



State of Wisconsin
2003 - 2004 LEGISLATURE

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ASSEMBLY SUBSTITUTE AMENDMENT 1,
TO 2003 ASSEMBLY BILL 848

March 2, 2004 - Offered by Representative FREESE.

1 **AN ACT to amend** 8.10 (3) (intro.), 8.15 (4) (a), 8.20 (3), 8.40 (2) and 9.10 (2) (em)
2 2. of the statutes; **relating to:** the qualifications of nomination paper and
3 petition circulators.

Analysis by the Legislative Reference Bureau

Under current law, each nomination paper and petition for an election must be circulated by a qualified elector of the jurisdiction or district in which the paper or petition is circulated. The circulator must certify at the bottom of the paper or petition sheet that he or she is a qualified elector of the jurisdiction or district, that the circulator personally circulated the paper or petition and personally obtained each of the signatures, that he or she knows that they are electors of the jurisdiction or district, that he or she knows that they signed the paper or petition with full knowledge of its content, that he or she knows their residences, that he or she knows that each signer signed on the date stated and opposite his or her name, and, if a nomination paper, that the circulator intends to support the candidate named on the paper.

This substitute amendment provides that the circulator of a paper or petition need only be a U.S. citizen who has not been convicted of treason, a felony, or bribery or, is so convicted, has had his or her civil rights restored. With that exception, the

substitute amendment requires the circulator to make the same certifications as provided in current law.

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

1 **SECTION 1.** 8.10 (3) (intro.) of the statutes is amended to read:

2 8.10 (3) (intro.) The certification of ~~a qualified elector~~ under s. 8.15 (4) (a) of
3 a U.S. citizen age 18 or older who has not been convicted of treason, a felony, or
4 bribery, unless the person's civil rights are restored, shall be appended to each
5 nomination paper. The number of required signatures on nomination papers filed
6 under this section is as follows:

7 **SECTION 2.** 8.15 (4) (a) of the statutes is amended to read:

8 8.15 (4) (a) The certification of ~~a qualified elector~~ U.S. citizen age 18 or older
9 who has not been convicted of treason, a felony, or bribery, unless the person's civil
10 rights are restored, stating his or her residence with street and number, if any, shall
11 appear at the bottom of each nomination paper, stating he or she personally
12 circulated the nomination paper and personally obtained each of the signatures; he
13 or she knows they are electors of the ward, aldermanic district, municipality or
14 county, as the nomination papers require; he or she knows they signed the paper with
15 full knowledge of its content; he or she knows their respective residences given; he
16 or she knows each signer signed on the date stated opposite his or her name; and, that
17 he or she, the circulator, ~~resides within the district which the candidate named~~
18 ~~therein will represent, if elected~~ is a U.S. citizen age 18 or older who has not been
19 convicted of treason, a felony, or bribery, unless the person's civil rights are restored;
20 that he or she intends to support the candidate; and that he or she is aware that
21 falsifying the certification is punishable under s. 12.13 (3) (a), Wis. stats. The

1 circulator shall indicate the date that he or she makes the certification next to his
2 or her signature. The certification may be made by the candidate or any qualified
3 elector other adult U.S. citizen age 18 or older who has not been convicted of treason,
4 a felony, or bribery, unless the person's civil rights are restored.

5 **SECTION 3.** 8.20 (3) of the statutes is amended to read:

6 8.20 (3) The certification of ~~an elector~~ under s. 8.15 (4) (a), of a U.S. citizen age
7 18 or older who has not been convicted of treason, a felony, or bribery, unless the
8 person's civil rights are restored, shall be appended to each nomination paper.

9 **SECTION 4.** 8.40 (2) of the statutes is amended to read:

10 8.40 (2) The certification of a ~~qualified elector~~ U.S. citizen age 18 or older who
11 has not been convicted of treason, a felony, or bribery, unless the person's civil rights
12 are restored, stating his or her residence with street and number, if any, shall appear
13 at the bottom of each separate sheet of each petition specified in sub. (1), stating that
14 he or she personally circulated the petition and personally obtained each of the
15 signatures; that the circulator knows that they are electors of the jurisdiction or
16 district in which the petition is circulated; that the circulator knows that they signed
17 the paper with full knowledge of its content; that the circulator knows their
18 respective residences given; that the circulator knows that each signer signed on the
19 date stated opposite his or her name; that the circulator ~~resides within the~~
20 ~~jurisdiction or district in which the petition is circulated~~ is a U.S. citizen age 18 or
21 older who has not been convicted of treason, a felony, or bribery, unless the person's
22 civil rights are restored; and that the circulator is aware that falsifying the
23 certification is punishable under s. 12.13 (3) (a). The circulator shall indicate the
24 date that he or she makes the certification next to his or her signature.

25 **SECTION 5.** 9.10 (2) (em) 2. of the statutes is amended to read:

