

2013 DRAFTING REQUEST

Bill

Received: 11/26/2012 Received By: jkuesel
 Wanted: As time permits Same as LRB:
 For: Jeremy Thiesfeldt (608) 266-3156 By/Representing: Hariah Hutkowski
 May Contact: Drafter: jkreye
 Subject: Elections - miscellaneous Addl. Drafters:
 Extra Copies:

Submit via email: YES
 Requester's email: Rep.Thiesfeldt@legis.wi.gov
 Carbon copy (CC) to:

Pre Topic:

No specific pre topic given

Topic:

Method of recounting votes cast with automatic tabulating equipment

Instructions:

If a municipality uses automatic tabulating equipment to canvass votes, the municipal board of canvassers, when conducting a recount, may either use that equipment or may recount ballots by hand.

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	jkreye 11/28/2012	kfollett 12/3/2012	jmurphy 12/3/2012	_____	_____	_____	_____
/1				_____	srose 12/3/2012	sbasford 12/13/2012	

FE Sent For:

Not needed

<END>

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/?	jkreye	11kf 12/3	gm 12/3	Jim E. RS 12/3			

FE Sent For:

<END>

Kuesel, Jeffery

To: Hutkowski, Hariah
Subject: RE: LRB 11-4297/1 Topic: Method of recounting votes cast with automatic tabulating equipment

Hariah,
We'll take care of your request.

Jeff Kuesel

From: Hutkowski, Hariah
Sent: Monday, November 26, 2012 1:43 PM
To: Kuesel, Jeffery
Subject: LRB 11-4297/1 Topic: Method of recounting votes cast with automatic tabulating equipment

Could you please redraft for next session and just immediately Jacket for us?

Hariah Hutkowski
Legislative Assistant
Rep. Thiesfeldt's office
1-888-529-0052
FAX: 608-282-3652



State of Wisconsin
2011 - 2012 LEGISLATURE



LRB-4297/1

JTK/cjs:jt

2013
2011 BILL

UK
:kjf 0623/1
Pam not R

PAF
Jan 12/13

in 11-28-12

Regen

1 AN ACT to amend 5.90 (1) of the statutes; relating to: the method of recounting
2 votes cast with automatic tabulating equipment.

Analysis by the Legislative Reference Bureau

Currently, with a limited exception, a board of canvassers must use automatic tabulating equipment to conduct a recount of ballots that are in machine-readable form. However, a candidate, or an elector if the recount is for a referendum question, may petition the circuit court for an order requiring ballots in machine-readable form to be recounted by hand or by another method approved by the court. To obtain such an order, the candidate or elector must show by clear and convincing evidence that due to an irregularity, defect, or mistake committed during the voting or canvassing process the results of a recount using automatic tabulating equipment will produce incorrect results and there is a substantial probability that recounting the ballots by hand or by another method will produce a more correct result and change the outcome of the election.

This bill permits the board of canvassers conducting a recount to determine to conduct the recount of a specific election by hand unless a court orders the recount to be conducted by another method.

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

3 SECTION 1. 5.90 (1) of the statutes is amended to read:

Basford, Sarah

From: Hutkowski, Hariah
Sent: Wednesday, December 05, 2012 9:27 AM
To: LRB.Legal
Subject: Draft Review: LRB -0623/1 Topic: Method of recounting votes cast with automatic tabulating equipment

Please Jacket LRB -0623/1 for the ASSEMBLY.