



State of Wisconsin  
2023 - 2024 LEGISLATURE

LRBs0173/1  
JK:cjs/amn/skw

ASSEMBLY SUBSTITUTE AMENDMENT 1,  
TO ASSEMBLY BILL 298

November 8, 2023 - Offered by Representatives SORTWELL and ORTIZ-VELEZ.

1     **AN ACT** *to renumber and amend* 5.25 (3); and *to create* 5.25 (3) (a) 1. to 5., 5.25  
2           (3) (b), 5.25 (3) (c) and 5.25 (3) (d) of the statutes; **relating to:** polling place  
3           closures.

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***Analysis by the Legislative Reference Bureau***

Under current law, polling places are required to be established for each election at least 30 days before the election. Under this bill, under no circumstance may a municipality close more than one-half of its polling places within 30 days before an election. Additionally, the bill prohibits a municipality from closing any polling place within 30 days before an election unless the majority of the members-elect of the governing body makes a finding of emergency, both the majority of the members-elect of the governing body and the municipal clerk approve the closure, and the municipal clerk does all of the following

1. Posts public notice of the closure on the municipality's website or, if the municipality does not maintain a website, posts notices in at least three different locations within the municipality reasonably calculated to notify the most residents.

2. Publishes three notices in a newspaper likely to give notice in the area notifying the public of the closure.

3. Publishes two notices or one notice in a newspaper likely to give notice in the area if time does not permit publication of three notices.

4. Designates a proper person who shall be stationed at or as near as possible to the closed location to notify all electors of the closure and of their new polling location.

5. In a municipality establishing one polling place only, establishes a new polling location approved by the majority of the members-elect of the governing body and the municipal clerk.

Additionally, under the bill, if after an election and more than 30 days before the next election, a municipality wishes to discontinue a polling place location, the municipality's governing body may approve the discontinuation only after a public hearing at which the public has an opportunity to present testimony on the proposed discontinuation.

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

1           **SECTION 1.** 5.25 (3) of the statutes is renumbered 5.25 (3) (a) (intro.) and  
2 amended to read:

3           5.25 (3) (a) (intro.) Polling places shall be established for each election at least  
4 30 days before the election. Subject to par. (b), no polling place so established in a  
5 municipality may be closed to voters on election day unless the majority of the  
6 members-elect, as defined in s. 66.10015 (1) (bs), of the governing body of the  
7 municipality makes a finding of emergency, both the majority of the members-elect  
8 of the governing body of the municipality and the municipal clerk approve the  
9 closure, and the municipal clerk does all of the following:

10           **SECTION 2.** 5.25 (3) (a) 1. to 5. of the statutes are created to read:

11           5.25 (3) (a) 1. Posts public notice of the closure on the municipality's website  
12 or, if the municipality does not maintain a website, posts notices in at least 3 different  
13 locations within the municipality reasonably calculated to notify the most residents.

14           2. Publishes a class 3 notice under ch. 985 notifying the public of the closure.

15           3. Publishes a class 2 or class 1 notice under ch. 985 notifying the public of the  
16 closure if time does not permit publication of a class 3 notice.

1           4. Designates a proper person who shall be stationed at or as near as possible  
2 to the closed location to notify all electors of the closure and of their new polling  
3 location.

4           5. In a municipality establishing one polling place only, establishes a new  
5 polling location approved by the majority of the members-elect of the governing body  
6 and the municipal clerk.

7           **SECTION 3.** 5.25 (3) (b) of the statutes is created to read:

8           5.25 (3) (b) Under no circumstance may a municipality close more than  
9 one-half of its polling places within 30 days before an election, except as provided in  
10 par (a) 5.

11           **SECTION 4.** 5.25 (3) (c) of the statutes is created to read:

12           5.25 (3) (c) After an election and more than 30 days before the next election,  
13 the location of a polling place in a municipality may not be discontinued without the  
14 approval of the municipality’s governing body after a public hearing at which the  
15 public has an opportunity to present testimony on the proposed discontinuation.

16           **SECTION 5.** 5.25 (3) (d) of the statutes is created to read:

17           5.25 (3) (d) Nothing in this subsection alters the authority of the election  
18 inspectors to adjourn to another location for voting on election day under s. 7.37 (1).

19   (END)