



State of Wisconsin
2021 - 2022 LEGISLATURE

LRB-0524/1
JK:amn

2021 ASSEMBLY BILL 94

February 18, 2021 - Introduced by Representatives JAMES, ALLEN, ARMSTRONG, BRANDTJEN, BROOKS, DITTRICH, DUCHOW, EDMING, GUNDRUM, KNODL, KRUG, MAGNAFICI, MOSES, MURPHY, PETRYK, RAMTHUN, ROZAR, SORTWELL and TUSLER, cosponsored by Senators BERNIER, BALLWEG, STROEBEL, MARKLEIN and NASS. Referred to Committee on Campaigns and Elections.

- 1 **AN ACT to amend** 7.30 (2) (am) and 118.15 (3) (d) of the statutes; **relating to:**
2 allowing a pupil enrolled in a home-based private educational program to serve
3 as an election inspector.

Analysis by the Legislative Reference Bureau

Current law allows a pupil who is 16 or 17 years of age and who is enrolled in a public or private school or in a tribal school to be appointed by the municipal clerk to serve as an election inspector at the polling place serving the pupil's residence. The pupil must have the approval of the pupil's parent or guardian and must have at least a 3.0 grade point average or the equivalent, unless the school board or governing body of the school establishes criteria for a pupil with a lower grade point average to serve as an election inspector.

This bill clarifies that a pupil who is 16 or 17 years of age and who is enrolled in a home-based private educational program may also serve as an election inspector if the pupil satisfies the other conditions for being appointed by the municipal clerk. Under the bill, the administrator of a home-based private educational program may establish criteria for a pupil with a grade point average of less than 3.0 to serve as an election inspector.

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

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1 **SECTION 1.** 7.30 (2) (am) of the statutes is amended to read:

2 7.30 (2) (am) Except as otherwise provided in this paragraph, a pupil who is
3 16 or 17 years of age and who is enrolled in grades 9 to 12 in a public or private school,
4 in a home-based private educational program, as defined in s. 115.001 (3g), or in a
5 tribal school, as defined in s. 115.001 (15m), may serve as an inspector at the polling
6 place serving the pupil's residence, with the approval of the pupil's parent or
7 guardian. Any pupil who has at least a 3.0 grade point average or the equivalent may
8 serve. In addition, a school board, governing body of a private school, as defined in
9 s. 115.001 (3d), ~~or tribal school, or administrator of a home-based private~~
10 educational program may establish criteria for service by a pupil who does not have
11 at least a 3.0 grade point average or the equivalent. A pupil may serve as an inspector
12 at a polling place under this paragraph only if at least one election official at the
13 polling place other than the chief inspector is a qualified elector of this state. No pupil
14 may serve as chief inspector at a polling place under this paragraph. Before
15 appointment by any municipality of a pupil as an inspector under this paragraph,
16 the municipal clerk shall obtain written authorization from the pupil's parent or
17 guardian for the pupil to serve for the election for which he or she is appointed. In
18 addition, if a pupil does not have at least a 3.0 grade point average or the equivalent,
19 the municipal clerk shall obtain written certification from the principal of the school
20 where the pupil is enrolled or the administrator of the home-based private
21 educational program in which the pupil is enrolled that the pupil meets any criteria
22 established by the school board ~~or, governing body, or administrator of the~~
23 home-based private educational program for service as an inspector. Upon
24 appointment of a pupil to serve as an inspector, the municipal clerk shall notify the
25 principal of the school where the pupil is enrolled, or the administrator of the

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1 home-based private educational program in which the pupil is enrolled, of the name
2 of the pupil and the date of the election at which the pupil has been appointed to
3 serve.

4 **SECTION 2.** 118.15 (3) (d) of the statutes is amended to read:

5 118.15 (3) (d) Any child excused in writing by his or her parent or guardian and
6 by the principal of the school that the child attends, or by the administrator of the
7 home-based private educational program in which the child is enrolled, for the
8 purpose of serving as an election official under s. 7.30 (2) (am). A Except as provided
9 in s. 7.30 (2) (am), a principal or administrator may not excuse a child under this
10 paragraph unless the child has at least a 3.0 grade point average or the equivalent.
11 The principal or administrator shall allow the child to take examinations and
12 complete course work missed during the child's absences under this paragraph. The
13 principal or administrator shall promptly notify the municipal clerk or the board of
14 election commissioners of the municipality that appointed the child as an election
15 official if the child ceases to be enrolled in school or in a home-based private
16 educational program or if the child no longer has at least a 3.0 grade point average
17 or the equivalent.

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(END)