



WISCONSIN LEGISLATIVE COUNCIL AMENDMENT MEMO

2017 Senate Bill 102	Senate Amendment 1
<i>Memo published: April 24, 2017</i> <i>Contact: Katie Bender-Olson, Senior Staff Attorney</i>	

2017 SENATE BILL 102

Senate Bill 102 makes several changes relating to recounts of elections. The bill limits which candidates may request a recount by requiring a candidate to be within a specified vote margin of a leading candidate in order to request a recount. Senate Bill 102 also allows costs incurred by the Wisconsin Elections Commission to be calculated into the recount fee amount paid by a petitioner, and provides county boards of canvassers an additional day to convene and begin a recount. In addition, the bill extends from 30 to 45 days the time for a recount petitioner to pay any outstanding recount fee balance owed and the time for a clerk or the Wisconsin Elections Commission to refund any recount fee overpayment. Finally, Senate Bill 102 shortens the deadline for requesting a recount by two business days.

SENATE AMENDMENT 1

Senate Amendment 1 shortens the deadline for requesting a recount for president, but maintains the current law deadline for requesting any other recount.

Senate Bill 102 shortens the deadline for requesting a recount from 5 p.m. on the third business day to 5 p.m. on the first business day following the last meeting day of the municipal or county board of canvassers determining the election for that office or that referendum question following canvassing of all provisional ballots, or if more than one board of canvassers makes the determination, the first business day following the last meeting day of the last board of canvassers which makes a determination following canvassing of all valid provisional ballots.

Senate Amendment 1 maintains the deadline of 5 p.m. on the *third business day*, but provides that with regard to an election for president, a petitioner must file a recount request

by 5 p.m. on the *first business day* following the day on which the commission receives the last statement from a county board of canvassers for the election following canvassing of all valid provisional ballots.

Senate Amendment 1 also resolves a statutory inconsistency regarding the deadline for a county board of canvassers to meet and begin a recount.

BILL HISTORY

Senate Amendment 1 was offered by Senator LeMahieu. On April 19, 2017, the Senate Committee on Elections and Utilities recommended adoption of Senate Amendment 1 on a vote of Ayes, 3; Noes, 2. The committee then recommended passage of Senate Bill 102, as amended, on a vote of Ayes, 3; Noes, 2.

KBO:jal