

State of Wisconsin



2019 Senate Bill 422

Date of enactment: **March 3, 2020**
Date of publication*: **March 4, 2020**

2019 WISCONSIN ACT 182

AN ACT *to amend* 7.53 (4), 7.60 (6) and 7.70 (5) (a) of the statutes; **relating to:** time for issuing a certificate of election.

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

SECTION 1. 7.53 (4) of the statutes is amended to read:

7.53 (4) CERTIFICATE OF ELECTION. As soon as the deadline for filing a petition for a recount has passed, the municipal clerk shall issue promptly a certificate of election to each person elected to any municipal office, except that the municipal clerk need not wait until expiration of the time allowed to file a petition for a recount if there is no aggrieved party, as defined in s. 9.01 (1) (a) 5. When a valid petition for a recount is filed, the municipal clerk shall not issue the certificate of election for the office in question until the recount has been completed and the time allowed for filing an appeal has passed, or if appealed until the appeal is decided.

SECTION 2. 7.60 (6) of the statutes is amended to read:

7.60 (6) CERTIFICATE OF ELECTION. Immediately after expiration of the time allowed to file a petition for a recount the county clerk shall issue a certificate of election to each person who is elected to any county office, except that the county clerk need not wait until expiration of the time allowed to file a petition for a recount if there is no aggrieved party, as defined in s. 9.01 (1) (a) 5. The certificate notice shall state the amount of the required official bond, if any. When a petition for a recount is

filed, the county clerk shall not issue the certificate of election for the office in question until the recount has been completed and the time allowed for filing an appeal has passed, or if appealed until the appeal is decided.

SECTION 3. 7.70 (5) (a) of the statutes is amended to read:

7.70 (5) (a) The commission shall record in its office each certified statement and determination made by the commission chairperson or the chairperson's designee. Immediately after the expiration of the time allowed to file a petition for recount, the commission shall make and transmit to each person declared elected a certificate of election under the seal of the commission, except that the commission need not wait until expiration of the time allowed to file a petition for recount if there is no aggrieved party, as defined in s. 9.01 (1) (a) 5. It shall also prepare similar certificates, attested by the commission administrator, addressed to the U.S. house of representatives, stating the names of those persons elected as representatives to the congress from this state. In the case of U.S. senators, the commission shall prepare a certificate of election for the governor's signature, and the governor shall sign and affix the great seal of the state and transmit the certificate to the president of the U.S. senate. The certificate shall be countersigned by the secretary of state. If a person elected was elected to fill a vacancy, the certificate shall so indicate. When a valid petition for

* 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."

recount is filed, the commission chairperson or the chairperson's designee may not certify a nomination, and the governor or commission may not issue a certificate of

election until the recount has been completed and the time allowed for filing an appeal has passed, or if appealed until the appeal is decided.

