



2013 ASSEMBLY BILL 128

April 4, 2013 - Introduced by Representatives A. OTT, BIES, BROOKS, CRAIG, KESTELL, KLEEFISCH, LEMAHIEU, LOUDENBECK, MURPHY, MURTHA, PETERSEN, RIPP, SANFELIPPO, SCHRAA, SPIROS, STRACHOTA, STROEBEL, THIESFELDT, TITTL and KAPENGA, cosponsored by Senators HARSDORF, OLSEN and SCHULTZ. Referred to Committee on Campaigns and Elections.

1 **AN ACT to amend** 9.10 (2) (b) and 9.10 (2) (d) of the statutes; **relating to:** recall
2 petition requirements.

Analysis by the Legislative Reference Bureau

Under current law, a petition for the recall of a city, village, town, town sanitary district, or school district officer, in addition to other requirements, must indicate a reason for the recall that is related to the officer's official responsibilities. Under this bill, any person who wishes to circulate a petition for the recall of a city, village, town, town sanitary district, or school district officer must include with the person's registration under the campaign finance laws a statement indicating that the officer for whom the recall is sought has been charged with committing a crime or violating a code of ethics law applicable to local officials. The person must also include a copy of the criminal or civil complaint alleging the crime or violation.

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

3 **SECTION 1.** 9.10 (2) (b) of the statutes is amended to read:
4 9.10 (2) (b) A recall petition for a city, village, town, town sanitary district, or
5 school district office officer shall contain a statement of a reason for the recall which
6 is related to the official responsibilities of indicating that the official for whom

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1 removal is sought has been charged with committing a crime, as defined under s.
2 939.12, violating s. 19.59 (1), or violating a local ordinance establishing a local code
3 of ethics, as provided under s. 19.59 (1m).

4 **SECTION 2.** 9.10 (2) (d) of the statutes is amended to read:

5 9.10 (2) (d) No petition may be offered for filing for the recall of an officer unless
6 the petitioner first files a registration statement under s. 11.05 (1) or (2) with the
7 filing officer with whom the petition is filed. The petitioner shall append to the
8 registration a statement indicating his or her intent to circulate a recall petition, the
9 name of the officer for whom recall is sought and, in the case of a petition for the recall
10 of a city, village, town, town sanitary district, or school district officer, a statement
11 of a reason for the recall ~~which is related to the official responsibilities of~~ indicating
12 that the official for whom removal is sought has been charged with committing a
13 crime, as defined under s. 939.12, violating s. 19.59 (1), or violating a local ordinance
14 establishing a local code of ethics, as provided under s. 19.59 (1m), and a copy of the
15 criminal or civil complaint alleging the crime or violation. No petitioner may
16 circulate a petition for the recall of an officer prior to completing registration. The
17 last date that a petition for the recall of an officer may be offered for filing is 5 p.m.
18 on the 60th day commencing after registration. After the recall petition has been
19 offered for filing, no name may be added or removed. No signature may be counted
20 unless the date of the signature is within the period provided in this paragraph.

21 (END)