



2025 SENATE BILL 205

April 16, 2025 - Introduced by Senators TOMCZYK, FEYEN, CABRAL-GUEVARA and JAMES, cosponsored by Representatives O'CONNOR, KNODL, BROOKS, MURPHY, ARMSTRONG, BEHNKE, DITTRICH, DONOVAN, FRANKLIN, GUNDRUM, GUSTAFSON, KREIBICH, MELOTIK, MURSAU, NEYLON, NOVAK, PIWOWARCZYK, TUCKER and ZIMMERMAN. Referred to Committee on Licensing, Regulatory Reform, State and Federal Affairs.

1 **AN ACT** *to renumber and amend* 13.175; *to amend* 5.35 (6) (a) 1. and 10.01
2 (2) (c); *to create* 13.175 (2) of the statutes; **relating to:** information provided
3 to voters concerning proposed constitutional amendments and other statewide
4 referenda.

Analysis by the Legislative Reference Bureau

Current law requires that each proposed constitutional amendment, contingent referendum, advisory referendum, or other proposal requiring a statewide referendum that is passed by the legislature include a complete statement of the ballot question to be voted on at the referendum. The ballot question may not be worded in such a manner as to require a negative vote to approve a proposition or an affirmative vote to disapprove a proposition. Also under current law, the attorney general must prepare an explanatory statement for each proposed constitutional amendment or other statewide referendum describing the effect of either a “yes” or “no” vote on each ballot question.

This bill eliminates the requirement that the attorney general prepare such an explanatory statement. Instead, the bill requires that each proposal for a constitutional amendment or other statewide referendum that passes both houses of the legislature contain a complete state referendum disclosure notice that includes all of the following:

1. The date of the referendum.

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2. The entire text of the ballot question and proposed constitutional amendment or enactment, if any.

3. To the extent applicable, a plain language summary of current law.

4. An explanation in plain language of the effect of the proposed constitutional amendment or other statewide referendum.

5. An explanation in plain language of the effect of a “yes” vote and the effect of a “no” vote.

Under the bill, the content under items 3 to 5 combined may not exceed one page on paper not less than 8 1/2 inches by 11 inches and printed in at least 12-point font.

Under the bill, the complete state referendum disclosure notice agreed to by both houses of the legislature must be included in the type C notice entitled “Notice of Referendum” that each county clerk must provide prior to any referendum. Current law requires that the text of the type C notice be posted at polling places on election day in such a manner as to be readily observed by voters entering the polling place or waiting in line to vote. As such, the complete state referendum disclosure notice must be so posted at the polls on election day. Additionally, for at least 30 days prior to the date of a statewide referendum, the complete state referendum disclosure notice must be published by the Elections Commission on the website used for voter registration, currently titled MyVote Wisconsin, or other voter public access website maintained by the commission and must be posted by each county clerk at the county clerk’s office and published by the county clerk on the county clerk’s website. Finally, the notice must be included with absentee ballots provided to voters for voting in a statewide referendum.

For further information see the state and local fiscal estimate, which will be printed as an appendix to this bill.

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

1 **SECTION 1.** 5.35 (6) (a) 1. of the statutes is amended to read:

2 5.35 (6) (a) 1. The relevant portions of the voting instructions in the type B
3 notice for the election as specified in s. 10.02 (3) and, for each referendum on the
4 ballot, the text of the type C notice specified in s. 10.01 (2) (c), including the
5 complete state referendum disclosure notice prepared under s. 13.175 (2) for each
6 statewide referendum.

7 **SECTION 2.** 10.01 (2) (c) of the statutes is amended to read:

8 10.01 (2) (c) Type C — The type C notice shall be entitled “Notice of

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1 Referendum”. The notice shall be given whenever a referendum is held. The notice
2 shall contain the complete state referendum disclosure notice prepared under s.
3 13.175 (2) for each statewide referendum and, for each local referendum, the date of
4 the referendum, the entire text of the question and the proposed enactment, if any,
5 as well as an explanatory statement of the effect of either a “yes” or “no” vote. ~~For~~
6 ~~state questions, the statement shall be prepared by the attorney general. For~~
7 county questions, the statement shall be prepared by the corporation counsel. For
8 other questions, the statement shall be prepared by the attorney for the jurisdiction
9 in which the question is submitted. County clerks and, for questions submitted by
10 municipalities or special purpose districts, the clerk of the municipality or special
11 purpose district shall publish the type C notice once at the same time that the type
12 B notice is published. The type C notice shall be printed in the newspaper as close
13 as possible to that portion of the type B notice showing the facsimile referendum
14 ballot.

15 **SECTION 3.** 13.175 of the statutes is renumbered 13.175 (1) and amended to
16 read:

17 13.175 (1) Every proposal for legislation which is to be submitted to the voters
18 for their approval or for an expression of their opinion including, without limitation
19 because of enumeration, proposed constitutional amendments, advisory referenda,
20 and legislation designed to become effective only after ratification by the voters
21 shall include a complete statement of the referendum question upon which the
22 voters shall be requested to vote in the form prescribed under s. 5.64 (2) and a
23 complete state referendum disclosure notice in the form prescribed under sub. (2)
24 (a). No such proposal shall be passed by either house of the legislature unless it

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1 contains the precise wording of the referendum question which is to be submitted to
2 the voters for their approval, expression of opinion, or ratification and the precise
3 wording of the complete state referendum disclosure notice.

4 **SECTION 4.** 13.175 (2) of the statutes is created to read:

5 13.175 (2) (a) The complete state referendum disclosure notice shall include
6 all of the following:

7 1. The date of the referendum.

8 2. The entire text of the ballot question and proposed constitutional
9 amendment or enactment, if any.

10 3. To the extent applicable, a plain language summary of current law.

11 4. An explanation in plain language of the effect of the proposed constitutional
12 amendment or other statewide referendum.

13 5. An explanation in plain language of the effect of a “yes” vote and the effect
14 of a “no” vote.

15 (b) The content of the complete state referendum disclosure notice included
16 under par. (a) 3., 4., and 5. combined may not exceed one page on paper not less than
17 8 1/2 inches by 11 inches and printed in at least 12-point font.

18 (c) 1. The complete state referendum disclosure notice shall be posted with
19 sample ballots for each statewide referendum at the same time and in the same
20 manner in which the sample ballots are posted for public inspection.

21 2. For at least 30 days prior to the date of a statewide referendum, the
22 complete state referendum disclosure notice shall be published by the elections
23 commission on the Internet site that is used by voters for original registration
24 under s. 6.30 (5) or other voter public access website maintained by the elections

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1 commission and shall be posted by each county clerk at the county clerk's office and
2 published by the county clerk on the county clerk's website.

3 3. The complete state referendum disclosure notice shall be included with
4 each official absentee ballot provided to a voter for purposes of voting in a statewide
5 referendum.

6 (END)