

2019 DRAFTING REQUEST

Bill

For: **Timothy Ramthun (608) 266-9175** Drafter: **mgallagh**
 By: **Self** Secondary Drafters:
 Date: **1/16/2020** May Contact:

Same as LRB:

Submit via email: **YES**
 Requester's email: **Rep.Ramthun@legis.wisconsin.gov**
 Carbon copy (CC) to: **michael.gallagher@legis.wisconsin.gov**
Peggy.Hurley@legis.wisconsin.gov
joseph.kreye@legis.wisconsin.gov

Pre Topic:

No specific pre topic given

Topic:

Public notice of noncandidacy for incumbent local elected officials

Instructions:

For school board and other elected officials, require notice to the public on the Internet and in a Class 1 notice when an incumbant officeholder files a notice of noncandidacy or fails to file a notice of candidacy. Do not apply this public notice requirement to the elections commission--only local elected officeholders.

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	mgallagh 1/16/2020	kmochal 1/16/2020			
/P1	mgallagh 1/16/2020	kmochal 1/16/2020	lparisi 1/16/2020		Local
/1			jmurphy 1/16/2020	lparisi 1/22/2020	Local

FE Sent For:

at
intro

<END>



PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

191

1 AN ACT ^{Generate catalog}; relating to: public notice of noncandidacy for incumbent local elected
2 officials.

Analysis by the Legislative Reference Bureau

Under current law, there is no public notice requirement when an incumbent local elected official whose office is up for election either files a notification of noncandidacy or fails to file a notification of candidacy within a specified time frame.

Under this bill, if such an incumbent files a notification of noncandidacy or fails to file a notification of candidacy, that fact and relevant information about the office must be posted on the Internet and, if time permits, published one time in a local newspaper. The bill's public notice requirement applies to the clerk or other officer or body with which current law requires a notice of candidacy to be filed for a particular office. ^{whom}

For further information see the **local** fiscal estimate, which will be printed as an appendix to this bill.

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

3 SECTION 1. 120.06 (6) (b) 3m. of the statutes is created to read: ^{STET}
4 120.06 (6) (b) 3m. If, under subd. 3, an incumbent files written notification that
5 the incumbent is not a candidate for reelection to his or her office or fails to file a
p. 3

1 declaration of candidacy within the time prescribed by this paragraph, the school
 2 district clerk shall promptly publish that fact and relevant information about the
 3 office on the Internet and, if time permits, in a class 1 notice under ch. 985.

4 **SECTION 2.** 8.05 (1) (j) 2m. of the statutes is created to read:

5 8.05 (1) (j) 2m. If, under subd. 2., an incumbent files written notification that
 6 the incumbent is not a candidate for reelection to his or her office or fails to file a
 7 declaration of candidacy within the time prescribed by this paragraph, the clerk or
 8 other officer or body with which the declaration of candidacy is required to be filed
 9 shall promptly publish that fact and relevant information about the office on the
 10 Internet and, if time permits, in a class 1 notice under ch. 985.

****NOTE: Only candidates certified at a caucus under s. 8.05 (1) would be allowed
 to file a declaration of candidacy under s. 8.05 (1) (j) 2. should the incumbent fail to do so.
 In light of that fact, please let me know if you think this public notice requirement is not
 necessary here. Thank you. MPG

11 **SECTION 3.** 8.10 (2) (am) of the statutes is created to read:

12 8.10 (2) (am) If, under par. (a), an incumbent holding local office files written
 13 notification that the incumbent is not a candidate for reelection to his or her office
 14 or fails to file a declaration of candidacy within the time prescribed in par. (a), the
 15 clerk or other officer or body with which the declaration of candidacy is required to
 16 be filed shall promptly publish that fact and relevant information about the office on
 17 the Internet and, if time permits, in a class 1 notice under ch. 985.

18 **SECTION 4.** 8.15 (1m) of the statutes is created to read:

19 8.15 (1m) If, under sub. (1), an incumbent holding local office files written
 20 notification that the incumbent is not a candidate for reelection to his or her office
 21 or fails to file a declaration of candidacy within the time prescribed in sub. (1), the
 22 clerk or other officer or body with which the declaration of candidacy is required to

1 be filed shall promptly publish that fact and relevant information about the office on
2 the Internet and, if time permits, in a class 1 notice under ch. 985.

3 **SECTION 5.** 8.20 (8) (ae) of the statutes is created to read:

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5 notification that the incumbent is not a candidate for reelection to his or her office
6 or fails to file a declaration of candidacy within the time prescribed in par. (a), the
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8 be filed shall promptly publish that fact and relevant information about the office on
9 the Internet and, if time permits, in a class 1 notice under ch. 985.

which
whom

Insert 5.120.06

10 **SECTION 6. Initial applicability.**

11 (1) This act first applies to the April 7, 2020, election.

12 (END) 5, 2021



Today
1/13

Treasury
LRB-5368/P1
MPG:klm

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

11

1 **AN ACT to create** 8.05 (1) (j) 2m., 8.10 (2) (am), 8.15 (1m), 8.20 (8) (ae) and 120.06
2 (6) (b) 3m. of the statutes; **relating to:** public notice of noncandidacy for
3 incumbent local elected officials.

Analysis by the Legislative Reference Bureau

Under current law, there is no public notice requirement when an incumbent local elected official whose office is up for election either files a notification of noncandidacy or fails to file a notification of candidacy within a specified time frame.

Under this bill, if such an incumbent files a notification of noncandidacy or fails to file a notification of candidacy, that fact and relevant information about the office must be posted on the Internet and, if time permits, published one time in a local newspaper. The bill's public notice requirement applies to the clerk or other officer or body with whom current law requires a notice of candidacy to be filed for a particular office.

For further information see the *local* fiscal estimate, which will be printed as an appendix to this bill.

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4 other officer or body with whom the declaration of candidacy is required to be filed
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6 Internet and, if time permits, in a class 1 notice under ch. 985.

****NOTE: Only candidates certified at a caucus under s. 8.05 (1) would be allowed
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In light of that fact, please let me know if you think this public notice requirement is not
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9 notification that the incumbent is not a candidate for reelection to his or her office
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8 declaration of candidacy within the time prescribed by this paragraph, the school
9 district clerk shall promptly publish that fact and relevant information about the
10 office on the Internet and, if time permits, in a class 1 notice under ch. 985.

11 **SECTION 6. Initial applicability.**

12 (1) This act first applies to the April 5, 2021, election.

13 (END)

Parisi, Lori

From: Rep.Ramthun
Sent: Wednesday, January 22, 2020 4:16 PM
To: LRB.Legal
Subject: Draft Review: LRB -5368/1

Please Jacket LRB -5368/1 for the ASSEMBLY.