

State of Wisconsin



2023 Assembly Bill 543

Date of enactment:
Date of publication*:

2023 WISCONSIN ACT

AN ACT to amend 7.41 (2) and 9.01 (1) (b) 11.; and to create 7.41 (4m) of the statutes; relating to: election observers and providing a penalty.

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

SECTION 1. 7.41 (2) of the statutes is amended to read:

7.41 (2) The chief inspector or municipal clerk may restrict the location of any individual exercising the right under sub. (1) to certain areas within a polling place, the clerk's office, or alternate site under s. 6.855. The chief inspector or municipal clerk shall clearly designate observation areas for election observers under sub. (1). The observation areas shall be not less more than 3 feet from ~~not more than 8 feet from~~ the table at which electors announce their name and address to be issued a voter number at the polling place, office, or alternate site and not less more than 3 feet from ~~not more than 8 feet from~~ the table at which a person may register to vote at the polling place, office, or alternate site. The observation areas shall be so positioned to permit any election observer to readily observe all public aspects of the voting process. Any election official who violates this subsection may be imprisoned in the county jail for not more than 90 days or fined not more than \$1,000 or both.

SECTION 2. 7.41 (4m) of the statutes is created to read:

7.41 (4m) The municipal clerk, chief inspector, and board of canvassers shall provide election observers uniform and nondiscriminatory access to all stages of the election process, including the certification of election technologies, absentee voting in person, canvassing, elector appeals, vote tabulation, and recounts. Any election official who violates this subsection may be imprisoned in the county jail for not more than 90 days or fined not more than \$1,000 or both.

SECTION 2m. 9.01 (1) (b) 11. of the statutes is amended to read:

9.01 (1) (b) 11. All steps of the recount shall be performed publicly and in accordance with s. 7.41. Except as provided in subd. 12., all materials and ballots may be viewed and identified by the candidates, the person demanding the recount and their authorized representatives and counsel, but only members of the board of canvassers and tabulators assisting them may touch any of the materials or ballots. The candidates, the person demanding the recount and their authorized representatives and counsel may object to the counting of any ballot. Any errors shall be corrected.

* Section 991.11, WISCONSIN STATUTES: Effective date of acts. "Every act and every portion of an act enacted by the legislature over the governor's partial veto which does not expressly prescribe the time when it takes effect shall take effect on the day after its date of publication."