



State of Wisconsin  
2021 - 2022 LEGISLATURE

LRB-0851/1  
MPG:klm

## 2021 ASSEMBLY BILL 51

February 10, 2021 - Introduced by Representatives RAMTHUN, BROOKS, CABRERA, DITTRICH, GUNDRUM, KNODL, KUGLITSCH, MAGNAFICI, MOSES, ROZAR, STEFFEN and WICHGERS, cosponsored by Senators STROEBEL, FELZKOWSKI and MARKLEIN. Referred to Committee on Campaigns and Elections.

\*\*\*AUTHORS SUBJECT TO CHANGE\*\*\*

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 declaration of candidacy within a specified time frame.

Under this bill, if such an incumbent files a notification of noncandidacy or fails to file a declaration of candidacy, that fact must be posted on the Internet or in three different locations within the relevant jurisdiction if there is no Internet site. The bill's public notice requirement applies to the officer or body with whom current law requires a declaration of candidacy to be filed for a particular office.

---

***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:  
5           8.05 (1) (j) 2m. If, under subd. 2., an incumbent files written notification that  
6           the incumbent is not a candidate for reelection to his or her office or fails to file a

**ASSEMBLY BILL 51****SECTION 1**

1 declaration of candidacy within the time prescribed by this paragraph, the officer or  
2 body with whom the declaration of candidacy is required to be filed shall promptly  
3 provide public notice of that fact on the officer's or body's Internet site or, if the officer  
4 or body does not maintain an Internet site, by posting notices in at least 3 different  
5 locations within the jurisdiction that the officer or body serves.

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

7 8.10 (2) (am) If, under par. (a), an incumbent holding local office files written  
8 notification that the incumbent is not a candidate for reelection to his or her office  
9 or fails to file a declaration of candidacy within the time prescribed in par. (a), the  
10 officer or body with whom the declaration of candidacy is required to be filed shall  
11 promptly provide public notice of that fact on the officer's or body's Internet site or,  
12 if the officer or body does not maintain an Internet site, by posting notices in at least  
13 3 different locations within the jurisdiction that the officer or body serves.

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 officer or body with whom the declaration of candidacy is required to be filed shall  
19 promptly provide public notice of that fact on the officer's or body's Internet site or,  
20 if the officer or body does not maintain an Internet site, by posting notices in at least  
21 3 different locations within the jurisdiction that the officer or body serves.

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

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

**ASSEMBLY BILL 51**

1 officer or body with whom the declaration of candidacy is required to be filed shall  
2 promptly provide public notice of that fact on the officer's or body's Internet site or,  
3 if the officer or body does not maintain an Internet site, by posting notices in at least  
4 3 different locations within the jurisdiction that the officer or body serves.

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

6 120.06 **(6)** (b) 3m. If, under subd. 3., an incumbent files written notification that  
7 the incumbent is not a candidate for reelection to his or her office or fails to file a  
8 declaration of candidacy within the time prescribed by this paragraph, the school  
9 district clerk shall promptly provide public notice of that fact on the school district's  
10 Internet site or, if the school district does not maintain an Internet site, by posting  
11 notices in at least 3 different locations within the school district.

12 **SECTION 6. Initial applicability.**

13 (1) This act first applies to the April 5, 2022, election.

14 (END)