



2019 SENATE BILL 741

January 29, 2020 - Introduced by Senators STROEBEL, L. TAYLOR and BERNIER, cosponsored by Representatives RAMTHUN, DITTRICH, EDMING, GUNDRUM, KNODL and STEFFEN. Referred to Committee on Elections, Ethics and Rural Issues.

1 **AN ACT to create** 8.05 (1) (j) 2m., 8.10 (2) (am), 8.15 (1m), 8.20 (8) (ae) and 120.06
2 (6) (b) 3m. of the statutes; **relating to:** public notice of noncandidacy for
3 incumbent local elected officials.

Analysis by the Legislative Reference Bureau

Under current law, there is no public notice requirement when an incumbent local elected official whose office is up for election either files a notification of noncandidacy or fails to file a notification of candidacy within a specified time frame.

Under this bill, if such an incumbent files a notification of noncandidacy or fails to file a notification of candidacy, that fact and relevant information about the office must be posted on the Internet and, if time permits, published one time in a local newspaper. The bill's public notice requirement applies to the clerk or other officer or body with whom current law requires a notice of candidacy to be filed for a particular office.

For further information see the *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:

4 **SECTION 1.** 8.05 (1) (j) 2m. of the statutes is created to read:

SENATE BILL 741**SECTION 1**

1 8.05 (1) (j) 2m. If, under subd. 2., an incumbent files written notification that
2 the incumbent is not a candidate for reelection to his or her office or fails to file a
3 declaration of candidacy within the time prescribed by this paragraph, the clerk or
4 other officer or body with whom the declaration of candidacy is required to be filed
5 shall promptly publish that fact and relevant information about the office on the
6 Internet and, if time permits, in a class 1 notice under ch. 985.

7 **SECTION 2.** 8.10 (2) (am) of the statutes is created to read:

8 8.10 (2) (am) If, under par. (a), an incumbent holding local office files written
9 notification that the incumbent is not a candidate for reelection to his or her office
10 or fails to file a declaration of candidacy within the time prescribed in par. (a), the
11 clerk or other officer or body with whom the declaration of candidacy is required to
12 be filed shall promptly publish that fact and relevant information about the office on
13 the Internet and, if time permits, in a class 1 notice under ch. 985.

14 **SECTION 3.** 8.15 (1m) of the statutes is created to read:

15 8.15 (1m) If, under sub. (1), an incumbent holding local office files written
16 notification that the incumbent is not a candidate for reelection to his or her office
17 or fails to file a declaration of candidacy within the time prescribed in sub. (1), the
18 clerk or other officer or body with whom the declaration of candidacy is required to
19 be filed shall promptly publish that fact and relevant information about the office on
20 the Internet and, if time permits, in a class 1 notice under ch. 985.

21 **SECTION 4.** 8.20 (8) (ae) of the statutes is created to read:

22 8.20 (8) (ae) If, under par. (a), an incumbent holding local office files written
23 notification that the incumbent is not a candidate for reelection to his or her office
24 or fails to file a declaration of candidacy within the time prescribed in par. (a), the
25 clerk or other officer or body with whom the declaration of candidacy is required to

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1 be filed shall promptly publish that fact and relevant information about the office on
2 the Internet and, if time permits, in a class 1 notice under ch. 985.

3 **SECTION 5.** 120.06 (6) (b) 3m. of the statutes is created to read:

4 120.06 **(6)** (b) 3m. If, under subd. 3., an incumbent files written notification that
5 the incumbent is not a candidate for reelection to his or her office or fails to file a
6 declaration of candidacy within the time prescribed by this paragraph, the school
7 district clerk shall promptly publish that fact and relevant information about the
8 office on the Internet and, if time permits, in a class 1 notice under ch. 985.

9 **SECTION 6. Initial applicability.**

10 (1) This act first applies to the April 5, 2021, election.

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(END)