



2003 ASSEMBLY BILL 114

March 5, 2003 - Introduced by Representatives FREESE, GUNDERSON, VRAKAS, HINES, LADWIG, STONE, OTT, HUNDERTMARK, GARD, KESTELL, ALBERS and KREIBICH, cosponsored by Senators STEPP and KEDZIE. Referred to Committee on Campaigns and Elections.

1 **AN ACT to repeal** 6.78 (1), 6.78 (2) and 6.78 (3); **to renumber and amend** 6.78
2 (intro.); and **to amend** 67.05 (3) (f) and 120.06 (9) (a) of the statutes; **relating**
3 **to:** polling hours.

Analysis by the Legislative Reference Bureau

Under current law, the polls at an election in a first, second, or third class city must generally be open from 7 a.m. to 8 p.m. In a village, town, or fourth class city the polls must be open from 9 a.m. to 8 p.m., unless the village, town, or city determines to extend the opening hour to not earlier than 7 a.m. In addition, under current law, the opening hour for polling places in certain school and other special purpose district elections may be extended to not earlier than 7 a.m. even if the governing body of the municipality where a polling place is located does not extend the opening hour.

This bill requires the polls at every election to be open from 7 a.m. to 8 p.m. in all municipalities.

For further information see the *local* fiscal estimate, which will be printed as an appendix to this bill.

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

4 **SECTION 1.** 6.78 (intro.) of the statutes is renumbered 6.78 (1m) and amended
5 to read:

ASSEMBLY BILL 114**SECTION 1**

1 6.78 (1m) The polls at ~~any~~ every election shall be open: from 7 a.m. until 8 p.m.

2 **SECTION 2.** 6.78 (1) of the statutes is repealed.

3 **SECTION 3.** 6.78 (2) of the statutes is repealed.

4 **SECTION 4.** 6.78 (3) of the statutes is repealed.

5 **SECTION 5.** 67.05 (3) (f) of the statutes is amended to read:

6 67.05 (3) (f) If a special purpose district calls a referendum to be held in
7 conjunction with a state, county, municipal or judicial election, the polling places for
8 the state, county, municipal or judicial election shall be the polling places for the
9 special purpose district referendum and the municipal election hours shall apply. If
10 no state, county, municipal or judicial election is held on the day of the special
11 purpose district referendum, the governing body of the special purpose district may
12 ~~set the election hours and~~ select the polling places to be used, except as otherwise
13 provided in s. 120.06 (9) (b) in the case of a school district. If a polling place located
14 in the special purpose district that was utilized at the most recent spring or general
15 election is not utilized by the special purpose district, the governing body of the
16 special purpose district shall post a notice on the door of the polling place indicating
17 all polling places open for voting. ~~Election hours set by the governing body of the~~
18 ~~special purpose district for each polling place shall be the same as those provided by~~
19 ~~the governing body of the municipality in which the polling place is located, except~~
20 ~~that if the opening hour is later than 7 a.m., the governing body of the special purpose~~
21 ~~district may extend the opening hour to not earlier than 7 a.m.~~ The municipal clerk
22 of each municipality in which a polling place is located shall provide the necessary
23 equipment to operate the polling place.

24 **SECTION 6.** 120.06 (9) (a) of the statutes is amended to read:

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1 120.06 (9) (a) The primary and spring elections for school board members shall
2 be conducted by the election officials for state and municipal elections. In a school
3 board election held in conjunction with a state, county, municipal or judicial election,
4 the polling places for the state, county, municipal or judicial election shall be the
5 polling places for the school board election and the municipal election hours shall
6 apply. If no state, county, municipal or judicial election is held on the day of the school
7 board election, the school board may ~~set the election hours and~~ select the polling
8 places to be used. The election costs shall be charged as provided in ss. 5.68 and 7.03.
9 ~~Election hours set by the school board shall be the same as those provided by the~~
10 ~~municipal governing body in which the polling place is located, except that if the~~
11 ~~opening hour is later than 7 a.m., the school board may extend the opening hour to~~
12 ~~not earlier than 7 a.m.~~

13

(END)