



State of Wisconsin
2023 - 2024 LEGISLATURE

LRB-3193/1
KRP:skw

2023 ASSEMBLY BILL 345

June 30, 2023 - Introduced by Representatives DONOVAN, BRANDTJEN, DUCHOW, EDMING, GUSTAFSON, MICHALSKI, MOSES, MURPHY and SCHRAA, cosponsored by Senators HUTTON, KNODL and ROYS. Referred to Committee on Judiciary.

1 **AN ACT to amend** 757.02 (2) of the statutes; **relating to:** prohibiting a judge from
2 seeking or holding a nonjudicial office of public trust while serving in the office
3 to which the judge was elected or appointed.

Analysis by the Legislative Reference Bureau

This bill provides that a judge of any court of record in this state, including a justice of the state supreme court, may not seek or hold an office of public trust, other than a judicial office, while serving in the judicial office to which the judge was elected or appointed. Current law prohibits a judge from holding an office of public trust during the term for which the judge was elected or appointed. The Wisconsin Supreme Court, in *Wagner v. Milwaukee County Election Commission*, 2003 WI 103, has interpreted this provision of current law to prohibit a judge from seeking elected office for the duration of the term, regardless of whether the judge resigns from his or her judicial office.

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

4 **SECTION 1.** 757.02 (2) of the statutes is amended to read:
5 757.02 (2) The judge of any court of record in this state shall be ineligible to seek
6 or hold any office of public trust, except a judicial office, ~~during the term for which~~

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SECTION 1

1 ~~he or she~~ while serving in the judicial office to which the judge was elected or
2 appointed.

3 (END)