



State of Wisconsin
2019 - 2020 LEGISLATURE

LRB-0326/2
JK:amn

2019 ASSEMBLY BILL 887

February 11, 2020 - Introduced by Representatives SPREITZER, ZAMARRIPA, ANDERSON, HEBL, HESSELBEIN, POPE, SUBECK, C. TAYLOR and VRUWINK. Referred to Committee on Campaigns and Elections.

1 **AN ACT** *to renumber and amend* 8.15 (4) (a) and 8.40 (2); *to amend* 8.04, 8.10
2 (1), 8.10 (2) (b), 8.10 (4) (b), 8.12 (1) (c), 8.15 (2), 8.15 (5) (a), 8.15 (6) (a), 8.20 (2)
3 (a) and 8.20 (5); and *to create* 8.15 (4) (a) 1., 8.15 (6) (ab) and 8.40 (2) (a) 1. of
4 the statutes; **relating to:** nomination signature requirements and circulating
5 or signing nomination papers for more than one candidate for the same office.

Analysis by the Legislative Reference Bureau

This bill allows a person to circulate or sign nomination papers for two or more candidates for the same office in the same election. Under current law, if a person signs nomination papers for two candidates for the same office in the same election, the earlier signature is valid and the later signature is invalid. In addition, current law provides that if a person circulates a nomination paper for two candidates for the same office in the same election at different times, the earlier paper is valid and the later paper is invalid.

The bill also changes the number of signatures required for nomination papers for state treasurer and secretary of state so that the number must be not less than 1,000 nor more than 2,000. Under current law, the number of signatures required for nomination papers for state treasurer and secretary of state is not less than 2,000 nor more than 4,000. In addition, the bill changes the number of signatures required for a petition to appear on the presidential primary ballot to not less than 250 nor more than 500 for each congressional district. Under current law, the number of signatures required for such a petition is not less than 1,000 nor more than 1,500 for each congressional district.

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Current law requires a person who circulates nomination papers to certify that he or she knows that the signers are electors of the ward, aldermanic district, municipality, or county to which the nomination paper relates. Current law also requires the circulator to certify that he or she knows the residences given by the signers. Under the bill, the circulator must certify that, to the best of his or her knowledge, the signers are all electors of the appropriate ward, aldermanic district, municipality, or county and that, to the best of his or her knowledge, the residences given by the signers are actual residences.

Finally, current law requires an individual who is circulating nomination papers to certify that he or she intends to support the candidate for whom the individual is circulating the papers. The bill eliminates that requirement.

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

1 **SECTION 1.** 8.04 of the statutes is amended to read:

2 **8.04 Nomination paper signatures.** ~~If any A person signs may sign~~
3 nomination papers for 2 or more candidates for the same office in the same election
4 ~~at different times, the earlier signature is valid and the later signature is invalid.~~
5 ~~If any. A person circulates a nomination paper may circulate nomination papers for~~
6 ~~2 or more candidates for the same office in the same election at different times, the~~
7 ~~earlier paper is valid and the later paper is invalid.~~

8 **SECTION 2.** 8.10 (1) of the statutes is amended to read:

9 8.10 (1) Candidates for office to be filled at the spring election shall be
10 nominated by nomination papers, or by nomination papers and selection at the
11 primary if a primary is held, except as provided for towns and villages under s. 8.05.
12 Unless designated in this section or s. 8.05, the general provisions pertaining to
13 nomination at the partisan primary apply, including the certification requirements
14 under s. 8.15 (4) (a) and (am).

15 **SECTION 3.** 8.10 (2) (b) of the statutes is amended to read:

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1 8.10 (2) (b) Each nomination paper shall have substantially the following
2 words printed at the top:

3 I, the undersigned, request that the name of (insert candidate's last name plus
4 first name, nickname or initial, and middle name, former legal surname, nickname
5 or middle initial or initials if desired, but no other abbreviations or titles), residing
6 at (insert candidate's street address) be placed on the ballot at the (spring or special)
7 election to be held on (date of election) as a candidate so that voters will have the
8 opportunity to vote for (him or her) for the office of (name of office). I am eligible to
9 vote in the (name of jurisdiction or district in which candidate seeks office). ~~I have
10 not signed the nomination paper of any other candidate for the same office at this
11 election.~~

12 **SECTION 4.** 8.10 (4) (b) of the statutes is amended to read:

13 8.10 (4) (b) Only one signature per person for the same office candidate is valid.
14 In addition to his or her signature, in order for the signature to be valid, each signer
15 of a nomination paper shall legibly print his or her name in a space provided next to
16 his or her signature and shall list his or her municipality of residence for voting
17 purposes, the street and number, if any, on which the signer resides, and the date of
18 signing.

19 **SECTION 5.** 8.12 (1) (c) of the statutes is amended to read:

20 8.12 (1) (c) No later than 5 p.m. on the last Tuesday in January of each
21 presidential election year, any person seeking the nomination by the national
22 convention of a political party filing a certification under this subsection for the office
23 of president of the United States, or any committee organized in this state on behalf
24 of and with the consent of such person, may submit to the commission a petition to
25 have the person's name appear on the presidential preference ballot. The petition

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1 may be circulated no sooner than the first Tuesday in January of such year, or the
2 next day if Tuesday is a holiday, and shall be signed by a number of qualified electors
3 equal in each congressional district to not less than ~~1,000~~ 250 signatures nor more
4 than ~~1,500~~ 500 signatures. The form of the petition shall conform to the
5 requirements of s. 8.40. All signers on each separate petition paper shall reside in
6 the same congressional district.

7 **SECTION 6.** 8.15 (2) of the statutes is amended to read:

8 8.15 (2) Only one signature per person for the same office candidate is valid.
9 In addition to his or her signature, in order for the signature to be valid, each signer
10 of a nomination paper shall legibly print his or her name in a space provided next to
11 his or her signature and shall list his or her municipality of residence for voting
12 purposes, the street and number, if any, on which the signer resides, and the date of
13 signing.

14 **SECTION 7.** 8.15 (4) (a) of the statutes is renumbered 8.15 (4) (a) (intro.) and
15 amended to read:

16 8.15 (4) (a) (intro.) The certification of a qualified circulator ~~stating his or her~~
17 ~~residence with street and number, if any,~~ shall appear at the bottom of each
18 nomination paper, ~~stating he or she~~ and shall state all of the following:

19 2. That the circulator personally circulated the nomination paper and
20 personally obtained each of the signatures; ~~he or she knows they.~~

21 3. That, to the best of the circulator's knowledge, the signers are electors of the
22 ward, aldermanic district, municipality, or county, as the nomination papers require;
23 ~~he or she knows they.~~

24 4. That the circulator knows the signers signed the paper with full knowledge
25 of its content; ~~he or she knows their respective.~~

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1 5. That, to the best of the circulator's knowledge, the residences given; he or she
2 by the signers are actual residences.

3 6. That the circulator knows each signer signed on the date stated opposite his
4 or her name; ~~and, that he or she,~~

5 7. That the circulator, is a qualified elector of this state, or if not a qualified
6 elector of this state, is a U.S. citizen age 18 or older who, if he or she were a resident
7 of this state, would not be disqualified from voting under s. 6.03; ~~that he or she~~
8 ~~intends to support the candidate; and that he or she.~~

9 8. That the circulator is aware that falsifying the certification is punishable
10 under s. 12.13 (3) (a).

11 (am) The circulator shall indicate the date that he or she makes the
12 certification next to his or her signature. The certification may be made by the
13 candidate or any qualified circulator.

14 **SECTION 8.** 8.15 (4) (a) 1. of the statutes is created to read:

15 8.15 (4) (a) 1. The circulator's residence with street and number, if any.

16 **SECTION 9.** 8.15 (5) (a) of the statutes is amended to read:

17 8.15 (5) (a) Each nomination paper shall have substantially the following
18 words printed at the top:

19 I, the undersigned, request that the name of (insert candidate's last name plus
20 first name, nickname or initial, and middle name, former legal surname, nickname
21 or middle initial or initials if desired, but no other abbreviations or titles) residing
22 at (insert candidate's street address) be placed on the ballot at the (general or special)
23 election to be held on (date of election) as a candidate representing the (name of
24 party) so that voters will have the opportunity to vote for (him or her) for the office
25 of (name of office). I am eligible to vote in (name of jurisdiction or district in which

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1 candidate seeks office). ~~I have not signed the nomination paper of any other~~
2 ~~candidate for the same office at this election.~~

3 **SECTION 10.** 8.15 (6) (a) of the statutes is amended to read:

4 8.15 (6) (a) ~~For~~ Except as provided in par. (ab), for statewide offices, not less
5 than 2,000 nor more than 4,000 electors.

6 **SECTION 11.** 8.15 (6) (ab) of the statutes is created to read:

7 8.15 (6) (ab) For the offices of secretary of state and state treasurer, not less
8 than 1,000 nor more than 2,000 electors.

9 **SECTION 12.** 8.20 (2) (a) of the statutes is amended to read:

10 8.20 (2) (a) Nomination is by nomination papers. Each nomination paper shall
11 have substantially the following words printed at the top:

12 I, the undersigned, request that the name of (insert candidate's last name plus
13 first name, nickname or initial, and middle name, former legal surname, nickname
14 or middle initial or initials if desired, but no other abbreviations or titles), residing
15 at (insert candidate's street address) be placed on the ballot at the (general or special)
16 election to be held on (date of election) as a candidate [(representing the (name of
17 party)) or (representing the principle(s) of (statement of principles))] so that voters
18 will have the opportunity to vote for (him or her) for the office of (name of office). I
19 am eligible to vote in the (name of jurisdiction or district in which candidate seeks
20 office). ~~I have not signed the nomination paper of any other candidate for the same~~
21 ~~office at this election.~~

22 **SECTION 13.** 8.20 (5) of the statutes is amended to read:

23 8.20 (5) Only one signature per person for the same office candidate is valid.
24 In addition to his or her signature, in order for the signature to be valid, each signer
25 shall legibly print his or her name in a space provided next to his or her signature

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1 and shall list his or her municipality of residence for voting purposes, the street and
2 number, if any, on which the signer resides, and the date of signing. Signers of each
3 nomination paper shall reside in the same jurisdiction or district which the
4 candidate named therein will represent, if elected.

5 **SECTION 14.** 8.40 (2) of the statutes is renumbered 8.40 (2) (a) (intro.) and
6 amended to read:

7 8.40 (2) (a) (intro.) The certification of a qualified circulator ~~stating his or her~~
8 ~~residence with street and number, if any,~~ shall appear at the bottom of each separate
9 sheet of each petition specified in sub. (1), ~~stating that he or she~~ and shall state all
10 of the following:

11 2. That the circulator personally circulated the petition and personally
12 obtained each of the signatures; ~~that the circulator knows that they.~~

13 3. That, to the best of the circulator's knowledge, the signers are electors of the
14 jurisdiction or district in which the petition is circulated; ~~that.~~

15 4. That the circulator knows that ~~they~~ the signers signed the paper with full
16 knowledge of its content; ~~that the circulator knows their respective.~~

17 5. That, to the best of the circulator's knowledge, the residences given; ~~that by~~
18 the signers are actual residences.

19 6. That the circulator knows that each signer signed on the date stated opposite
20 his or her name; ~~that.~~

21 7. That the circulator is a qualified elector of this state, or if not a qualified
22 elector of this state, that the circulator is a U.S. citizen age 18 or older who, if he or
23 she were a resident of this state, would not be disqualified from voting under s. 6.03;
24 ~~and that.~~

