



2025 ASSEMBLY BILL 223

April 23, 2025 - Introduced by Representatives PIWOWARCZYK, B. JACOBSON, BROOKS, DITTRICH, DUCHOW, GUNDRUM, KNODL, KREIBICH, MELOTIK, MURPHY, MURSAU, NEDWESKI, O'CONNOR, PENTERMAN, RODRIGUEZ, SPIROS, STEFFEN and TUCKER, cosponsored by Senators WANGGAARD, MARKLEIN, QUINN and TOMCZYK. Referred to Committee on Campaigns and Elections.

1 **AN ACT** *to renumber and amend* 8.40 (2); *to amend* 8.10 (3) (intro.), 8.15 (4)
2 (a), 8.20 (3) and 9.10 (2) (em) 2.; ***to create*** 8.40 (2) (b) of the statutes; **relating**
3 **to:** residency requirements for persons circulating nomination papers or recall
4 petitions.

Analysis by the Legislative Reference Bureau

Under current law, any person may circulate nomination papers for a candidate if the person is eligible to vote in Wisconsin or is a U.S. citizen aged 18 or older who, if he or she were a Wisconsin resident, would not be disqualified from voting in the state. A person is eligible to vote in Wisconsin if he or she is a U.S. citizen aged 18 or older who has resided in an election district in this state for at least 28 consecutive days.

Under this bill, a person must be eligible to vote in Wisconsin in order to circulate nomination papers for a candidate. However, under the bill, nomination papers and petitions for the candidacy of candidates for the offices of president and vice president of the United States may continue to be circulated by any person eligible to vote in Wisconsin or by any U.S. citizen aged 18 or older who, if he or she were a Wisconsin resident, would not be disqualified from voting in the state.

Similarly, under current law, any person who is eligible to vote in Wisconsin or who is a U.S. citizen aged 18 or older and who, if he or she were a Wisconsin

ASSEMBLY BILL 223**SECTION 1**

resident, would not be disqualified from voting in the state may circulate a recall petition.

Under the bill, a person must be eligible to vote in Wisconsin in order to circulate a recall petition and have the signatures on the petition be counted toward a recall.

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

1 **SECTION 1.** 8.10 (3) (intro.) of the statutes is amended to read:

2 8.10 (3) (intro.) The certification of a qualified circulator under s. 8.15 (4) (a)
3 who is a qualified elector of this state shall be appended to each nomination paper.
4 The number of required signatures on nomination papers filed under this section is
5 as follows:

6 **SECTION 2.** 8.15 (4) (a) of the statutes is amended to read:

7 8.15 (4) (a) The certification of a qualified circulator who is a qualified elector
8 of this state stating his or her residence with street and number, if any, shall appear
9 at the bottom of each nomination paper, stating he or she personally circulated the
10 nomination paper and personally obtained each of the signatures; he or she knows
11 they are electors of the ward, aldermanic district, municipality or county, as the
12 nomination papers require; he or she knows they signed the paper with full
13 knowledge of its content; he or she knows their respective residences given; he or
14 she knows each signer signed on the date stated opposite his or her name; and, that
15 he or she, the circulator, is a qualified elector of this state, ~~or if not a qualified~~
16 ~~elector of this state, is a U.S. citizen age 18 or older who, if he or she were a resident~~
17 ~~of this state, would not be disqualified from voting under s. 6.03;~~ that he or she
18 intends to support the candidate; and that he or she is aware that falsifying the
19 certification is punishable under s. 12.13 (3) (a). The circulator shall indicate the

ASSEMBLY BILL 223**SECTION 2**

1 date that he or she makes the certification next to his or her signature. The
2 certification may be made by the candidate or any qualified circulator.

3 **SECTION 3.** 8.20 (3) of the statutes is amended to read:

4 8.20 (3) The certification of a qualified circulator under s. 8.15 (4) (a) who is a
5 qualified elector of this state shall be appended to each nomination paper, except
6 that for candidates for the offices of president and vice president, the certification of
7 the qualified circulator under s. 8.15 (4) (a) shall state that the circulator is a
8 qualified elector of this state, or if not a qualified elector of this state, is a U.S.
9 citizen aged 18 or older who, if he or she were a resident of this state, would not be
10 disqualified from voting under s. 6.03.

11 **SECTION 4.** 8.40 (2) of the statutes is renumbered 8.40 (2) (a) and amended to
12 read:

13 8.40 (2) (a) The certification of a qualified circulator stating his or her
14 residence with street and number, if any, shall appear at the bottom of each
15 separate sheet of each petition specified in sub. (1), stating that he or she personally
16 circulated the petition and personally obtained each of the signatures; that the
17 circulator knows that they are electors of the jurisdiction or district in which the
18 petition is circulated; that the circulator knows that they signed the paper with full
19 knowledge of its content; that the circulator knows their respective residences
20 given; that the circulator knows that each signer signed on the date stated opposite
21 his or her name; that, except as provided in par. (b), the circulator is a qualified
22 elector of this state, or if not a qualified elector of this state, that the circulator is a
23 U.S. citizen age 18 or older who, if he or she were a resident of this state, would not
24 be disqualified from voting under s. 6.03; and that the circulator is aware that

ASSEMBLY BILL 223**SECTION 4**

1 falsifying the certification is punishable under s. 12.13 (3) (a). The circulator shall
2 indicate the date that he or she makes the certification next to his or her signature.

3 **SECTION 5.** 8.40 (2) (b) of the statutes is created to read:

4 8.40 (2) (b) For a recall petition the certification under par. (a) shall state that
5 the circulator is a qualified elector of this state.

6 **SECTION 6.** 9.10 (2) (em) 2. of the statutes is amended to read:

7 9.10 (2) (em) 2. The circulator is not a qualified ~~circulator~~ elector of this state.

8 (END)