

## 2003 ASSEMBLY BILL 123

1     **AN ACT** *to create* 5.05 (10m), 5.05 (11), 20.002 (11) (d) 2m., 20.510 (1) (x), 25.17  
2           (1) (e) and 25.425 of the statutes; **relating to:** financing of election  
3           administration costs, creation of an election administration fund, granting  
4           rule-making authority, and making an appropriation.

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*Analysis by the Legislative Reference Bureau*

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

5           **SECTION 1d.** 5.05 (10m) of the statutes is created to read:  
6           **5.05 (10m)** ALLOCATION OF EXPENDITURES FROM ELECTION ADMINISTRATION FUND.  
7           Prior to expending any moneys from the election administration fund in any fiscal  
8           year, the board shall, by rule, specify the moneys to be allocated for each specific  
9           purpose from the fund for that fiscal year. The board may promulgate rules under  
10          this subsection as emergency rules under s. 227.24, except that any proposed

**ASSEMBLY BILL 123****SECTION 1d**

1 emergency rule shall be filed under s. 227.19 before promulgation. Notwithstanding  
2 s. 227.24 (1) (c) and (2), the emergency rules may remain in effect for 180 days or until  
3 the date on which permanent rules take effect. Notwithstanding s. 227.24 (1) (a) and  
4 (3), the board is not required to provide evidence that promulgating a rule under this  
5 subsection as an emergency rule is necessary for the preservation of public peace,  
6 health, safety, or welfare and is not required to provide a finding of emergency for a  
7 rule promulgated under this subsection.

8 **SECTION 1m.** 5.05 (11) of the statutes is created to read:

9 5.05 (11) AIDS TO COUNTIES AND MUNICIPALITIES. From the appropriation under  
10 s. 20.510 (1) (x), the board may provide financial assistance to eligible counties and  
11 municipalities for election administration costs.

12 **SECTION 2.** 20.002 (11) (d) 2m. of the statutes is created to read:

13 20.002 (11) (d) 2m. The election administration fund.

14 **SECTION 3.** 20.510 (1) (x) of the statutes is created to read:

15 20.510 (1) (x) *Federal aid.* From the election administration fund, all moneys  
16 received from the federal government, as authorized by the governor under s. 16.54,  
17 to be used for election administration costs under P.L. 107–252 in accordance with  
18 rules promulgated under s. 5.05 (1m).

19 **SECTION 4.** 25.17 (1) (e) of the statutes is created to read:

20 25.17 (1) (e) Election administration fund (s. 25.425);

21 **SECTION 5.** 25.425 of the statutes is created to read:

22 **25.425 Election administration fund.** There is established a separate  
23 nonlapsible trust fund, designated the election administration fund, consisting of all  
24 moneys received from the federal government under P.L. 107–252.

25 (END)