



2013 ASSEMBLY BILL 419

October 14, 2013 – Introduced by Representatives BERNIER, BERCEAU, MURPHY, PRIDEMORE, THIESFELDT, WEININGER and NERISON. Referred to Committee on Campaigns and Elections.

1 **AN ACT to repeal** 7.50 (2) (e); and **to create** 7.50 (2) (em) of the statutes; **relating**
2 **to:** counting votes for write-in candidates.

Analysis by the Legislative Reference Bureau

Under current law, generally, every vote at an election is counted for the candidate for whom it was intended, if the elector's intent can be determined from the ballot itself. Under this bill, generally, write-in votes are only counted if no candidates have been certified to appear on the ballot. If a candidate has been certified to appear on the ballot, write-in votes are only counted for candidates who have filed registration statements. If a certified candidate dies or withdraws before the election, all write-in votes are counted.

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

3 **SECTION 1.** 7.50 (2) (e) of the statutes is repealed.

4 **SECTION 2.** 7.50 (2) (em) of the statutes is created to read:

5 7.50 (2) (em) Except as otherwise provided in this paragraph, write-in votes
6 shall only be counted if no candidates have been certified to appear on the ballot. If
7 candidates have been certified to appear on the ballot, write-in votes may only be

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1 counted for candidates who file registration statements under s. 11.05 (2g). If a
2 candidate certified to appear on the ballot dies or withdraws before the election, all
3 write-in votes shall be counted. When write-in votes are counted, every vote shall
4 be counted for the candidate for whom it was intended, if the elector's intent can be
5 ascertained from the ballot itself.

6 (END)