AN ACT to amend 5.66 (1), 7.15 (2) (b) and 7.15 (2) (c); and to create 5.66 (1m) of the statutes; relating to: the number of ballots authorized to be printed at an election in first class cities.

Analysis by the Legislative Reference Bureau

Currently, the county clerk or board of election commissioners of each county generally is responsible for printing ballots for elections, except that each municipality must print ballots when required for local elections; a first class city (Milwaukee) may print its own ballots for any election; any municipality that uses an electronic voting system may print ballots with the permission of the county clerk or board of election commissioners of the county or counties in which the municipality is located; and no ballots are printed for distribution to electors in a municipality that uses voting machines. When printed, ballots for an election must be printed in a sufficient quantity to assure a ballot for each elector voting at the election. There is no limit on the number of ballots that may be printed.

This bill prohibits any first class city (Milwaukee) that prints ballots for distribution to electors at any election from printing ballots prior to election day in a number greater than 200 percent of the votes cast in the city at the most recent election that corresponds to the election for which ballots are to be printed, as prescribed in the bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:
 SECTION 1. 5.66 (1) of the statutes is amended to read:

5.66 (1) For 

Except as provided in sub. (1m), for local elections, where 
necessary, municipal clerks shall have sufficient ballots printed or otherwise 
prepared whenever a voting system does not utilize printed ballots to assure a ballot 
for all electors or voting machines. For all other elections the municipal clerks shall 
certify to their county clerk, on the first day of the 2nd month preceding the month 
in which the primary is held, the approximate number of electors in the municipality. 
The county clerk shall total these estimates and order a sufficient supply to assure 
ballets for all electors and voting machines.

 SECTION 2. 5.66 (1m) of the statutes is created to read:

5.66 (1m) No 1st class city that prints ballots for distribution to electors may 
print ballots for any election prior to election day in a number greater than 200 
percent of the votes cast in the city at the most recent election that corresponds to 
the election for which ballots are to be printed. For purposes of this subsection, the 
most recent spring election corresponds to a current spring election; the most recent 
presidential election corresponds to a current general election at which the president 
is to be elected; the most recent gubernatorial election corresponds to a current 
general election at which the governor is to be elected; and the most recent regular 
election for an office to be filled at a special election corresponds to a special election 
called to fill the same office.

 SECTION 3. 7.15 (2) (b) of the statutes is amended to read:

7.15 (2) (b) Cities over 500,000 population may prepare their own official and 
sample ballots, subject to s. 5.66 (1m). Official ballots not utilized as absentee ballots 
shall be printed so they are ready at least 2 days before the election.

 SECTION 4. 7.15 (2) (c) of the statutes is amended to read:
7.15 (2) (c) With Subject to s. 5.66 (1m) and with the consent of the county clerk, municipalities may prepare their own ballots whenever voting machines or electronic voting systems are used in elections where candidates for both local offices and national, state or county offices appear on the ballot. This paragraph does not apply to cities under par. (b).

SECTION 5. Effective date.

(1) This act takes effect on the first day of the 2nd month beginning after the effective date of this subsection.