



State of Wisconsin
2025 - 2026 LEGISLATURE

LRB-1369/P4
MPG:cs/ew/an/km

DOA:.....Bork, BB0281 - Recount Technical Fix

FOR 2025-2027 BUDGET -- NOT READY FOR INTRODUCTION

AN ACT ...; relating to: the budget.

Analysis by the Legislative Reference Bureau

ELECTIONS

Petitions to complete a partial recount

Under current law, any candidate voted for at an election who is an aggrieved party may petition for a full or partial recount of the votes cast in the jurisdiction or district of the office that the candidate seeks. Current law defines an “aggrieved party” as any of the following:

1. For an election at which 4,000 or fewer votes are cast for the office that the candidate seeks, a candidate who trails the leading candidate by no more than 40 votes.
2. For an election at which more than 4,000 votes are cast for the office that the candidate seeks, a candidate who trails the leading candidate by no more than 1 percent of the total votes cast for that office.

If a candidate who is an aggrieved party petitions for a partial recount, current law provides that the opposing candidate may file a petition for an additional partial or a full recount of the wards or municipalities not subject to the initial partial recount no later than 5 p.m. two days after the initial partial recount is completed.

Under this bill, a candidate must be an aggrieved party in order to petition for an additional partial or a full recount after an initial partial recount is completed. Therefore, if, after an initial partial recount, the opposing candidate becomes an aggrieved party—i.e., the leading candidate becomes the trailing candidate—that opposing candidate may file a petition for an additional partial or a full recount. However, the bill excludes from that authorization to petition for an additional partial or full recount the candidate who filed the petition for the initial partial recount.

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

SECTION 1. 9.01 (4) of the statutes is amended to read:

9.01 (4) RIGHT TO COMPLETE RECOUNT. Whenever a recount petition for part

BILL**SECTION 1**

of the wards within a jurisdiction or district, or for part of the municipalities within a district where there are no wards, is filed under this section, ~~the opposing candidate~~ a candidate, other than the candidate filing that petition, who, upon completion of the partial recount, is an aggrieved party, as determined under s. 9.01 (1) (a) 5., or any voter or other interested party including a municipality if on a referendum question, may similarly file a petition for recount in any or all of the remaining wards or municipalities in the jurisdiction or district. With respect to a petition for a partial recount on a referendum question, any voter or other interested party, including a municipality, may similarly file a petition for recount in any or all of the remaining wards or municipalities in the jurisdiction or district. The Any petition under this subsection shall be filed not later than 5 p.m. 2 days after the board of canvassers completes the first recount. The proper board of canvassers shall reconvene at 9 a.m. on the next business day following the filing of the petition and proceed to recount the ballots in all wards or municipalities specified and to otherwise review the allegations of fact contained in the petition. Any errors shall be corrected.

(END)