

1 **AN ACT** *to repeal* 6.78 (1), 6.78 (2) and 6.78 (3); *to renumber and amend* 6.78
2 (intro.); and *to amend* 67.05 (3) (f) and 120.06 (9) (a) of the statutes; **relating to:**
3 polling hours.

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

JOINT LEGISLATIVE COUNCIL PREFATORY NOTE: This draft was prepared for the joint legislative council's special committee on election law review.

Under current law, the polls at an election in a first, second, or third class city must generally be open from 7 a.m. to 8 p.m. In a village, town, or fourth class city the polls must be open from 9 a.m. to 8 p.m., unless the village, town, or city determines to extend the opening hour to not earlier than 7 a.m. In addition, under current law, the opening hour for polling places in certain school and other special purpose district elections may be extended to not earlier than 7 a.m. even if the governing body of the municipality where a polling place is located does not extend the opening hour.

This draft requires the polls at every election to be open from 7 a.m. to 8 p.m. in all municipalities.

This draft contains an effective date of January 1, 2006.

4 **SECTION 1.** 6.78 (intro.) of the statutes is renumbered 6.78 (1m) and amended to read:
5 6.78 (1m) The polls at any every election shall be open: from 7 a.m. until 8 p.m.
6 **SECTION 2.** 6.78 (1) of the statutes is repealed.
7 **SECTION 3.** 6.78 (2) of the statutes is repealed.
8 **SECTION 4.** 6.78 (3) of the statutes is repealed.
9 **SECTION 5.** 67.05 (3) (f) of the statutes is amended to read:
10 67.05 (3) (f) If a special purpose district calls a referendum to be held in conjunction
11 with a state, county, municipal or judicial election, the polling places for the state, county,

1 municipal or judicial election shall be the polling places for the special purpose district
2 referendum and the municipal election hours shall apply. If no state, county, municipal or
3 judicial election is held on the day of the special purpose district referendum, the governing
4 body of the special purpose district may ~~set the election hours and~~ select the polling places to
5 be used, except as otherwise provided in s. 120.06 (9) (b) in the case of a school district. If
6 a polling place located in the special purpose district that was utilized at the most recent spring
7 or general election is not utilized by the special purpose district, the governing body of the
8 special purpose district shall post a notice on the door of the polling place indicating all polling
9 places open for voting. ~~Election hours set by the governing body of the special purpose district~~
10 ~~for each polling place shall be the same as those provided by the governing body of the~~
11 ~~municipality in which the polling place is located, except that if the opening hour is later than~~
12 ~~7 a.m., the governing body of the special purpose district may extend the opening hour to not~~
13 ~~earlier than 7 a.m.~~ The municipal clerk of each municipality in which a polling place is located
14 shall provide the necessary equipment to operate the polling place.

15 **SECTION 6.** 120.06 (9) (a) of the statutes is amended to read:

16 120.06 (9) (a) The primary and spring elections for school board members shall be
17 conducted by the election officials for state and municipal elections. In a school board election
18 held in conjunction with a state, county, municipal or judicial election, the polling places for
19 the state, county, municipal or judicial election shall be the polling places for the school board
20 election and the municipal election hours shall apply. If no state, county, municipal or judicial
21 election is held on the day of the school board election, the school board may ~~set the election~~
22 ~~hours and~~ select the polling places to be used. The election costs shall be charged as provided
23 in ss. 5.68 and 7.03. ~~Election hours set by the school board shall be the same as those provided~~
24 ~~by the municipal governing body in which the polling place is located, except that if the~~

1 ~~opening hour is later than 7 a.m., the school board may extend the opening hour to not earlier~~
2 ~~than 7 a.m.~~

3 **SECTION 7. Effective date.** This act takes effect on January 1, 2006.

4 **(END)**