



2023 ASSEMBLY BILL 476

October 12, 2023 - Introduced by Representatives MAGNAFICI, BEHNKE, BRANDTJEN, BROOKS, EDMING, GOEBEN, GREEN, GUNDRUM, GUSTAFSON, KITCHENS, MICHALSKI, MURPHY, O'CONNOR, ROZAR, SCHUTT and STEFFEN, cosponsored by Senators TOMCZYK, BALLWEG and JAMES. Referred to Committee on Campaigns and Elections.

1 **AN ACT to amend** 17.19 (4) of the statutes; **relating to:** filling vacancies in
2 elective state offices in the executive branch.

Analysis by the Legislative Reference Bureau

Currently, the governor fills by appointment all vacancies in the offices of secretary of state, treasurer, attorney general, and state superintendent of public instruction. The person appointed to fill any such vacancy is not subject to senate confirmation and holds office until a successor is elected by special election and qualified. If no special election is held, the person appointed by the governor holds office for the remainder of the unexpired term.

This bill eliminates the ability of the governor to fill vacancies in these offices by appointment without senate confirmation, instead providing that the vacancies are filled by special election. However under the bill, if a vacancy occurs in any of these offices on or after January 1 of a year in which there is a regularly scheduled election for the office, the vacancy must be filled by nomination of the governor and appointment with the advice and consent of the senate of a person to serve the remainder of the unexpired term.

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

3 **SECTION 1.** 17.19 (4) of the statutes is amended to read:

