



State of Wisconsin
2021 - 2022 LEGISLATURE

LRB-0851/1
MPG:klm

2021 ASSEMBLY BILL 51

February 10, 2021 - Introduced by Representatives RAMTHUN, BROOKS, CABRERA, DITTRICH, GUNDRUM, KNODL, KUGLITSCH, MAGNAFICI, MOSES, ROZAR, STEFFEN and WICHGERS, cosponsored by Senators STROEBEL, FELZKOWSKI and MARKLEIN. Referred to Committee on Campaigns and Elections.

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 declaration of candidacy within a specified time frame.

Under this bill, if such an incumbent files a notification of noncandidacy or fails to file a declaration of candidacy, that fact must be posted on the Internet or in three different locations within the relevant jurisdiction if there is no Internet site. The bill's public notice requirement applies to the officer or body with whom current law requires a declaration of candidacy to be filed for a particular office.

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

4 **SECTION 1.** 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

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1 declaration of candidacy within the time prescribed by this paragraph, the officer or
2 body with whom the declaration of candidacy is required to be filed shall promptly
3 provide public notice of that fact on the officer's or body's Internet site or, if the officer
4 or body does not maintain an Internet site, by posting notices in at least 3 different
5 locations within the jurisdiction that the officer or body serves.

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

7 8.10 (2) (am) If, under par. (a), an incumbent holding local office files written
8 notification that the incumbent is not a candidate for reelection to his or her office
9 or fails to file a declaration of candidacy within the time prescribed in par. (a), the
10 officer or body with whom the declaration of candidacy is required to be filed shall
11 promptly provide public notice of that fact on the officer's or body's Internet site or,
12 if the officer or body does not maintain an Internet site, by posting notices in at least
13 3 different locations within the jurisdiction that the officer or body serves.

14 **SECTION 3.** 8.15 (1m) of the statutes is created to read:

15 8.15 (1m) If, under sub. (1), an incumbent holding local office files written
16 notification that the incumbent is not a candidate for reelection to his or her office
17 or fails to file a declaration of candidacy within the time prescribed in sub. (1), the
18 officer or body with whom the declaration of candidacy is required to be filed shall
19 promptly provide public notice of that fact on the officer's or body's Internet site or,
20 if the officer or body does not maintain an Internet site, by posting notices in at least
21 3 different locations within the jurisdiction that the officer or body serves.

22 **SECTION 4.** 8.20 (8) (ae) of the statutes is created to read:

23 8.20 (8) (ae) If, under par. (a), an incumbent holding local office files written
24 notification that the incumbent is not a candidate for reelection to his or her office
25 or fails to file a declaration of candidacy within the time prescribed in par. (a), the

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1 officer or body with whom the declaration of candidacy is required to be filed shall
2 promptly provide public notice of that fact on the officer's or body's Internet site or,
3 if the officer or body does not maintain an Internet site, by posting notices in at least
4 3 different locations within the jurisdiction that the officer or body serves.

5 **SECTION 5.** 120.06 (6) (b) 3m. of the statutes is created to read:

6 120.06 **(6)** (b) 3m. If, under subd. 3., an incumbent files written notification that
7 the incumbent is not a candidate for reelection to his or her office or fails to file a
8 declaration of candidacy within the time prescribed by this paragraph, the school
9 district clerk shall promptly provide public notice of that fact on the school district's
10 Internet site or, if the school district does not maintain an Internet site, by posting
11 notices in at least 3 different locations within the school district.

12 **SECTION 6. Initial applicability.**

13 (1) This act first applies to the April 5, 2022, election.

14 (END)