate accepting any contribution or
6 contributions from a single source, other than contributions made by a candidate to
7 his or her own campaign, exceeding ~~\$100~~ \$200 in that year, or exceeding ~~\$750~~ \$1,500
8 in that year for a group or individual subject to registration under s. 11.23, may
9 indicate on its registration statement that the committee, group, or individual will
10 not accept contributions, incur obligations or make disbursements in the aggregate
11 in excess of ~~\$1,000~~ \$2,000 in any calendar year and will not accept any contribution
12 or contributions from a single source, other than contributions made by a candidate
13 to his or her own campaign, exceeding ~~\$100~~ \$200 in that year, or exceeding ~~\$750~~
14 \$1,500 in that year for a group or individual subject to registration under s. 11.23.
15 Any registrant making such an indication is not subject to any filing requirement if
16 the statement is true. The registrant need not file a termination report. A registrant
17 not making such an indication on a registration statement is subject to a filing
18 requirement. The indication may be revoked and the registrant is then subject to a
19 filing requirement as of the date of revocation, or the date that aggregate
20 contributions, disbursements or obligations for the calendar year exceed ~~\$1,000~~
21 \$2,000, or the date on which the registrant accepts any contribution or contributions
22 exceeding ~~\$100~~ \$200 from a single source, or exceeding ~~\$750~~ \$1,500 from a single
23 source for a group or individual subject to registration under s. 11.23, other than
24 contributions made by a candidate to his or her own campaign, during that year,

1 whichever is earlier. If the revocation is not timely, the registrant violates s. 11.27
2 (1).

3 **SECTION 21.** 11.05 (3) (c) of the statutes is amended to read:

4 11.05 (3) (c) In the case of a committee, a statement as to whether the
5 committee is a personal campaign committee, a political party committee, a
6 legislative campaign committee, a support committee or a special interest
7 committee, and a statement as to whether the committee is a sponsored entity under
8 s. 11.38 (1) (a) 4. or an independent disbursement committee.

9 **SECTION 22.** 11.05 (8) of the statutes is renumbered 11.05 (8) (intro.) and
10 amended to read:

11 11.05 (8) CERTAIN INTRA-REGISTRANT TRANSFERS EXEMPT. (intro.) If an
12 organization ~~which~~ that is not organized exclusively for political purposes makes a
13 contribution from its own property or funds to a committee or group, affiliated with
14 the organization, ~~which is~~ and organized exclusively for political purposes, and the
15 all of the following apply, then no registration requirement applies to the
16 contributing organization:

17 (a) The contributing organization receives no contribution from a single source
18 in excess of \$20 \$100 in the aggregate during any calendar year, and it.

19 (b) The contributing organization makes no contributions or disbursements
20 and incurs no obligations other than to make the transactions specified in this
21 subsection, then no registration requirement applies to the contributing
22 organization.

23 **SECTION 23.** 11.05 (11g) of the statutes is created to read:

24 11.05 (11g) CORPORATIONS, ASSOCIATIONS, AND OTHER ENTITIES. If a corporation,
25 association, or other entity makes no contributions or disbursements other than to

1 or on behalf of one or more independent disbursement committees and receives no
2 contributions or other income for the express purpose of making independent
3 disbursements, the corporation, association, or other entity is not subject to a
4 registration requirement under this section.

5 **SECTION 24.** 11.05 (12) (b) of the statutes is amended to read:

6 11.05 (12) (b) Except as authorized under sub. (13), a committee, group or
7 individual that becomes subject to a registration requirement under sub. (1) or (2),
8 other than a candidate or agent of a candidate, shall comply with sub. (1) or (2) no
9 later than the 5th business day commencing after receipt of the first contribution by
10 the committee, group or individual exceeding the amount specified under sub. (1) or
11 (2) or s. 11.23 (1), and before making any disbursement exceeding that amount. No
12 committee or individual supporting or opposing the election or nomination of a
13 candidate at an election, other than a candidate or agent of a candidate, may accept
14 any contribution or contributions exceeding ~~\$25~~ \$1,000, and no group or individual
15 subject to registration under s. 11.23 may accept any contribution or contributions
16 exceeding ~~\$750~~ \$1,500, in the aggregate during a calendar year at any time when the
17 committee, group or individual is not registered under this section except within the
18 initial 5-day period authorized by this paragraph.

19 **SECTION 25.** 11.06 (1) (intro.) of the statutes is amended to read:

20 11.06 (1) CONTENTS OF REPORT. (intro.) Except as provided in subs. (1g), (2), (3)
21 and (3m) and ss. 11.05 (2r) and 11.19 (2), each registrant under s. 11.05 shall make
22 full reports, upon a form prescribed by the board and signed by the appropriate
23 individual under sub. (5), of all contributions received, contributions or
24 disbursements made, and obligations incurred. Each report shall contain the

1 following information, covering the period since the last date covered on the previous
2 report, unless otherwise provided:

3 **SECTION 26.** 11.06 (1) (j) of the statutes is amended to read:

4 11.06 (1) (j) In the case of a committee or individual filing an oath under sub.
5 (7), a separate schedule showing for each independent disbursement ~~which is made~~
6 ~~independently of a candidate~~, other than a contribution made to that candidate, the
7 name of the candidate or candidates on whose behalf or in opposition to whom the
8 disbursement is made, indicating whether the purpose is support or opposition.

9 **SECTION 27.** 11.06 (1g) of the statutes is created to read:

10 11.06 (1g) SPONSORING ORGANIZATIONS. A corporation, association, or other
11 entity sponsoring an individual or organization under s. 11.38 (1) (a) 4. need only
12 include in its reports under sub. (1) those contributions received by the corporation,
13 association, or other entity for the express purpose of making independent
14 disbursements, those disbursements made from those contributions or other income,
15 and those loans or other obligations that are incurred for the express purpose of
16 making independent disbursements.

17 **SECTION 28.** 11.09 of the statutes is repealed.

18 **SECTION 29.** 11.12 (1) (d) of the statutes is amended to read:

19 11.12 (1) (d) Paragraph (a) does not apply to disbursements and obligations
20 which are exempted from reporting under s. 11.06 (1g) or (2).

21 **SECTION 30.** 11.12 (3) of the statutes is amended to read:

22 11.12 (3) All contributions, disbursements and incurred obligations exceeding
23 \$10 ~~\$20~~ shall be recorded by the campaign or committee treasurer or the individual
24 under s. 11.06 (7). He or she shall maintain such records in an organized and legible
25 manner, for not less than 3 years after the date of an election in which the registrant

1 participates. If a report is submitted under s. 11.19 (1), the records may be
2 transferred to a continuing committee or to the appropriate filing officer for
3 retention. Records shall include the information required under s. 11.06 (1).

4 **SECTION 31.** 11.12 (4) of the statutes is amended to read:

5 11.12 (4) Each registrant shall report contributions, disbursements and
6 incurred obligations in accordance with s. 11.20. Except as permitted under s. 11.06
7 (1g), (2), (3) and (3m), each report shall contain the information which is required
8 under s. 11.06 (1).

9 **SECTION 32.** 11.16 (1) (d) of the statutes is amended to read:

10 11.16 (1) (d) This subsection does not apply to disbursements and obligations
11 which are exempted from reporting under s. 11.06 (1g) or (2).

12 **SECTION 33.** 11.19 (2) of the statutes is amended to read:

13 11.19 (2) Notwithstanding sub. (1), any registrant who or which determines
14 that obligations will no longer be incurred, contributions will no longer be made or
15 received or disbursements made during a calendar year in an aggregate amount of
16 more than ~~\$1,000~~ \$2,000 may file a suspension report with the appropriate filing
17 officer. The report shall be filed and certified as were previous reports and shall
18 contain the information required under s. 11.06 (1). Upon receipt of a properly
19 executed report, the registrant shall be granted a suspension of the filing
20 requirement under s. 11.20 (9) by the appropriate filing officer. Such suspension is
21 effective only for the calendar year in which it is granted, unless the registrant alters
22 its status before the end of such year or files a termination report under sub. (1).

23 **SECTION 34.** 11.23 (1) of the statutes is amended to read:

24 11.23 (1) Any group or individual may promote or oppose a particular vote at
25 any referendum in this state. Except as authorized in s. 11.05 (12) (b) and (13), before

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SECTION 34

1 a group makes or accepts contributions, makes disbursements, or incurs obligations
2 in excess of ~~\$750~~ \$1,500 in the aggregate in a calendar year for such purposes, and
3 before an individual accepts contributions, makes disbursements, or incurs
4 obligations in excess of ~~\$750~~ \$1,500 in the aggregate in a calendar year for such
5 purposes, the group or individual shall file a registration statement under s. 11.05
6 (1), (2) or (2r). In the case of a group the name and mailing address of each of its
7 officers shall be given in the statement. Every group and every individual under this
8 section shall designate a campaign depository account under s. 11.14. Every group
9 shall appoint a treasurer, who may delegate authority but is jointly responsible for
10 the actions of his or her authorized designee for purposes of civil liability under this
11 chapter. The appropriate filing officer shall be notified by a group of any change in
12 its treasurer within 10 days of the change under s. 11.05 (5). The treasurer of a group
13 shall certify the correctness of each statement or report submitted by it under this
14 chapter.

15 **SECTION 35.** 11.23 (3) of the statutes is amended to read:

16 11.23 (3) All contributions, disbursements and incurred obligations exceeding
17 ~~\$10~~ \$20 shall be recorded by the group treasurer or the individual. He or she shall
18 maintain such records in an organized and legible manner, for not less than 3 years
19 after the date of a referendum in which the group or individual participates. If a
20 report is submitted under s. 11.19 (1), the records may be transferred to a continuing
21 group or to the appropriate filing officer for retention. Records shall include the
22 information required under s. 11.06 (1).

23 **SECTION 36.** 11.25 (4) of the statutes is created to read:

1 11.25 (4) No independent disbursement committee that accepts any
2 contribution from an entity specified in s. 11.38 (1) (a) 1. may make any contribution
3 that the entity is prohibited from making under s. 11.38 (1) (a) 1.

4 **SECTION 37.** 11.26 (1) (a) of the statutes is amended to read:

5 11.26 (1) (a) Candidates for governor, lieutenant governor, secretary of state,
6 state treasurer, attorney general, state superintendent, or justice, ~~\$10,000~~ \$20,000.

7 **SECTION 38.** 11.26 (1) (b) of the statutes is amended to read:

8 11.26 (1) (b) Candidates for state senator, ~~\$1,000~~ \$2,000.

9 **SECTION 39.** 11.26 (1) (c) of the statutes is amended to read:

10 11.26 (1) (c) Candidates for representative to the assembly, ~~\$500~~ \$1,000.

11 **SECTION 40.** 11.26 (1) (cc) of the statutes is amended to read:

12 11.26 (1) (cc) Candidates for court of appeals judge in districts ~~which that~~
13 contain a county having a population of more than 500,000, ~~\$3,000~~ \$6,000.

14 **SECTION 41.** 11.26 (1) (cg) of the statutes is amended to read:

15 11.26 (1) (cg) Candidates for court of appeals judge in other districts, ~~\$2,500~~
16 \$5,000.

17 **SECTION 42.** 11.26 (1) (cn) of the statutes is amended to read:

18 11.26 (1) (cn) Candidates for circuit judge in circuits having a population of
19 more than 300,000, or candidates for district attorney in prosecutorial units having
20 a population of more than 300,000, ~~\$3,000~~ \$6,000.

21 **SECTION 43.** 11.26 (1) (cw) of the statutes is amended to read:

22 11.26 (1) (cw) Candidates for circuit judge in other circuits or candidates for
23 district attorney in other prosecutorial units, ~~\$1,000~~ \$2,000.

24 **SECTION 44.** 11.26 (1) (d) 1. and 2. of the statutes are amended to read:

25 11.26 (1) (d) 1. ~~Two~~ Five hundred fifty dollars.



1 2. ~~One cent~~ Two cents times the number of inhabitants of the jurisdiction or
 2 district, according to the latest federal census or the census information on which the
 3 district is based, as certified by the appropriate filing officer, but not more than
 4 ~~\$3,000~~ \$6,000.

5 **SECTION 45.** 11.26 (2) (a) of the statutes is amended to read:

6 11.26 (2) (a) Candidates for governor, lieutenant governor, secretary of state,
 7 state treasurer, attorney general, state superintendent, or justice, 4 percent of the
 8 value of the disbursement level specified in the schedule under s. 11.31 (1), subject
 9 to s. 11.31 (2m).

10 **SECTION 46.** 11.26 (2) (b) of the statutes is amended to read:

11 11.26 (2) (b) Candidates for state senator, ~~\$1,000~~ \$2,000.

12 **SECTION 47.** 11.26 (2) (c) of the statutes is amended to read:

13 11.26 (2) (c) Candidates for representative to the assembly, ~~\$500~~ \$1,000.

14 **SECTION 48.** 11.26 (2) (cc) of the statutes is amended to read:

15 11.26 (2) (cc) Candidates for court of appeals judge in districts which that
 16 contain a county having a population of more than 500,000, ~~\$3,000~~ \$6,000.

17 **SECTION 49.** 11.26 (2) (cg) of the statutes is amended to read:

18 11.26 (2) (cg) Candidates for court of appeals judge in other districts, ~~\$2,500~~
 19 \$5,000.

20 **SECTION 50.** 11.26 (2) (cn) of the statutes is amended to read:

21 11.26 (2) (cn) Candidates for circuit judge in circuits having a population of
 22 more than 300,000, or candidates for district attorney in prosecutorial units having
 23 a population of more than 300,000, ~~\$3,000~~ \$6,000.

24 **SECTION 51.** 11.26 (2) (cw) of the statutes is amended to read:

1 11.26 (2) (cw) Candidates for circuit judge in other circuits or candidates for
2 district attorney in other prosecutorial units, ~~\$1,000~~ \$2,000.

3 **SECTION 52.** 11.26 (2) (e) 1. and 2. of the statutes are amended to read:

4 11.26 (2) (e) 1. ~~Two~~ Four hundred dollars.

5 2. ~~Three-fourths of one cent~~ One and one-half cents times the number of
6 inhabitants of the jurisdiction or district, according to the latest federal census or the
7 census information on which the district is based, as certified by the appropriate
8 filing officer, but not more than ~~\$2,500~~ \$5,000.

9 **SECTION 53.** 11.26 (4) of the statutes is repealed.

10 **SECTION 54.** 11.26 (5) of the statutes is amended to read:

11 11.26 (5) The contribution limits provided in ~~subs. sub. (1) and (4)~~ do not apply
12 to a candidate who makes any contribution or contributions to his or her own
13 campaign for office from the candidate's personal funds or property or the personal
14 funds or property which are owned jointly or as marital property with the candidate's
15 spouse, with respect to any contribution or contributions made to that candidate's
16 campaign only. A candidate's personal contributions shall be deposited in his or her
17 campaign depository account and reported in the normal manner.

18 **SECTION 55.** 11.26 (6) of the statutes is amended to read:

19 11.26 (6) When a candidate adopts a preexisting support committee as his or
20 her personal campaign committee, the support committee is deemed to have been the
21 same committee as the candidate's personal campaign committee for purposes of the
22 application of subs. (1), and (2) ~~and (9)~~. The limitations prescribed in ~~subs. sub. (2)~~
23 ~~and (9)~~ do not apply to the transfer of contributions which is made at the time of such
24 adoption, but do apply to the contributions which have been made by any other
25 committee to the support committee at the time of adoption.

1 SECTION 56. 11.26 (8) (a) of the statutes is amended to read:

2 11.26 (8) (a) No political party as defined in s. 5.02 (13) may receive more than
3 a total of ~~\$150,000~~ \$300,000 in value of its contributions in any biennium from all
4 other committees, excluding contributions from legislative campaign committees
5 and transfers between party committees of the party. In this paragraph, a biennium
6 commences with January 1 of each odd-numbered year and ends with December 31
7 of each even-numbered year.

8 SECTION 57. 11.26 (8) (b) of the statutes is amended to read:

9 11.26 (8) (b) No such political party may receive more than a total of \$6,000
10 \$12,000 in value of its contributions in any calendar year from any specific committee
11 or its subunits or affiliates, excluding legislative campaign and political party
12 committees.

13 SECTION 58. 11.26 (8) (c) of the statutes is amended to read:

14 11.26 (8) (c) No committee, other than a political party or legislative campaign
15 committee, may make any contribution or contributions, directly or indirectly, to a
16 political party under s. 5.02 (13) in a calendar year exceeding a total value of \$6,000
17 \$12,000.

18 SECTION 59. 11.26 (9) of the statutes is repealed.

19 SECTION 60. 11.26 (17) (a) of the statutes is amended to read:

20 11.26 (17) (a) For purposes of application of the limitations imposed in subs.
21 (1), and (2), ~~and~~ (9), the "campaign" of a candidate begins and ends at the times
22 specified in this subsection.

23 SECTION 61. 11.26 (18) of the statutes is created to read:

24 11.26 (18) Beginning on July 1, 2015, and every 2 years thereafter, the board
25 shall modify the dollar amounts under subs. (1) (a) ~~to (d)~~, (2) (b) ~~to (e)~~, and (8) to adjust

(b), and (c) and (c)

1 for the change in the consumer price index, all items, U.S. city average, published
2 by the U.S. department of labor for the preceding 2-year period ending on December
3 31.

4 **SECTION 62.** 11.29 (1) of the statutes is amended to read:

5 11.29 (1) ~~Nothing in this chapter restricts any~~ A corporation, cooperative,
6 unincorporated cooperative association, or voluntary association, other than a
7 political party or personal campaign committee ~~from making disbursements, may~~
8 make a disbursement for the purpose of communicating only with its members,
9 shareholders, or subscribers, to the exclusion of all other persons, with respect to
10 ~~endorsements of candidates, positions~~ the endorsement of a candidate, taking a
11 position on a referendum ~~or explanation of, explaining~~ its views or interests, or
12 providing information about how to make a contribution to a candidate endorsed by
13 the corporation, cooperative, or association without reporting such activity. No such
14 corporation, cooperative, or association may solicit contributions from persons who
15 are not members, shareholders, or subscribers to be used for such ~~purposes~~ activity.

16 **SECTION 63.** 11.31 (1) (a) of the statutes is amended to read:

17 11.31 (1) (a) Candidates for governor, ~~\$1,078,200~~ \$2,156,400.

18 **SECTION 64.** 11.31 (1) (b) of the statutes is amended to read:

19 11.31 (1) (b) Candidates for lieutenant governor, ~~\$323,475~~ \$646,950.

20 **SECTION 65.** 11.31 (1) (c) of the statutes is amended to read:

21 11.31 (1) (c) Candidates for attorney general, ~~\$539,000~~ \$1,078,000.

22 **SECTION 66.** 11.31 (1) (d) of the statutes is amended to read:

23 11.31 (1) (d) Candidates for secretary of state, state treasurer, state
24 superintendent, or justice, ~~\$215,625~~ \$431,250.

25 **SECTION 67.** 11.31 (1) (e) of the statutes is amended to read:

1 11.31 (1) (e) Candidates for state senator, ~~\$34,500~~ \$69,000 total in the primary
2 and election, with disbursements not exceeding ~~\$21,575~~ \$43,150 for either the
3 primary or the election.

4 **SECTION 68.** 11.31 (1) (f) of the statutes is amended to read:

5 11.31 (1) (f) Candidates for representative to the assembly, ~~\$17,250~~ \$34,500
6 total in the primary and election, with disbursements not exceeding ~~\$10,775~~ \$21,550
7 for either the primary or the election.

8 **SECTION 69.** 11.31 (2m) of the statutes is created to read:

9 **11.31 (2m) CONSUMER PRICE INDEX ADJUSTMENTS.** Beginning on July 1, 2015, and
10 every 2 years thereafter, the board shall modify the dollar amounts under sub. (1) (a)
11 to (d), (e), and (f) to adjust for the change in the consumer price index, all items, U.S.
12 city average, published by the U.S. department of labor for the preceding 2-year
13 period ending on December 31.

14 **SECTION 70.** 11.38 (title) and (1) (a) 1. of the statutes are amended to read:

15 **11.38 (title) Contributions and disbursements by corporations and**
16 **cooperatives, certain associations, and other entities.** (1) (a) 1. No foreign or
17 domestic corporation, or association organized under ch. 185 or 193, may make any
18 contribution or disbursement, directly or indirectly, ~~either independently or through~~
19 ~~any political party, committee, group, candidate or individual for any purpose other~~
20 ~~than to promote or defeat a referendum~~ except to an independent disbursement
21 committee or a sponsored individual or committee under subd. 4.

22 **SECTION 71.** 11.38 (1) (a) 3. of the statutes is repealed.

23 **SECTION 72.** 11.38 (1) (a) 4. of the statutes is created to read:

24 11.38 (1) (a) 4. Any foreign or domestic corporation, association organized
25 under ch. 185 or 193, or other entity that is not primarily organized for political

Amend
30-13

1 purposes may sponsor a separate individual or committee that is not organized
 2 exclusively for political purposes and may make contributions and solicit
 3 contributions from other individuals or organizations to the sponsored entity to be
 4 utilized by the sponsored entity for the purpose of making independent
 5 disbursements in support of or in opposition to one or more candidates for state or
 6 local office. The individual or committee shall appoint a treasurer and register as
 7 a political committee under s. 11.05. A parent corporation, association, or other
 8 entity engaging solely in this activity is not subject to registration under s. 11.05, but
 9 shall register and file special reports on forms prescribed by the board disclosing its
 10 administrative and solicitation expenses on behalf of the sponsored entity and any
 11 contributions made by the corporation or association to the sponsored entity. The
 12 corporation or association shall file an oath making the affirmation required under
 13 s. 11.06 (7), shall file the reports with the filing officer for the sponsored entity
 14 specified in s. 11.02 in the manner in which reports of contributions and other
 15 reportable information are filed under ss. 11.12 (6) and 11.20 (4) and (8) and shall
 16 include an attribution on all communications in the same manner and to the same
 17 extent that attributions on political communications are required under s. 11.30 (2).

18 **SECTION 73.** 11.38 (1) (b) of the statutes is amended to read:

19 11.38 (1) (b) No political party, committee, group, candidate or individual may
 20 accept any contribution or ~~disbursement~~ made to or on behalf of such individual or
 21 entity which is prohibited by this section.

22 **SECTION 74.** 11.38 (2) (c) of the statutes is repealed.

23 **SECTION 75. Initial applicability.**

Insert 31-23

1 (1) The treatment of section 5.15 (6) (b) of the statutes first applies with respect
2 to reporting of election returns for elections held on the effective date of this
3 subsection.

4 (2) The treatment of section 5.90 (1) and 9.01 (1) (ag) 1m. of the statutes first
5 applies with respect to petitions for recounts at elections held after the effective date
6 of this subsection.

7 (3) The treatment of section 11.01 (16) (intro.) and (b) 1. of the statutes first
8 applies with respect to communications made on the effective date of this subsection.

9 (4) The treatment of section 6.86 (1) (b) and (bb) of the statutes first applies to
10 elections held no earlier than 60 days after the effective date of this subsection.

11

(END)

insert 32-10



2013 BILL

1 AN ACT *to amend* 6.15 (2) (bm), 6.29 (2) (b), 6.36 (1) (a), 6.36 (2) (a), 6.36 (2) (c),
 2 6.55 (2) (b), 6.55 (2) (c) 1., 6.79 (2) (d), 6.82 (1) (a) and 6.88 (3) (a) of the statutes,
 3 **relating to:** recording the type of identifying document provided by an elector
 4 as proof of residence.

Analysis by the Legislative Reference Bureau

With limited exceptions, current law requires each person who is an eligible elector and who wishes to vote in this state to first register. In certain circumstances, an eligible elector must submit proof of residence with his or her registration form or prior to being permitted to vote. For example, a person who registers to vote on election day must present proof of residence at the polls. In addition, a person who registers in the clerk's office of his or her municipality within 20 days of an election must submit proof of residence in order to obtain registration. Finally, a person who is a first-time registrant in this state and who submits a registration form by mail must include proof of residence with that registration form. Current law specifies the types of identifying documents that qualify as proof of residence; these documents must contain the registrant's name and current address and include a real estate tax bill, a utility bill for the period commencing no earlier than 90 days before election day, a bank statement, and a current and valid Wisconsin driver license or identification card.

This bill requires the municipal clerk, clerk's agent, and other individuals authorized to accept receipt of a registration form from an elector to enter on the registration form or poll list, and in some cases both the registration form and poll

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Analysis Tax
Registration

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list, the type of identifying document submitted by the elector as proof of residence when proof of residence is required of the elector.

Under current law, the Government Accountability Board (board) must compile and maintain an official registration list. The registration list must contain specific information about each registered elector in the state, including the elector's name, address, date of birth, and an indication of how the elector's registration form was received. This bill requires the board to include on the official registration list an indication of whether an elector was required to provide proof of residence and, if so, the type of identifying document submitted by the elector as proof of residence.

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

SECTION 1. 6.15 (2) (bm) of the statutes is amended to read:

6.15 (2) (bm) Except as authorized in s. 6.79 (7), when making application in person at the office of the municipal clerk, each applicant shall present proof of identification. If any document presented by the applicant is not proof of residence under s. 6.34, the applicant shall also present proof of residence under s. 6.34. The clerk shall verify that the name on the proof of identification presented by the elector conforms to the name on the elector's application and, shall verify that any photograph appearing on that document reasonably resembles the elector, and shall enter the type of identifying document submitted by the elector as proof of residence on the application form.

SECTION 2. 6.29 (2) (b) of the statutes is amended to read:

6.29 (2) (b) Upon the filing of the registration form required by this section, the municipal clerk or clerk's agent under s. 6.33 (5) (b) shall enter the type of identifying document submitted by the elector as proof of residence on the registration form and issue a certificate containing the name and address of the elector addressed to the inspectors of the proper ward or election district directing that the elector be permitted to cast his or her vote if the elector complies with all requirements for

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Registration

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10-19

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1 voting at the polling place. The certificate shall be numbered serially, prepared in
2 duplicate and one copy preserved in the office of the municipal clerk.

3 **SECTION 3.** 6.36 (1) (a) of the statutes is amended to read:

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

21 **SECTION 4.** 6.36 (2) (a) of the statutes is amended to read:

22 6.36 (2) (a) Except as provided in par. (b), each registration list prepared for use
23 as a poll list at a polling place or for purposes of canvassing absentee ballots at an
24 election shall contain the full name and address of each registered elector; a blank
25 column for the entry of the serial number of the electors when they vote or the poll

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1 list number used by the municipal board of absentee ballot canvassers in canvassing
 2 absentee ballots; an indication next to the name of each elector for whom proof of
 3 residence under s. 6.34 is required; a space for entry of the type of identifying
 4 document submitted by the elector as proof of residence when proof of residence
 5 under s. 6.34 is required; a space for entry of the elector's signature, or if another
 6 person signed the elector's registration form for the elector by reason of the elector's
 7 physical disability, the word "exempt"; and a form of certificate bearing the
 8 certification of the administrator of the elections division of the board stating that
 9 the list is a true and complete registration list of the municipality or the ward or
 10 wards for which the list is prepared. The board shall, by rule, prescribe the space and
 11 location for entry of each elector's signature on the poll list which shall provide for
 12 entry of the signature without changing the orientation of the poll list from the
 13 orientation used by the election officials.

14 **SECTION 5.** 6.36 (2) (c) of the statutes is amended to read:

15 6.36 (2) (c) The list shall contain, next to the name of each elector, an indication
 16 of whether proof of residence under s. 6.34 is required for the elector to be permitted
 17 to vote. If proof of residence is provided, the type of identifying document submitted
 18 by the elector shall be entered on the list in the space provided. Proof of residence
 19 is required if the elector is not a military elector or an overseas elector and the elector
 20 registers by mail and has not previously voted in an election in this state.

21 **SECTION 6.** 6.55 (2) (b) of the statutes is amended to read:

22 6.55 (2) (b) Upon executing the registration form under par. (a), the elector
 23 shall provide proof of residence under s. 6.34. The signing by the elector executing
 24 the registration form shall be in the presence of the special registration deputy or
 25 inspector who. Upon receipt of the registration form, the deputy or inspector shall

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1-13B

BILL

1 enter the type of identifying document submitted by the elector as proof of residence
2 in the space provided on the form. The deputy or inspector shall then print his or her
3 name on and sign the form, indicating that the deputy or inspector has accepted the
4 form. Upon compliance with this procedure, the elector shall be permitted to cast his
5 or her vote, if the elector complies with all other requirements for voting at the polling
6 place.

7 **SECTION 7.** 6.55 (2) (c) 1. of the statutes is amended to read:

8 6.55 (2) (c) 1. As an alternative to registration at the polling place under pars.
9 (a) and (b), the board of election commissioners, or the governing body of any
10 municipality, may by resolution require a person who qualifies as an elector and who
11 is not registered and desires to register on the day of an election to do so at another
12 readily accessible location in the same building as the polling place serving the
13 elector's residence or at an alternate polling place assigned under s. 5.25 (5) (b),
14 instead of at the polling place serving the elector's residence. In such case, the
15 municipal clerk shall prominently post a notice of the registration location at the
16 polling place. An eligible elector who desires to register shall execute a registration
17 form as prescribed under par. (a) and provide proof of residence as provided under
18 s. 6.34. The signing by the person executing the registration form shall be in the
19 presence of the municipal clerk, deputy clerk, or special registration deputy. Upon
20 receipt of the registration form, the municipal clerk, deputy clerk, or special
21 registration deputy shall enter the type of identifying document submitted by the
22 elector as proof of residence in the space provided on the form. The municipal clerk,
23 the deputy clerk, or the special registration deputy shall then print his or her name
24 and sign the form, indicating that the clerk, deputy clerk, or deputy has accepted the
25 form. Upon proper completion of registration, the municipal clerk, deputy clerk, or

BILL

1 special registration deputy shall serially number the registration and give one copy
 2 to the person for presentation at the polling place serving the person's residence or
 3 an alternate polling place assigned under s. 5.25 (5) (b).

4 **SECTION 8.** 6.79 (2) (d) of the statutes is amended to read:

5 6.79 (2) (d) If the poll list indicates that proof of residence under s. 6.34 is
 6 required and the document provided by the elector under par. (a) does not constitute
 7 proof of residence under s. 6.34, the officials shall require the elector to provide proof
 8 of residence. If proof of residence is provided, the officials shall enter the type of
 9 identifying document submitted as proof of residence in the space provided on the
 10 registration form and shall verify that the name and address on the identification
 11 identifying document submitted as proof of residence provided is the same as the
 12 name and address shown on the registration list. If proof of residence is required and
 13 not provided, or if the elector does not present proof of identification under par. (a),
 14 whenever required, the officials shall offer the opportunity for the elector to vote
 15 under s. 6.97.

16 **SECTION 9.** 6.82 (1) (a) of the statutes is amended to read:

17 6.82 (1) (a) When any inspectors are informed that an eligible elector is at the
 18 entrance to the polling place who as a result of disability is unable to enter the polling
 19 place, they shall permit the elector to be assisted in marking a ballot by any
 20 individual selected by the elector, except the elector's employer or an agent of that
 21 employer or an officer or agent of a labor organization which represents the elector.

22 Except as authorized in s. 6.79 ^{(3)(b)} ~~(6)~~ and ⁽⁵⁾ ~~(7)~~, the individual selected by the elector shall
 23 present to the inspectors proof of identification and, if the proof of identification does
 24 not constitute proof of residence under s. 6.34, shall also provide proof of residence
 25 under s. 6.34 for the assisted elector, whenever required, and all other information

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 11-13B
 11-13D

BILL

1 necessary for the elector to obtain a ballot under s. 6.79 (2). The inspectors shall
 2 verify that the name on the proof of identification presented by the person assisting
 3 the elector conforms to the elector's name on the poll list or separate list ~~and~~, shall
 4 verify that any photograph appearing on that document reasonably resembles the
 5 elector, and shall enter the type of identifying document submitted by the assisted
 6 elector as proof of residence in the space provided on the poll list or separate list. The
 7 inspectors shall then issue a ballot to the individual selected by the elector and shall
 8 accompany the individual to the polling place entrance where the assistance is to be
 9 given. If the ballot is a paper ballot, the assisting individual shall fold the ballot after
 10 the ballot is marked by the assisting individual. The assisting individual shall then
 11 immediately take the ballot into the polling place and give the ballot to an inspector.
 12 The inspector shall distinctly announce that he or she has "a ballot offered by
 13 (stating person's name), an elector who, as a result of disability, is unable to enter the
 14 polling place without assistance". The inspector shall then ask, "Does anyone object
 15 to the reception of this ballot?" If no objection is made, the inspectors shall record
 16 the elector's name under s. 6.79 and deposit the ballot in the ballot box, and shall
 17 make a notation on the poll list: "Ballot received at poll entrance".

SECTION 10. 6.88 (3) (a) of the statutes is amended to read:

18
 19 6.88 (3) (a) Except in municipalities where absentee ballots are canvassed
 20 under s. 7.52, at any time between the opening and closing of the polls on election day,
 21 the inspectors shall, in the same room where votes are being cast, in such a manner
 22 that members of the public can hear and see the procedures, open the carrier
 23 envelope only, and announce the name of the absent elector or the identification
 24 serial number of the absent elector if the elector has a confidential listing under s.
 25 6.47 (2). When the inspectors find that the certification has been properly executed,

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1 the applicant is a qualified elector of the ward or election district, and the applicant
2 has not voted in the election, they shall enter an indication on the poll list next to the
3 applicant's name indicating an absentee ballot is cast by the elector. They shall then
4 open the envelope containing the ballot in a manner so as not to deface or destroy the
5 certification thereon. The inspectors shall take out the ballot without unfolding it
6 or permitting it to be unfolded or examined. Unless the ballot is cast under s. 6.95,
7 the inspectors shall verify that the ballot has been endorsed by the issuing clerk. If
8 the poll list indicates that proof of residence under s. 6.34 is required and proof of
9 residence is enclosed, the inspectors shall enter the type of identifying document
10 submitted by the absent elector on the poll list in the space provided. If the poll list
11 indicates that proof of residence under s. 6.34 is required and no proof of residence
12 is enclosed or the name or address on the document that is provided is not the same
13 as the name and address shown on the poll list, the inspectors shall proceed as
14 provided under s. 6.97 (2). The inspectors shall then deposit the ballot into the proper
15 ballot box and enter the absent elector's name or voting number after his or her name
16 on the poll list in the same manner as if the elector had been present and voted in
17 person.

(END)

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In s. 6.97 18
12-20 A

INSERT ANALYSIS TKK REPORTING

Campaign finance reporting

Currently, individuals and committees supporting or opposing candidates for office, and individuals, groups and corporations supporting or opposing a referendum must submit reports of contributions received, contributions or disbursements made, and obligations incurred to the appropriate filing officer twice each year: on or after January 1 but no later than January 31; and on or after July 1 but no later than July 20. This bill changes the reporting requirement to monthly in an election year and quarterly in January, April, July, and October in a non-election year. All such reports must be submitted 7 days before the end of the month. STEP

68 INSERT ANALYSIS TKK LOBBYING

Campaign contributions by lobbyists

Currently, a lobbyist may make a campaign contribution to a partisan elective state official or candidate for partisan elective state office in the year of the official's or candidate's election between June 1 and the day of the election. This bill extends the time during which a lobbyist may make such a contribution to between April 15 and the day of the election.

INSERT 11-13A

1 SECTION 1. 6.34 (3) (a) 12. of the statutes is created to read:

2 6.34 (3) (a) 12. A credit card statement for the period commencing not earlier
3 than 90 days before the day registration is made.

INSERT 23-23

4 SECTION 2. 11.20 (4) of the statutes is renumbered 11.20 (4) (a) (intro.) and
5 amended to read:

6 11.20 (4) (a) ^(intro.) ~~Continuing reports under s. 11.06 (1) by committees~~ Committees
7 or individuals supporting or opposing candidates for office, including committees of
8 a political party, and by individuals, groups, or corporations supporting or opposing
9 a referendum shall be received by submit continuing reports required under s. 11.06
10 (1) to the appropriate filing officer no earlier than January 1 and no later than
11 January 31; and no earlier than July 1 and no later than July 20. Individuals, as
12 follows:

1 **(b) Individuals**, committees, groups, and corporations to which s. 11.055 (1)
2 applies shall pay the fee imposed under that subsection with their continuing reports
3 filed in January of each year.

History: 1973 c. 334; 1975 c. 93, 199; 1979 c. 328 ss. 58, 82 to 92, 146; 1981 c. 314 s. 146; 1983 a. 183, 491, 538; 1985 a. 303 ss. 32m to 37, 88; 1987 a. 370; 1989 a. 192; 1995 a. 16 s. 2; 1997 a. 27; 2001 a. 103, 109; 2003 a. 321; 2005 a. 177.

4 **SECTION 3.** 11.20 (4) (a) 1. of the statutes is created to read:

5 11.20 (4) (a) 1. In an election year, monthly on the 7th day preceding the last
6 day of the month.

7 **SECTION 4.** 11.20 (4) (a) 2. of the statutes is created to read:

8 11.20 (4) (a) 2. In a non^election year, quarterly on January 24, April 23, July
9 24, and October 24.

INSERT 31-23

10 **SECTION 5.** 13.625 (1) (c) (intro.) of the statutes is amended to read:

11 13.625 (1) (c) (intro.) Except as permitted in this subsection, make a campaign
12 contribution, as defined in s. 11.01 (6), to a partisan elective state official for the
13 purpose of promoting the official's election to any national, state, or local office; or
14 to a candidate for a partisan elective state office to be filled at the general election
15 or a special election; or to the official's or candidate's personal campaign committee.
16 A lobbyist may make a campaign contribution to a partisan elective state official or
17 candidate for partisan elective state office or ~~his or her~~ to the personal campaign
18 committee ~~may be made of the official or candidate~~ in the year of a the official's or
19 candidate's election between ~~June 1~~ April 15 and the day of the general election,
20 except that:

History: 1977 c. 278, 418; 1979 c. 32; 1987 a. 27; 1989 a. 338; 1991 a. 39, 269; 1995 a. 27 ss. 35, 36, 9116 (5); 1995 a. 227; 2011 a. 32.



2013 SENATE BILL 90

March 20, 2013 - Introduced by Senators FARROW, KEDZIE, LEHMAN, OLSEN and L. TAYLOR, cosponsored by Representatives BALLWEG, BERNIER, BIES, BROOKS, KERKMAN, T. LARSON, MARKLEIN, NASS, RIPP, STONE, C. TAYLOR, THIESFELDT and WRIGHT. Referred to Elections and Urban Affairs.

1 AN ACT *to create* 11.33 (2m) of the statutes; **relating to:** communications by
2 members of the legislature.

Analysis by the Legislative Reference Bureau

Currently, with certain exceptions, no person who is elected to state or local office and who becomes a candidate for national, state, or local office may use public funds for the cost of materials or distribution of 50 or more pieces of substantially identical material distributed during the period beginning on the first day for circulation of nomination papers as a candidate (or certain other dates for candidates who do not file nomination papers) and ending on the date of the election at which the person's name appears on the ballot, or on the date of the primary election at which the person's name so appears if the person is not nominated at the primary.

This bill provides that this prohibition does not apply to the cost of materials or distribution of a communication made by a member of the legislature to an address located within the legislative district represented by that member during the 45-day period following declaration of a state of emergency by the governor affecting any county in which the district is located if the communication relates solely to the subject of the emergency.

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

3 SECTION 1. 11.33 (2m) of the statutes is created to read:

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SENATE BILL 90

SECTION 1

1 11.33 (2m) This section does not apply to the cost of materials or distribution
2 of a communication made by a member of the legislature to an address located within
3 the legislative district represented by that member during the 45-day period
4 following declaration of a state of emergency by the governor under s. 323.10
5 affecting any county in which the district is located if the communication relates
6 solely to the subject of the emergency.

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(END)



2013 BILL

1 **AN ACT to renumber and amend 6.97 (3) (b); to amend 6.79 (2) (a), 6.82 (1) (a)**
 2 **and 7.51 (5) (b); and to create 6.97 (3) (b) 2. of the statutes; relating to:**
 3 **exemption of certain electors from the requirement to present proof of**
 4 **identification when voting in an election.**

Subsub Exemption from proof of identification requirement
Analysis by the Legislative Reference Bureau

Currently, with certain exceptions, an elector who votes in an election must present proof of identification in order to vote. The proof may consist of one of a number of documents specified by law that contains the name of the individual to whom the document was issued, which name conforms to the individual's voter registration, if the individual is registered to vote, and with limited exceptions, that contains a photograph of the individual. With certain exceptions, an elector who casts an absentee ballot by mail must enclose a copy of his or her proof of identification in the envelope containing his or her ballot. One form of acceptable proof of identification is a Wisconsin driver's license or identification card issued by the Department of Transportation. An individual who applies for a Wisconsin operator's license or identification card may be exempted from the current requirement to be photographed under narrowly defined circumstances.

This bill exempts an elector from the requirement to provide proof of identification if the elector appears at the polling place serving his or her residence on election day, casts a provisional ballot, and subsequently files at the office of the municipal clerk or board of election commissioners where the elector resides an affidavit affirming one of the following: 1) that he or she is indigent and cannot obtain

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proof of identification without payment of a fee; 2) that he or she has a religious objection to being photographed; or 3) that he or she cannot obtain the documentation required to obtain proof of identification.

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

SECTION 1. 6.79 (2) (a) of the statutes is amended to read:

6.79 (2) (a) Unless information on the poll list is entered electronically, the municipal clerk shall supply the inspectors with 2 copies of the most current official registration list or lists prepared under s. 6.36 (2) (a) for use as poll lists at the polling place. Except as provided in subs. (3) (b), (6), and (7), each eligible elector, before receiving a serial number, shall state his or her full name and address and present to the officials proof of identification. The officials shall verify that the name on the proof of identification presented by the elector conforms to the name on the poll list or separate list and shall verify that any photograph appearing on that document reasonably resembles the elector. The officials shall then require the elector to enter his or her signature on the poll list, supplemental list, or separate list maintained under par. (c) unless the elector is exempt from the signature requirement under s. 6.36 (2) (a). The officials shall verify that the name and address stated by the elector conform to the elector's name and address on the poll list.

~~**SECTION 2.** 6.82 (1) (a) of the statutes is amended to read:~~

~~6.82 (1) (a) When any inspectors are informed that an eligible elector is at the entrance to the polling place who as a result of disability is unable to enter the polling place, they shall permit the elector to be assisted in marking a ballot by any individual selected by the elector, except the elector's employer or an agent of that employer or an officer or agent of a labor organization which represents the elector.~~

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1 Except as authorized in s. 6.79 (3) (b), (6), and (7), the individual selected by the
 2 elector shall present to the inspectors proof of identification and, if the proof of
 3 identification does not constitute proof of residence under s. 6.34, shall also provide
 4 proof of residence under s. 6.34 for the assisted elector, whenever required, and all
 5 other information necessary for the elector to obtain a ballot under s. 6.79 (2). The
 6 inspectors shall verify that the name on the proof of identification presented by the
 7 person assisting the elector conforms to the elector's name on the poll list or separate
 8 list and shall verify that any photograph appearing on that document reasonably
 9 resembles the elector. The inspectors shall then issue a ballot to the individual
 10 selected by the elector and shall accompany the individual to the polling place
 11 entrance where the assistance is to be given. If the ballot is a paper ballot, the
 12 assisting individual shall fold the ballot after the ballot is marked by the assisting
 13 individual. The assisting individual shall then immediately take the ballot into the
 14 polling place and give the ballot to an inspector. The inspector shall distinctly
 15 announce that he or she has "a ballot offered by ... (stating person's name), an elector
 16 who, as a result of disability, is unable to enter the polling place without assistance".
 17 The inspector shall then ask, "Does anyone object to the reception of this ballot?" If
 18 no objection is made, the inspectors shall record the elector's name under s. 6.79 and
 19 deposit the ballot in the ballot box, and shall make a notation on the poll list: "Ballot
 20 received at poll entrance".

Handwritten: JWS 11-13

Handwritten: JWS 12-20-13

21 **SECTION 3.** 6.97 (3) (b) of the statutes is renumbered 6.97 (3) (b) 1. and amended
 22 to read:
 23 6.97 (3) (b) 1. Whenever the municipal clerk or executive director of the
 24 municipal board of election commissioners is informed by the inspectors that a ballot
 25 has been cast under this section, the clerk or executive director shall promptly



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1 provide written notice to the board of canvassers of each municipality, special
 2 purpose district, and county that is responsible for canvassing the election of the
 3 number of ballots cast under this section in each ward or election district. The
 4 municipal clerk or executive director then shall determine whether each individual
 5 voting under this section is qualified to vote in the ward or election district where the
 6 individual's ballot is cast. If the elector is required to provide proof of identification
 7 under s. 6.79 (2) or 6.86 (1) (ar) and fails to do so, the elector bears the burden of
 8 correcting the omission by providing the proof of identification at the polling place
 9 before the closing hour ~~or~~, by providing the proof of identification at the office of the
 10 municipal clerk or board of election commissioners servng his or her residence no
 11 later than 4 p.m. on the Friday after the election, ~~or by filing an affidavit under subd.~~
 12 2.

13 3. The municipal clerk or executive director shall make a record of the
 14 procedure used to determine the validity of each ballot cast under this section. If,
 15 prior to 4 p.m. on the Friday after the election, the municipal clerk or executive
 16 director determines that the individual is qualified to vote in the ward or election
 17 district where the individual's ballot is cast, the municipal clerk or executive director
 18 shall notify the board of canvassers for each municipality, special purpose district
 19 and county that is responsible for canvassing the election of that fact.

20 **SECTION 4.** 6.97 (3) (b) 2. of the statutes is created to read:

21 6.97 (3) (b) 2. An elector who has voted by provisional ballot and who is indigent
 22 and cannot obtain proof of identification without payment of a fee or an elector who
 23 has a religious objection to being photographed may appear at the office of the
 24 municipal clerk or board of election commissioners prior to 4 p.m. on the Friday after
 25 the election and execute an affidavit affirming that the elector appeared at the

Handwritten annotations on the left margin:
 - A large bracket spanning lines 1 through 12.
 - A circle around line 10 containing the handwritten number "12-20".
 - A downward arrow pointing to line 12.



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1 polling place serving his or her residence on election day and cast a provisional ballot,
 2 and affirming one of the following: a) that the elector is indigent and cannot obtain
 3 proof of identification without payment of a fee; b) that the elector has a religious
 4 objection to being photographed; or c) that the elector cannot obtain the
 5 documentation required to obtain proof of identification. Upon executing the
 6 affidavit and depositing it with the municipal clerk or board of election
 7 commissioners, the provisional ballot cast by the elector is valid if the elector is
 8 otherwise qualified.

9 **SECTION 5.** 7.51 (5) (b) of the statutes is amended to read:

10 7.51 (5) (b) The municipal clerk shall deliver all ballots, statements, tally
 11 sheets, lists, ~~and envelopes,~~ and affidavits relating to a school district election to the
 12 school district clerk, excluding any absentee ballots that are received after the
 13 closing hour on election night and any provisional ballots, by 4 p.m. on the day
 14 following each such election and shall deliver to the school district clerk any amended
 15 statements, tally sheets, affidavits, and lists for additional provisional and absentee
 16 ballots canvassed under s. 6.97 (4) or 7.515 (6) (b) no later than 4 p.m. on the Monday
 17 after the election. The municipal clerk shall deliver to the county clerk the ballots,
 18 statements, tally sheets, lists, ~~and envelopes,~~ and affidavits for his or her
 19 municipality relating to any county, technical college district, state, or national
 20 election no later than 4 p.m. on the day following each such election or, in
 21 municipalities where absentee ballots are canvassed under s. 7.52, by 4 p.m. on the
 22 2nd day following each such election, and shall deliver to the county clerk any
 23 additional provisional and absentee ballots canvassed under s. 6.97 (4) or 7.515 (6)
 24 (b) together with amended statements, tally sheets, lists, ~~and envelopes,~~ and
 25 affidavits no later than 4 p.m. on the Monday after the election. The person

8-20



BILL

1 delivering the returns shall be paid out of the municipal treasury. Each clerk shall
 2 retain ballots, statements, tally sheets, or envelopes received by the clerk until
 3 destruction is authorized under s. 7.23 (1).

(as it relates to the exemption of certain electors from the requirement to present proof of identification when voting in an election)

SECTION 6. Initial applicability.

The treatment of sections 6.79(2)(a), 6.82(1)(a)
 (#1) This act first applies with respect to proof of identification required for
 elections held on the 60th day beginning after the effective date of this subsection.

*6.97
(3)(b)*

*Rev 5
30-7-10*

apply

(END)

*and
7.51(15)(b)
of the
statutes
and the
creation
of section
6.97(3)(b)2,
of the
statutes*

*↑ the renumbering and amendment
of section 6.97(3)(b) of
the statutes; ↑*

**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB-1763/P2dn

JTK::/.....

9 WJ

Date

Representative Bernier:

You asked about the penalty for falsifying an affidavit under proposed s. 6.97 (3) (b) [✓]2. of this draft, which permits certain electors who cannot obtain proof of identification to vote by provisional ballot if an elector files an affidavit affirming certain facts. The applicable penalty is the penalty for false swearing under s. 946.32, stats, which is a class H felony: a fine of up to \$10,000 or imprisonment for up to 6 years, or both.

SP

Jeffery T. Kuesel
Managing Attorney
Phone: (608) 266-6778

**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB-1763/P2dn
JTK:wlj:rs

April 9, 2013

Representative Bernier:

You asked about the penalty for falsifying an affidavit under proposed s. 6.97 (3) (b) 2. of this draft, which permits certain electors who cannot obtain proof of identification to vote by provisional ballot if an elector files an affidavit affirming certain facts. The applicable penalty is the penalty for false swearing under s. 946.32, stats, which is a Class H felony: a fine of up to \$10,000 or imprisonment for up to six years, or both.

Jeffery T. Kuesel
Managing Attorney
Phone: (608) 266-6778



2013 BILL

1 AN ACT to amend 8.50 (intro.), 8.50 (1) (a), 8.50 (1) (c), 8.50 (2) (a), 8.50 (2) (b),
2 8.50 (4) (f) 1. and 2., 17.02 (1) and 17.18; and to create 8.50 (1) (am), 8.50 (3)
3 (bm) and 8.50 (4) (bm) of the statutes; relating to: regulations governing
4 special elections.

Analysis by the Legislative Reference Bureau

This bill makes various changes in the laws governing special elections.

1. Currently, when a vacancy in the office of a U.S. senator or representative in congress from this state occurs, the vacancy is filled by special election ordered by the governor unless the vacancy occurs after the second Tuesday in May in the year of the general election in which case it is filled at the general election. This bill provides, in addition, that whenever a U.S. senator or representative in congress is elected to another office after the beginning of his or her term, and the term of the new office or the period during which the senator or representative is eligible to assume office begins prior to the end of the senator's or representative's original term of office, the governor may call a special election to fill the seat of the senator or representative in anticipation of a vacancy, upon receipt of notice of the written resignation of that senator or representative that is effective on a date not later than the date of the proposed special election.

2. Currently, if more than two candidates qualify to have their names appear on the ballot at a special election for a nonpartisan office, a primary is usually held. The names of the two candidates who receive the greatest numbers of votes then qualify to have their names appear on the special election ballot. This bill provides

BILL

that if a candidate receives a majority of the total number of votes cast in a nonpartisan primary, a special election shall not be held and that candidate shall be certified as the winner of the special election.

3. Currently, when a special election must be ordered to fill a vacancy in any of the following, the special election must be held within a designated period following the order: the office of a U.S. senator or representative of this state; certain executive state offices; judicial and legislative state offices; county, city, village, and town offices; the office of municipal judge; and the office of member of the board of school directors of the Milwaukee Public Schools. Under current law, with two exceptions, the date for the special election may not be not less than 62 nor more than 77 days from the date of the order:

a. If the special election is to be held on the day of the general election or to fill a vacancy in a national office, the order must precede the partisan primary or special primary, respectively, by not more than 122 days and by no fewer than 92 days.

b. If the special election is to be held on the day of the spring election, the order must precede the spring primary by not more than 92 days and by not fewer than 49 days.

This bill eliminates the maximum number of days between which a special election may be ordered and held.

4. This bill requires the governing body which or the officer who orders a special election to consult with the office with which the order is filed to establish a date for the special election that will promote the greatest voter participation and administrative efficiency.

5. Current law imposes restrictions on the timing of a special election ordered to fill a vacancy in a judicial office that occurs after the date of the spring election but on or before December 1:

a. If the vacancy occurs in the office of circuit judge, the vacancy must be filled at the succeeding spring election.

b. If the vacancy occurs in the office of court of appeals judge, the vacancy must be filled at the first succeeding spring election when no other court of appeals judge is to be elected from the same court of appeals district.

c. If the vacancy occurs in the office of supreme court justice, the vacancy must be filled at the first succeeding spring election when no other justice is to be elected.

If a vacancy occurs in any of these judicial offices after December 1 but on or before the succeeding spring election, the vacancy must be filled at the second succeeding spring election that corresponds with the spring elections described above. Finally, if, as a result of the resignation of the incumbent, a vacancy occurs in any of these judicial offices after December 1 but on or before the date of the succeeding spring election, and if the incumbent is not a candidate to succeed himself or herself, the vacancy must be filled at the regularly scheduled election.

This bill changes each December 1 date to August 1.

*suppose
of # of
days?*

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6. Current law refers to the authority of the attorney general to order a special election. This bill eliminates that reference.

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

1 **SECTION 1.** 8.50 (intro.) of the statutes is amended to read:

2 **8.50 Special elections.** (intro.) Unless otherwise provided, this section
3 applies to filling vacancies in the U.S. senate and house of representatives, executive
4 state offices except the offices of governor, lieutenant governor, and district attorney,
5 judicial and legislative state offices, county, city, village, and town offices, and the
6 offices of municipal judge and member of the board of school directors in school
7 districts organized under ch. 119. State Congressional and state legislative offices
8 may be filled in anticipation of the occurrence of a vacancy whenever authorized in
9 sub. (4) (bm) or (e). No special election may be held after February 1 preceding the
10 spring election unless it is held on the same day as the spring election, nor after
11 August 1 preceding the general election unless it is held on the same day as the
12 general election, until the day after that election. If the special election is held on
13 the day of the general election, the primary for the special election, if any, shall be
14 held on the day of the partisan primary. If the special election is held on the day of
15 the spring election, the primary for the special election, if any, shall be held on the
16 day of the spring primary.

17 **SECTION 2.** 8.50 (1) (a) of the statutes is amended to read:

18 8.50 (1) (a) When there is to be a special election,; the county board of
19 supervisors shall, except as provided in s. 17.21 (5), order the special election for
20 county office shall be ordered by the county board of supervisors except as provided
21 in s. 17.21 (5); the common council shall order the special election for city office shall

BILL

1 ~~be ordered by the common council~~; the board of trustees shall order the special
2 election for village office shall be ordered by the board of trustees; the town board of
3 supervisors shall order the special election for town office shall be ordered by the
4 town board of supervisors; the school board shall order the special election for school
5 board member in a school district organized under ch. 119 shall be ordered by the
6 school board; the governing body of the municipality shall order the special election
7 for municipal judge shall be ordered by the governing body of the municipality, except
8 in 1st class cities, or if the judge is elected under s. 755.01 (4) jointly by the governing
9 bodies of all municipalities served by the judge; and the governor shall order all other
10 special elections shall be ordered by the governor. When the governor or attorney
11 general issues the order, it shall be filed and recorded in the office of the board. When
12 the county board of supervisors issues the order, it shall be filed and recorded in the
13 office of the county clerk. When the county executive issues the order, it shall be filed
14 in the office of the county board of election commissioners. When the common council
15 issues the order, it shall be filed in the office of the city clerk. When the board of
16 trustees issues the order, it shall be filed in the office of the village clerk. When the
17 town board of supervisors issues the order, it shall be filed in the office of the town
18 clerk. When the school board of a school district organized under ch. 119 issues the
19 order, it shall be filed and recorded in the office of the city board of election
20 commissioners. If a municipal judge is elected under s. 755.01 (4), the order shall be
21 filed in the office of the county clerk or board of election commissioners of the county
22 having the largest portion of the population of the jurisdiction served by the judge.

*Not all
jurisdictions
have a
common
clerk*

SECTION 3. 8.50 (1) (am) of the statutes is created to read:

24 8.50 (1) (am) Before issuing an order under par. (a), the county board of
25 supervisors, governing body of a municipality, school board of a school district

BILL

1 organized under ch. 119, or officer shall consult with the office with whom or the
2 agency with which the order is filed to select a date for the special election that will
3 promote the greatest possible voter participation and administrative efficiency.

4 **SECTION 4.** 8.50 (1) (c) of the statutes is amended to read:

5 8.50 (1) (c) The order and notice shall specify the office to be filled, the
6 expiration date of the remaining term of office, the date of the election, the earliest
7 date for circulating and deadline for filing nomination papers, the area involved in
8 the election, the name of the incumbent before the vacancy occurred and a
9 description of how the vacancy occurred, or for an election held under sub. (4) (bm)
10 or (e), the name of the incumbent and a description of how and when the vacancy is
11 expected to occur. Except as otherwise provided in this paragraph, the notice shall
12 include the information specified in s. 10.01 (2) (a).

13 **SECTION 5.** 8.50 (2) (a) of the statutes is amended to read:

14 8.50 (2) (a) The date for the special election shall be not less earlier than 62 ~~nor~~
15 ~~more than 77~~ days from the date of the order except when the special election is held
16 to fill a vacancy in a national office or the special election is held on the day of the
17 general election or spring election and except as provided in sub. (3) (bm). If a special
18 election is held concurrently with the spring election, the special election may be
19 ordered ~~not earlier than 92 days prior to the spring primary and not later than 49~~
20 days prior to that the spring primary. If a special election is held concurrently with
21 the general election or a special election is held to fill a national office, the special
22 election may be ordered ~~not earlier than 122 later than 92~~ days prior to the partisan
23 primary or special primary, respectively, ~~and not later than 92 days prior to that~~
24 primary.

25 **SECTION 6.** 8.50 (2) (b) of the statutes is amended to read:

History 2

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1 8.50 (2) (b) If a primary is required, the primary shall be on the day 4 weeks
2 before the day of the special election except as provided in sub. (3) (bm) and except
3 when the special election is held on the same day as the general election the special
4 primary shall be held on the same day as the partisan primary or if the special
5 election is held concurrently with the spring election, the primary shall be held
6 concurrently with the spring primary, and ~~except~~ when the special election is held
7 on the Tuesday after the first Monday in November of an odd-numbered year, the
8 primary shall be held on the 2nd Tuesday of August in that year.

9 **SECTION 7.** 8.50 (3) (bm) of the statutes is created to read:

10 8.50 (3) (bm) The names of the 2 persons receiving the highest number of votes
11 in a nonpartisan primary shall be certified to appear on the ballot in the special
12 election, but if any person receives a majority of the total number of votes cast in a
13 nonpartisan primary, a special election shall not be held and that person shall be
14 certified as the winner of the special election.

15 **SECTION 8.** 8.50 (4) (bm) of the statutes is created to read:

16 8.50 (4) (bm) Whenever a U.S. senator or representative in congress is elected
17 to another office after the commencement of his or her term, and the term of the new
18 office or the period during which the senator or representative is eligible to assume
19 that office commences prior to the end of the senator's or representative's original
20 term of office, the governor may call a special election to fill the seat of the senator
21 or representative in anticipation of a vacancy, upon receipt of notice from the
22 secretary of state that the secretary has received notice of the written resignation of
23 that senator or representative under s. 17.02 (1) that is effective on a date not later
24 than the date of the proposed special election.

25 **SECTION 9.** 8.50 (4) (f) 1. and 2. of the statutes are amended to read:

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1 8.50 (4) (f) 1. Except as provided in subds. 2. and 3., a vacancy in the office of
2 justice, court of appeals judge, or circuit judge occurring in any year after the date
3 of the spring election and on or before ~~December~~ August 1 shall be filled, if in the
4 office of circuit judge, at the succeeding spring election; if in the office of court of
5 appeals judge, at the first succeeding spring election when no other court of appeals
6 judge is to be elected from the same court of appeals district; or, if in the office of
7 justice, at the first succeeding spring election when no other justice is to be elected.

8 A vacancy in the office of justice, court of appeals judge, or circuit judge occurring
9 after ~~December~~ August 1 and on or before the date of the succeeding spring election
10 shall be filled, if in the office of circuit judge, at the 2nd succeeding spring election;
11 if in the office of court of appeals judge, at the first spring election, beginning with
12 the 2nd succeeding spring election, when no other court of appeals judge is to be
13 elected from the same court of appeals district; or, if in the office of justice, at the first
14 spring election, beginning with the 2nd succeeding spring election, when no other
15 justice is to be elected.

16 2. If a vacancy in the office of justice, court of appeals judge, or circuit judge
17 occurs after ~~December~~ August 1 and on or before the date of the succeeding spring
18 election as the result of the resignation of the incumbent, if an election for that seat
19 is scheduled to be held at the succeeding spring election and if the incumbent is not
20 a candidate to succeed himself or herself, the vacancy shall be filled at the regularly
21 scheduled election.

22 **SECTION 10.** 17.02 (1) of the statutes is amended to read:

23 17.02 (1) SENATORS AND MEMBERS OF CONGRESS. Of the resignation of a United
24 States senator or member of congress from this state, by the senator or member of
25 congress to the secretary of state. Upon receipt of notice of the resignation, the

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1 secretary of state shall give immediate notice to the governor of the resignation
2 including the effective date thereof.

3 **SECTION 11.** 17.18 of the statutes is amended to read:

4 **17.18 Vacancies, U.S. senator and representative in congress; how**
5 **filled.** Vacancies in the office of U.S. senator or representative in congress from this
6 state shall be filled by election, as provided in s. 8.50 (4) (b), for the residue of the
7 unexpired term. In addition, an anticipated vacancy in the office of U.S. senator or
8 representative in congress may be filled as provided in s. 8.50 (4) (bm).

9 **SECTION 12. Initial applicability.**

10 (1) This act first applies with respect to special elections held to fill vacancies
11 occurring on the effective date of this subsection.

12 (END)