



State of Wisconsin
2021 - 2022 LEGISLATURE

LRB-2588/1
JK:amn

2021 SENATE BILL 240

March 24, 2021 - Introduced by Senators LARSON and L. TAYLOR, cosponsored by Representatives SPREITZER, S. RODRIGUEZ, NEUBAUER, ANDERSON, ANDRACA, BALDEH, BILLINGS, BROSTOFF, CABRERA, CONLEY, EMERSON, GOYKE, HEBL, HESSELBEIN, HONG, POPE, SHANKLAND, SHELTON, SINICKI, SUBECK and VRUWINK. Referred to Committee on Government Operations, Legal Review and Consumer Protection.

1 **AN ACT to repeal** 5.02 (22), 5.58, 8.05 (3), 8.05 (5), 8.11, 8.13, 10.02 (3) (b) 4., 10.06
2 (2) (b), 10.06 (2) (d), 10.06 (3) (as), 10.06 (3) (b), 11.0101 (33), 11.0204 (2), 11.0304
3 (2), 11.0504 (2), 11.0604 (2), 11.0704 (2), 11.0804 (2), 60.10 (1) (c) 2., 117.22 (2)
4 (e) and 120.06 (7) (b); **to renumber** 60.10 (1) (c) 1. and 120.06 (7) (a); **to**
5 **renumber and amend** 7.60 (4) (c); **to amend** 5.01 (4) (a), 5.01 (4) (b), 5.01 (4)
6 (c), 5.01 (5), 5.02 (19), 5.02 (20r), 5.15 (6) (b), 5.60 (1) (ag), 5.64 (1) (ar) 1m., 5.64
7 (1) (ar) 2., 5.66 (1), 5.68 (5), 7.08 (1) (c), 7.10 (6), 7.50 (1) (b), 7.50 (1) (c), 7.50 (2)
8 (intro.), 7.50 (2) (hm), 7.51 (4) (a), 7.51 (5) (a) 3., 7.53 (1) (a), 7.53 (2) (d), 7.53 (3)
9 (a), 7.53 (3) (b), 7.60 (4) (a), 7.60 (4) (b), 7.70 (3) (a), 8.05 (4) (a), 8.10 (1), 8.17 (1)
10 (a), 8.17 (4), 8.17 (5) (b), 8.50 (2) (a), 8.50 (2) (b), 8.50 (3) (a), 8.50 (3) (b), 10.01
11 (2) (d), 10.01 (2) (e), 10.02 (3) (intro.), 10.06 (1) (c), 10.06 (1) (e), 10.06 (3) (am),
12 10.06 (3) (bm), 10.06 (3) (f), 10.06 (4) (g), 11.0101 (29), 11.0204 (3) (a), 11.0304
13 (3) (a), 11.0504 (3) (a), 11.0604 (3) (a), 11.0804 (3) (a), 38.16 (3) (br) 1., 59.17 (7),
14 59.605 (3) (a) 1., 64.04 (2), 66.0602 (4) (a), 66.0619 (2m) (b), 66.0921 (2), 67.05

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1 (6a) (a) 2. a., 67.05 (6m) (b), 67.12 (12) (e) 5., 77.994 (3) (b) 2. b., 119.08 (2), 120.06
2 (8) (a), 120.06 (8) (b), 120.06 (8) (c) (intro.), 120.06 (8) (d), 120.06 (8) (f), 120.06
3 (8) (g), 120.06 (8) (h), 120.06 (9) (a), 121.91 (3) (a) 1. and 995.20; and **to create**
4 5.05 (1) (g), 5.20, 6.80 (2) (g), 7.60 (4) (c) 3., 7.60 (4) (c) 4., 7.62, 8.05 (1) (L), 10.02
5 (4), 11.0204 (3) (am), 11.0304 (3) (am), 11.0504 (3) (am), 11.0604 (3) (am),
6 11.0804 (3) (am), 20.510 (1) (ed) and 20.510 (1) (em) of the statutes; **relating**
7 **to:** ranked-choice voting, granting rule-making authority, and making an
8 appropriation.

Analysis by the Legislative Reference Bureau

This bill requires ranked-choice voting for the election of all federal, state, and local officials, not including recall elections for any such officials. Under ranked-choice voting, each voter may rank as many preferences for each office or seat as there are candidates whose names appear on the ballot for that office or seat. If the voter indicates a preference for more than one candidate for an office or seat, the voter must indicate a preference between the candidates by designating one as “first choice,” another as “second choice,” and ranking subsequent choices in sequential preference. A voter may also indicate a preference for one or more write-in candidates for any office or seat.

A voter who casts one vote for a candidate for an office or seat but who does not indicate a preference is considered to have cast a “first-choice” preference for that candidate. If any candidate receives a majority of the first-choice preferences for the office or seat, that candidate is elected. If no candidate receives a majority of the first-choice preferences for an office or seat, the name of the candidate receiving the least number of first-choice preferences is dropped and the second-choice preferences of the voters who preferred that candidate, if any, are then added to the first-choice preferences received by the other candidates. Subsequent preferences of those voters are allocated to the other candidates in a similar manner as candidates with the fewest voter preferences are eliminated. If any candidate for the office or seat then has a majority of the combined first-choice and reallocated preferences, that candidate is elected. If not, the procedure is repeated until one candidate receives a majority of the combined first-choice and reallocated preferences.

In the case of a multiple-seat district, the candidates whose vote total is equal to or greater than the threshold number of votes are elected. The threshold is determined by dividing the total number of votes cast for the open seats by the number of the open seats, plus one, and adding one to the quotient, disregarding any fractions. Generally, if a candidate receives more than the number of threshold votes

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during a round of counting the preferential votes, his or her surplus votes are allocated to the continuing candidates in order of preference until all open seats are filled. A voter may also indicate a preference for one or more write-in candidates.

Under ranked-choice voting, no primary election is held other than a special primary for a partisan office, the partisan primary, and the presidential preference primary. At the partisan primary, ranked-choice voting is used to determine the candidate for each political party on the ballot who shall advance to the general election. At the special primary, ranked-choice voting is used to determine the candidate for each political party on the ballot who shall advance to the special election. At the presidential preference primary, ranked-choice voting is used to express preferences for the person to be the presidential candidate for each party in a year in which electors for president and vice president are to be elected.

Finally, the bill authorizes the Elections Commission to make expenditures to implement and administer ranked-choice voting, including updating equipment and software and implementing secure technologies, and to make grants to counties and municipalities for the same purpose.

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.** 5.01 (4) (a) of the statutes is amended to read:

2 5.01 (4) (a) If Except as provided under s. 7.62, if 2 or more candidates for the
3 same office receive the greatest, but an equal number of votes, the winner shall be
4 chosen by lot in the presence of the board of canvassers charged with the
5 responsibility to determine the election, or in the case of an election for state or
6 national office or metropolitan sewerage commissioner, if the commissioner is
7 elected under s. 200.09 (11) (am), in the presence of the chairperson of the elections
8 commission or the chairperson's designee.

9 **SECTION 2.** 5.01 (4) (b) of the statutes is amended to read:

10 5.01 (4) (b) If Except as provided under s. 7.62, if, in a primary, 2 or more
11 candidates receive an equal but not the greatest number of votes so that only one of

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1 those candidates with equal votes may advance to the final election, the choice shall
2 similarly be made by drawing lots.

3 **SECTION 3.** 5.01 (4) (c) of the statutes is amended to read:

4 5.01 (4) (c) ~~The~~ For purposes of pars. (a) and (b), the candidates may, if all those
5 tied for the same office are present, draw for themselves. Upon refusal or absence
6 of any of the candidates, the board of canvassers shall appoint a competent person
7 to draw, and upon the results declare and certify the winner.

8 **SECTION 4.** 5.01 (5) of the statutes is amended to read:

9 5.01 (5) ELECTION OF GOVERNOR AND LIEUTENANT GOVERNOR. (a) In every general
10 election to choose the governor and the lieutenant governor, ~~each elector shall have~~
11 ~~a single vote applicable to both offices.~~ The ~~the~~ persons receiving the greatest
12 ~~number of legal~~ majority of highest-ranked votes cast jointly for them for governor
13 and lieutenant governor shall be declared elected, and ~~the canvassers shall so~~
14 ~~determine and certify~~ if no persons receive a majority of highest-ranked votes cast
15 jointly for governor and lieutenant governor, the election shall be determined under
16 s. 7.62.

17 (b) ~~In case~~ If 2 or more slates have an equal and the highest number of votes
18 for governor and lieutenant governor after the canvass under s. 7.62, the 2 houses
19 of the legislature shall at the next annual session choose by joint ballot one of the
20 slates so having an equal and the highest number of votes for governor and
21 lieutenant governor.

22 **SECTION 5.** 5.02 (19) of the statutes is amended to read:

23 5.02 (19) "Special election" means any election, other than those described in
24 subs. (5), (12s), and (21), ~~and (22)~~, to fill vacancies or to conduct a referendum.

25 **SECTION 6.** 5.02 (20r) of the statutes is amended to read:

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1 5.02 **(20r)** “Special referendum” means any referendum held at a special
2 election which is not held concurrently with the elections described in sub. (5), (12s),
3 or (21), or (22).

4 **SECTION 7.** 5.02 (22) of the statutes is repealed.

5 **SECTION 8.** 5.05 (1) (g) of the statutes is created to read:

6 5.05 **(1)** (g) Make grants to counties and municipalities to update equipment
7 and software, including the implementation of secure technologies, to administer
8 ranked-choice voting under s. 5.20 and the canvass procedure for ranked-choice
9 voting under s. 7.62.

10 **SECTION 9.** 5.15 (6) (b) of the statutes is amended to read:

11 5.15 **(6)** (b) No later than 30 days before each election, the governing body of
12 any municipality may by resolution combine 2 or more wards for voting purposes to
13 facilitate using a common polling place. Whenever wards are so combined, the
14 original ward numbers shall continue to be utilized for all official purposes. Except
15 as otherwise authorized under this paragraph, every municipality having a
16 population of 35,000 or more shall maintain separate returns for each ward so
17 combined. In municipalities having a population of 35,000 or more, the governing
18 body may provide in a resolution that returns for any ward having a population of
19 20 or less be combined with returns for any adjacent ward, if the total population of
20 the combined wards does not exceed the applicable population range under sub. (2)
21 (b) for wards in that municipality. In municipalities having a population of less than
22 35,000, the governing body may provide in the resolution that returns shall be
23 maintained only for each group of combined wards at any election. Whenever a
24 governing body provides that returns shall be maintained only for combined wards
25 under this paragraph, the municipality shall report separate results for each

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1 separate ballot required under ss. ~~5.58~~ 5.60 to 5.64. The municipal clerk shall
2 transmit a copy of the resolution to the county clerk of each county in which the
3 municipality is contained. In municipalities having a population of less than 35,000,
4 the resolution shall remain in effect for each election until modified or rescinded, or
5 until a new division is made under this section. Whenever needed for purposes of this
6 paragraph, the municipal clerk shall determine the population of each ward in his
7 or her municipality. If the population of a ward cannot be determined from census
8 results, the clerk shall determine the population of the smallest unit encompassing
9 the entire ward that can be determined from census results. The clerk shall then
10 divide the land area of the ward by the land area of that unit. The clerk shall then
11 multiply that result by the population of the unit to determine the population of the
12 ward for purposes of this paragraph.

13 **SECTION 10.** 5.20 of the statutes is created to read:

14 **5.20 Ranked-choice voting.** (1) In this section, “ranked-choice voting”
15 means a voting method in which the electors voting in an election for an elective office
16 are permitted to indicate and order their preferences for all candidates whose names
17 appear on the ballot for the same office or seat.

18 (2) Except as provided in ss. 8.05 (1) (L) and 9.10 (3) (d) and (e) and (4) (f), all
19 elections shall be conducted using ranked-choice voting.

20 (3) An elector may rank as many preferences for each office as there are
21 candidates for the office whose names appear on the ballot. If more than one seat on
22 a governing body is to be filled at large, the procedure under s. 7.62 (3) applies. If
23 write-in votes are permitted, a voter may vote for a write-in candidate in addition
24 to any candidate whose name appears on the ballot. To indicate a preference, an
25 elector shall mark his or her ballot with or cause the voting machine to indicate the

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1 elector's first choice, 2nd choice, 3rd choice, and subsequent choices, if any. An elector
2 is not required to indicate a choice and is not required to indicate as many choices
3 as the elector is eligible to indicate.

4 **SECTION 11.** 5.58 of the statutes is repealed.

5 **SECTION 12.** 5.60 (1) (ag) of the statutes is amended to read:

6 5.60 (1) (ag) There shall be one separate ballot for state superintendent,
7 judicial officers, county executive, county comptroller in counties having a
8 population of 750,000 or more, and county supervisor, except as authorized in s.
9 5.655. For county supervisor, the ballot shall be prepared in accordance with ~~ss. 5.58~~
10 ~~(2) and s. 59.10 (3).~~ Arrangement of the names of candidates for county executive,
11 county comptroller, county supervisor, and municipal judge, if the judge is elected
12 under s. 755.01 (4), shall be determined by the county clerk or the executive director
13 of the county board of election commissioners ~~determining ballot arrangement under~~
14 ~~s. 5.58 (1e),~~ in the manner prescribed in par. (b).

15 **SECTION 13.** 5.64 (1) (ar) 1m. of the statutes is amended to read:

16 5.64 (1) (ar) 1m. When voting for president and vice president, the ballot shall
17 permit an elector to vote only for the candidates on one ticket jointly or to write in
18 the names of persons in both spaces, except that the elector may rank his or her
19 preference for each set of candidates as provided under s. 5.20.

20 **SECTION 14.** 5.64 (1) (ar) 2. of the statutes is amended to read:

21 5.64 (1) (ar) 2. When voting for governor and lieutenant governor, the ballot
22 shall permit an elector to vote only for the candidates on one ticket jointly or write
23 in the names of persons in both spaces, except that the elector may rank his or her
24 preference for each set of candidates as provided under s. 5.20.

25 **SECTION 15.** 5.66 (1) of the statutes is amended to read:

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1 5.66 (1) For local elections, where necessary, municipal clerks shall have
2 sufficient ballots printed or otherwise prepared whenever a voting system does not
3 utilize printed ballots to assure a ballot for all electors or voting machines. For all
4 other elections the municipal clerks shall certify to their county clerk, on the first day
5 of the 2nd month preceding the month in which the primary election is held, the
6 approximate number of electors in the municipality. The county clerk shall total
7 these estimates and order a sufficient supply to assure ballots for all electors and
8 voting machines.

9 **SECTION 16.** 5.68 (5) of the statutes is amended to read:

10 5.68 (5) If a charge is made for the use of a polling place, the charge shall be
11 paid by the municipality establishing the polling place under s. 5.25 (2) unless the
12 polling place is used to conduct a special election that is called by a unit of
13 government other than the state or the municipality establishing the polling place
14 and the special election is not held concurrently with an election specified in s. 5.02
15 (5), (12s), or (21), ~~or (22)~~. In such case the charge shall be paid by the unit of
16 government that calls the special election.

17 **SECTION 17.** 6.80 (2) (g) of the statutes is created to read:

18 6.80 (2) (g) In elections for offices at which ranked-choice voting under s. 5.20
19 is used, an elector may rank as many preferences for each office or seat as there are
20 candidates whose names appear on the ballot for that office or seat. If more than one
21 seat on a governing body is to be filled at large, an elector may rank as many
22 preferences for that office or seat as there are candidates whose names appear on the
23 ballot for all of the seats to be filled. If write-in votes are permitted, a voter may vote
24 for a write-in candidate in addition to any candidate whose name appears on the
25 ballot. An elector who indicates preferences for candidates for an office or seat must

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1 indicate a different preference for each candidate for that office or seat. If an elector
2 casts more than one vote for any office or seat without indicating preferences, the
3 elector's intent shall be determined as provided under s. 7.62 (4).

4 **SECTION 18.** 7.08 (1) (c) of the statutes is amended to read:

5 7.08 (1) (c) Prescribe forms required by ss. 6.24 (3) and (4), 6.30 (4) and (5), 6.33
6 (1), 6.47 (1) (am) 2. and (3), 6.55 (2), ~~and 6.86 (2) to (3), and 7.62 (1m)~~. All such forms
7 shall contain a statement of the penalty applicable to false or fraudulent registration
8 or voting through use of the form. Forms are not required to be furnished by the
9 commission.

10 **SECTION 19.** 7.10 (6) of the statutes is amended to read:

11 7.10 (6) MUNICIPAL JUDGE; CERTIFIED LIST. If candidates for the office of a
12 municipal judge who is elected under s. 755.01 (4) file nomination papers in the office
13 of the county clerk and any municipality served by the judge prepares its own ballots
14 for voting machines or an electronic voting system, the county clerk shall certify to
15 the municipal clerk of that municipality the names of the candidates for judge as soon
16 as possible after the last day for filing nomination papers ~~and after certification by~~
17 ~~the county board of canvassers of the results of any primary election.~~

18 **SECTION 20.** 7.50 (1) (b) of the statutes is amended to read:

19 7.50 (1) (b) When an elector casts more votes for any office or measure than he
20 or she is entitled to cast at an election, all the elector's votes for that office or measure
21 are invalid and the elector is deemed to have voted for none of them, except as
22 provided in par. (c) and sub. (2) (d) and s. 7.62. If an elector casts less votes for any
23 office or measure than he or she is entitled to cast at an election, all votes cast by the
24 elector shall be counted but no vote shall be counted more than once, except as
25 provided in s. 7.62.

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1 **SECTION 21.** 7.50 (1) (c) of the statutes is amended to read:

2 7.50 (1) (c) If an elector casts more than one vote for the same candidate for the
3 same office, the first vote is valid and the remaining votes are invalid, except as
4 provided in s. 7.62.

5 **SECTION 22.** 7.50 (2) (intro.) of the statutes is amended to read:

6 7.50 (2) ASCERTAINMENT OF INTENT. (intro.) All ballots cast at an election which
7 bear the initials of 2 inspectors shall be counted for the person or referendum
8 question for whom or for which they were intended, so far as the electors' intent can
9 be ascertained from the ballots notwithstanding informality or failure to fully
10 comply with other provisions of chs. 5 to 12. ~~To~~ Except as otherwise provided under
11 s. 7.62, to determine intent:

12 **SECTION 23.** 7.50 (2) (hm) of the statutes is amended to read:

13 7.50 (2) (hm) In a nonpartisan ~~primary or~~ election using voting machines, if an
14 elector is permitted to vote for more than one candidate for the same office, a write-in
15 vote may not be counted if the vote is cast for a candidate whose name appears on
16 the ballot for that office.

17 **SECTION 24.** 7.51 (4) (a) of the statutes is amended to read:

18 7.51 (4) (a) The tally sheets shall state the total number of votes cast for each
19 office and for each individual receiving votes for that office, whether or not the
20 individual's name appears on the ballot, and shall state the vote for and against each
21 proposition voted on. The tally sheets shall also, for each round of tabulation, state
22 the total number of highest-ranked preferences received by each candidate and the
23 total number of lesser-ranked preferences received by each candidate, indicating the
24 total number for each preference. Upon completion of the tally sheets, the inspectors
25 shall immediately complete the inspectors' statement. The inspectors shall state the

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1 excess, if any, by which the number of ballots exceeds the number of electors voting
2 as shown by the poll list and shall state the number of the last elector as shown by
3 the poll lists. At least 3 inspectors, including the chief inspector and, unless election
4 officials are appointed under s. 7.30 (4) (c) without regard to party affiliation, at least
5 one inspector representing each political party, but not including any inspector
6 appointed under s. 7.30 (1) (b), shall then certify to the correctness of the statement
7 and tally sheets and sign their names. All other election officials assisting with the
8 tally shall also certify to the correctness of the tally sheets. When the tally is
9 complete, the inspectors shall publicly announce the results from the statement.

10 **SECTION 25.** 7.51 (5) (a) 3. of the statutes is amended to read:

11 7.51 (5) (a) 3. The inspectors shall also seal the inspectors' statement, inside
12 a separate carrier envelope, and shall similarly seal in a separate carrier envelope
13 one tally sheet and one poll list for delivery to the municipal clerk. The inspectors
14 shall enclose the tally sheet provided under s. 7.62 (1m). For school district elections,
15 except in 1st class cities, the inspectors shall seal one tally sheet and one poll list for
16 delivery to the school district clerk.

17 **SECTION 26.** 7.53 (1) (a) of the statutes is amended to read:

18 7.53 (1) (a) Where the municipality constitutes one ward or combines all wards
19 to utilize a single polling place under s. 5.15 (6) (b), the canvass of the votes cast at
20 the polling place shall be conducted publicly under s. 7.51 and the inspectors, other
21 than any inspector appointed under s. 7.30 (1) (b), shall act as the municipal board
22 of canvassers. The inspectors shall then complete the return statement for all votes
23 cast at the polling place. If there are no provisional ballots that are eligible to be
24 counted under s. 6.97 and no absentee ballots are being canvassed under s. 7.52, the
25 inspectors may complete and sign the canvass statement and determination on

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1 election night. In municipalities where absentee ballots are canvassed under s. 7.52,
2 after the canvass of the absentee ballots is completed under s. 7.52, the board of
3 absentee ballot canvassers shall reconcile the poll list of the electors who vote by
4 absentee ballot with the corresponding poll list of the electors who vote in person to
5 ensure that no elector is allowed to cast more than one ballot. If an elector who votes
6 in person has submitted an absentee ballot, the absentee ballot is void. Except as
7 authorized in par. (b), if one or more electors of the municipality have cast provisional
8 ballots that are eligible to be counted under s. 6.97, the inspectors, acting as the board
9 of canvassers, shall reconvene no later than 9 a.m. on the Monday after the election
10 to count the valid provisional ballots and shall adjust the returns accordingly. The
11 inspectors, acting as the board of canvassers, need not reconvene if the municipal
12 clerk certifies that he or she has received no provisional ballots from the time that
13 the board of canvassers completed the initial canvass and 4 p.m. on the Friday after
14 the election. Upon completion of the canvass under this paragraph and any canvass
15 that is conducted under s. 7.52 or 7.62 and ascertainment of the results by the
16 inspectors or, in municipalities where absentee ballots are canvassed under s. 7.52,
17 by the inspectors and the board of absentee ballot canvassers, the municipal clerk
18 shall publicly read to the inspectors or the board of absentee ballot canvassers the
19 names of the persons voted for and the number of votes for each person for each
20 municipal office; the number of highest-ranked preferences and the number of
21 lesser-ranked preferences for each person for each office, indicating the numbers for
22 each preference; the names of the persons declared by the inspectors or board of
23 absentee ballot canvassers to have won nomination or election to each municipal
24 office; and the number of votes cast for and against each municipal referendum
25 question.

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1 **SECTION 27.** 7.53 (2) (d) of the statutes is amended to read:

2 7.53 (2) (d) In municipalities with one polling place, the canvass shall be
3 conducted under sub. (1) publicly on election night. In other municipalities, the
4 municipal board of canvassers shall publicly canvass the returns of every election.
5 The canvass shall begin no earlier than the time that the municipal board of
6 canvassers receives the returns from all polling places in the municipality on election
7 night and no later than 9 a.m. on the Monday after the election. After any canvass
8 of the absentee ballots is completed under s. 7.52, the board of canvassers shall
9 reconcile the poll list of the electors who vote by absentee ballot with the
10 corresponding poll list of the electors who vote in person to ensure that no elector is
11 allowed to cast more than one ballot. If an elector who votes in person has submitted
12 an absentee ballot, the absentee ballot is void. At the spring election, the board of
13 canvassers shall publicly declare the results on or before the 3rd Tuesday in April.
14 The board of canvassers shall prepare a statement showing the results of each
15 election for any municipal office and each municipal referendum. ~~After each primary~~
16 ~~for municipal offices, the board of canvassers shall prepare a statement certifying the~~
17 ~~names of those persons who have won nomination to office.~~ After each other election
18 for a municipal office and each municipal referendum, the board of canvassers shall
19 prepare a determination showing the names of the persons who are elected to each
20 municipal office and the results of each municipal referendum. The board of
21 canvassers shall file each statement and determination in the office of the municipal
22 clerk or board of election commissioners.

23 **SECTION 28.** 7.53 (3) (a) of the statutes is amended to read:

24 7.53 (3) (a) In a common, union high, or unified school district, the school
25 district clerk shall appoint 2 qualified electors of the school district prior to the date

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1 of the election being canvassed who shall, with the school district clerk, constitute
2 the school district board of canvassers. If the school district clerk is a candidate at
3 the election being canvassed, the other 2 members of the board of canvassers shall
4 designate a 3rd member to serve in lieu of the clerk for that election. The school
5 district clerk shall appoint a member to fill any other temporary vacancy on the board
6 of canvassers. The canvass shall begin no later than 9 a.m. on the Tuesday after the
7 election, and shall continue, without adjournment, until completed. The board of
8 canvassers may return defective returns to the municipal board of canvassers in the
9 manner provided in s. 7.60 (3). If the board of canvassers meets before 4 p.m. on the
10 Monday after the election and thereafter receives amended statements, tally sheets,
11 and lists from a municipal clerk for provisional ballots that are eligible to be counted
12 under s. 6.97 (4), the board of canvassers shall reconvene no later than 9 a.m. on the
13 Tuesday after the election and shall adjust the returns accordingly. No later than 4
14 p.m. on the Tuesday after the election, the board of canvassers shall complete the
15 canvass and shall prepare a written statement showing the numbers of votes cast for
16 each person for each office and for and against each question and shall prepare a
17 determination showing the names of the persons who are elected to the school board
18 and the results of any school district referendum. ~~Following each primary election,~~
19 ~~the board of canvassers shall prepare a statement certifying the names of the persons~~
20 ~~who have won nomination to the school board. Each statement and determination~~
21 ~~shall be attested by each of the canvassers. The board of canvassers shall file each~~
22 ~~statement and determination in the school district office. The school district clerk~~
23 ~~shall certify nominations after each primary and issue certificates of election to~~
24 persons who are elected to the school board after each election in the manner
25 provided in sub. (4).

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1 **SECTION 29.** 7.53 (3) (b) of the statutes is amended to read:

2 7.53 (3) (b) In a 1st class city school district, the municipal board of canvassers
3 or election commissioners shall determine the results of school district elections and
4 referenda and shall file a written statement and determination of the results for each
5 election and referendum in the office of the city clerk or board of election
6 commissioners. The board of election commissioners or city clerk shall ~~certify~~
7 ~~nominations after each primary and~~ issue certificates of election to persons who are
8 elected to the board of school directors after each election in the manner provided in
9 sub. (4).

10 **SECTION 30.** 7.60 (4) (a) of the statutes is amended to read:

11 7.60 (4) (a) The board of canvassers shall make separate duplicate statements
12 showing the numbers of votes cast for the offices of president and vice president; state
13 officials; U.S. senators and representatives in congress; state legislators; justice;
14 court of appeals judge; circuit judges; district attorneys; and metropolitan sewerage
15 commissioners, if the commissioners are elected under s. 200.09 (11) (am). If a
16 municipal judge elected under s. 755.01 (4) serves a municipality that is located
17 partially within the county and candidates for that judgeship file nomination papers
18 in another county, the board of canvassers shall prepare a duplicate statement
19 showing the numbers of votes cast for that judgeship in that county for transmittal
20 to the other county. For partisan candidates, the statements shall include the
21 political party or principle designation, if any, next to the name of each candidate.
22 The board of canvassers shall also prepare a statement showing the results of any
23 county, technical college district, or statewide referendum. Each statement shall
24 state the total number of votes cast in the county for each office; the names of all
25 persons for whom the votes were cast, as returned; the number of votes cast for each

SENATE BILL 240**SECTION 30**

1 person; the number of highest-ranked preferences and lesser-ranked preferences
2 cast for each person, indicating the numbers for each preference; and the number of
3 votes cast for and against any question submitted at a referendum. The board of
4 canvassers shall use one copy of each duplicate statement to report to the elections
5 commission, technical college district board, or board of canvassers of any other
6 county and shall file the other statement in the office of the county clerk or board of
7 election commissioners.

8 **SECTION 31.** 7.60 (4) (b) of the statutes is amended to read:

9 7.60 (4) (b) The board of canvassers shall then prepare a written
10 determination, in duplicate where necessary, giving the names of the persons elected
11 to any county office and to any municipal judgeship if the judge is elected under s.
12 755.01 (4) and candidates for that judgeship file nomination papers in that county.
13 The board of canvassers shall likewise prepare a written determination showing the
14 results of any county referendum. ~~Following any primary election, the board of~~
15 ~~canvassers shall prepare a statement certifying the names of all persons who have~~
16 ~~won nomination to any county office or any municipal judgeship, if the judge is~~
17 ~~elected under s. 755.01 (4) and candidates for that judgeship file nomination papers~~
18 ~~in that county.~~ The board of canvassers shall file all statements and determinations
19 in the office of the county clerk or board of election commissioners.

20 **SECTION 32.** 7.60 (4) (c) of the statutes is renumbered 7.60 (4) (c) (intro.) and
21 amended to read:

22 7.60 (4) (c) (intro.) In preparing the statements and determinations, the board
23 of canvassers shall carefully review the tally sheets and inspectors' statement. The
24 board of canvassers may omit the names of individuals whose names do not appear
25 on the ballot and who receive a comparatively small number of votes. The board of

SENATE BILL 240**SECTION 32**

1 canvassers shall designate votes received by such individuals as scattering votes.
2 The board of canvassers shall append the following to each statement and
3 determination ~~a~~:

4 1. A tabulation of the votes cast at each election district, ward, or combination
5 of wards authorized under s. 5.15 (6) (b) in the county for each office and each
6 individual, whether the votes are canvassed or not, ~~as well as the~~.

7 2. The total canvassed votes cast for each individual and each office, except
8 where scattering votes are designated. ~~If any votes are rejected, the board of~~
9 ~~canvassers shall specify the reasons therefor.~~

10 **SECTION 33.** 7.60 (4) (c) 3. of the statutes is created to read:

11 7.60 (4) (c) 3. After elections at which ranked-choice voting under s. 5.20 is
12 used, the number of highest-ranked preferences and lesser-ranked preferences for
13 each person for each office, indicating the numbers for each choice.

14 **SECTION 34.** 7.60 (4) (c) 4. of the statutes is created to read:

15 7.60 (4) (c) 4. For each rejected vote, the board of canvassers' explanation for
16 rejecting the vote.

17 **SECTION 35.** 7.62 of the statutes is created to read:

18 **7.62 Canvass procedure for ranked-choice voting. (1) DEFINITION.** In
19 this section, "continuing candidate" means a candidate that has not been eliminated
20 or elected.

21 **(1m) TALLY SHEETS.** The commission shall prescribe a tally sheet form for
22 canvassing of elections in which ranked-choice voting is used. The inspectors shall
23 use the form in preparing the returns and shall retain the form as a part of the official
24 returns.

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1 **(2) SINGLE-SEAT ELECTION.** (a) For determining the winning candidate for a
2 single-seat election using ranked-choice voting, the candidate that receives the
3 majority of the highest-ranked preferences for an office or seat shall be elected. If
4 no candidate for an office or seat receives a majority of the highest-ranked
5 preferences, the candidate who receives the least number of highest-ranked
6 preferences shall be eliminated and the next-ranked preferences, if any, indicated
7 by the electors who voted for that candidate shall be added to the highest-ranked
8 preferences received by the other continuing candidates.

9 (b) If more than one continuing candidate receives the least number of
10 highest-ranked preferences, the tie shall be resolved as provided under sub. (6). If
11 after the reapportionment of preferences a continuing candidate has a majority of
12 highest-ranked preferences and reapportioned next-ranked preferences, that
13 candidate shall be declared elected. If after the reapportionment of preferences no
14 continuing candidate has a majority of highest-ranked preferences and
15 reapportioned next-ranked preferences, the apportionment begins again with
16 additional choice preferences tallied in the same manner so that the continuing
17 candidate with the least number of choice preferences is eliminated and his or her
18 choice preferences reapportioned to the remaining continuing candidates.

19 (c) Any time during tabulation when the continuing candidate with the least
20 number of highest-ranked preferences would be defeated, if there are 2 or more
21 candidates for whom it is mathematically impossible to be elected, then all
22 continuing candidates for whom it is mathematically impossible to be elected shall
23 be eliminated simultaneously. For purposes of this paragraph, continuing
24 candidates for whom it is mathematically impossible to be elected include the
25 following:

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1 1. Continuing candidates whose vote total plus the sum of current votes for
2 continuing candidates with fewer votes would not be enough to equal or surpass the
3 continuing candidate with the next highest current vote total.

4 2. Any continuing candidate that has a lower current vote total than a
5 continuing candidate for whom it is mathematically impossible to be elected under
6 subd. 1.

7 (d) Reapportionment of preferences continues under this subsection until a
8 continuing candidate has the majority of highest-ranked and reapportioned
9 preferences and until the results of the reapportionment and tabulation indicate
10 which 2 continuing candidates received the most highest-ranked and reapportioned
11 preferences. The continuing candidate with the majority of highest-ranked and
12 reapportioned preferences shall be declared elected. If the 2 continuing candidates
13 with the most highest-ranked preferences are tied, the tie shall be resolved as
14 provided under sub. (6) and the winner declared elected.

15 **(3) MULTIPLE-SEAT ELECTION.** (a) For determining the winning candidates for
16 a multiple-seat election using ranked-choice voting, each candidate that receives no
17 less than the number of threshold votes for the open office or seat shall be elected.
18 The threshold shall be determined by dividing the total number of votes cast for the
19 open offices or seats by the number of such offices or seats, plus one, and adding one
20 to the quotient, disregarding any fractions.

21 (b) For purposes of this subsection, a first ranked-choice tabulation shall be
22 done under this paragraph before a tabulation under par. (c). If the number of
23 candidates, other than any undeclared or declared write-in candidate, whose vote
24 total is equal to or greater than the threshold determined under par. (a) is equal to
25 the number of seats to be filled, those candidates are declared elected. If the number

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1 of candidates, other than any undeclared or declared write-in candidate, whose vote
2 total is equal to or greater than the threshold is less than the number of seats to be
3 filled, the canvassers shall perform a tabulation under par. (c).

4 (c) After the tabulation under par. (b), the tabulation of votes shall proceed in
5 rounds for each office to be counted and the tabulation for each round shall proceed
6 sequentially as follows:

7 1. The number of votes cast for each continuing candidate for the current round
8 shall be counted. If the number of continuing candidates, other than any undeclared
9 write-in candidate, whose vote total is equal to or greater than the threshold
10 determined under par. (a) is equal to the number of seats to be filled, those continuing
11 candidates are elected and the tabulation is complete. Then, if the number of
12 continuing candidates, including any undeclared write-in candidates, whose vote
13 total is equal to or greater than the threshold determined under par. (a) is equal to
14 the number of seats to be filled, those continuing candidates are elected and the
15 tabulation is complete. If the number of continuing candidates whose vote total is
16 equal to or greater than the threshold is not equal to the number of seats to be filled,
17 a new round begins and the tabulation continues as described in subds. 2. and 3.

18 2. Surplus votes for any continuing candidates whose vote total is equal to or
19 greater than the threshold determined under par. (a) shall be calculated.

20 3. The surplus of the elected candidate with the largest surplus is transferred
21 using the Weighted Inclusive Gregory Method as follows:

22 a. The number of surplus votes of the elected candidate shall be divided by the
23 number of votes received by the candidate and the resulting fraction shall be the
24 surplus fraction.

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1 b. In relation to any particular ballots for surplus votes of the elected candidate,
2 the surplus fraction shall be multiplied by the transfer value at which those ballots
3 were transferred to the elected candidate, or by one if they expressed first
4 preferences for the elected candidate, and the product shall be the continued transfer
5 value of those particular ballots.

6 c. The total number of ballots for surplus votes of the elected candidate that
7 express the next available preference and have a particular current value shall be
8 multiplied by that transfer value. The number so obtained, disregarding any
9 fraction, shall be added to the number of votes of the continuing candidate and all
10 those ballots shall be transferred to the continuing candidate. If on the completion
11 of the transfer of the surplus votes of the elected candidate to a particular continuing
12 candidate that continuing candidate has received a number of votes equal to or
13 greater than the threshold, that continuing candidate shall be elected. If no
14 continuing candidate has a surplus, the tabulation continues as described in subd.
15 4. Otherwise, the tabulation continues as described in subd. 1.

16 4. All continuing candidates for whom it is mathematically impossible to be
17 elected shall be eliminated simultaneously. Votes for the eliminated candidates shall
18 be transferred to each ballot's next-ranked continuing candidate, except votes for
19 candidates eliminated in the final round are not transferred if, by their elimination,
20 the number of continuing candidates is reduced to the number of seats yet to be filled.
21 If no continuing candidate can be eliminated under this subdivision, the tabulation
22 continues as described in subd. 5. Otherwise, the tabulation continues as described
23 in subd. 1. For purposes of this subdivision, continuing candidates for whom it is
24 mathematically impossible to be elected include the following:

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1 a. Continuing candidates whose vote total plus the sum of current votes for
2 continuing candidates with fewer votes would not be enough to equal or surpass the
3 continuing candidate with the next highest current vote total.

4 b. Any continuing candidate that has a lower current vote total than a
5 continuing candidate for whom it is mathematically impossible to be elected under
6 subd. 4. a.

7 5. If there are no transferable surplus votes and no continuing candidate is
8 eliminated under subd. 4., the continuing candidate with the fewest votes is
9 eliminated. Votes for an eliminated candidate are transferred at their transfer value
10 to each ballot's next-ranked continuing candidate, except votes for candidates
11 eliminated in the final round are not transferred if, by their elimination, the number
12 of continuing candidates is reduced to the number of seats yet to be filled.

13 6. The procedures in subds. 1. to 5. shall be repeated until the number of
14 continuing candidates whose vote total is equal to or greater than the threshold is
15 equal to the number of seats to be filled, or until the number of continuing candidates
16 is equal to the number of seats yet to be filled. If the number of continuing candidates
17 is equal to the number of seats yet to be filled, any remaining continuing candidates
18 shall be declared elected. Continuing candidates eliminated under this subdivision
19 in the final round retain their votes. Any ties between continuing candidates in
20 subds. 1. to 5. shall be resolved as provided in sub. (6).

21 **(4) ASCERTAINMENT OF INTENT.** If a ballot does not clearly show which candidate
22 the voter prefers to all others, or if it contains any word, mark, or other sign
23 apparently intended to identify the voter, it shall be set aside as invalid. Every ballot
24 not held invalid under this subsection shall be counted according to the intent of the
25 voter, so far as that can be clearly ascertained, whether marked according to the

SENATE BILL 240**SECTION 35**

1 directions printed on it or not. No ballot shall be held invalid because the names of
2 candidates on the ballot for whom the voter did not mark a choice have been stricken
3 out, unless such striking out constitutes an identifying mark. A single mark on a
4 ballot on which no first choice figure appears shall be considered equivalent to a first
5 choice preference. If a ballot contains both figures and marks, the order of the choice
6 shown by the figures shall be taken as the voter's intention insofar as the order is
7 clearly indicated.

8 **(5) SKIPPED RANKINGS, OVERVOTES, AND UNDERVOTES.** (a) Ballots skipping one
9 ranking shall be counted for that voter's next clearly indicated choice. Ballots with
10 2 or more rankings skipped consecutively shall be declared exhausted after all
11 candidates ranked prior to the consecutively skipped rankings have been eliminated.

12 (b) Ballots with 2 or more of the same number shall be declared exhausted when
13 such duplicate rankings are reached unless only one of the candidates with the
14 duplicate ranking is a continuing candidate.

15 (c) Ballots that indicate no further rankings after the elector's initial
16 preferences have been eliminated shall be declared exhausted.

17 (d) Ballots that indicate no rankings shall be declared exhausted.

18 **(6) TIES.** In the event of a tie that affects the outcome of the election, the tie
19 shall be broken by comparing the votes of the tied candidates in the previous rounds
20 of counting, starting with the count immediately preceding the round in which the
21 tie occurs. If one of the tied candidates had more votes than the remaining tied
22 candidates in the preceding round or an earlier round of counting, then that
23 candidate shall advance and the others shall be eliminated. If the candidates were
24 tied in each preceding round, or if there were no preceding rounds, then the tie shall
25 be resolved by lot.

SENATE BILL 240**SECTION 36**

1 **SECTION 36.** 7.70 (3) (a) of the statutes is amended to read:

2 7.70 (3) (a) The chairperson of the commission or a designee of the chairperson
3 appointed by the chairperson to canvass a specific election shall publicly canvass the
4 returns and make his or her certifications and determinations on or before the 2nd
5 Tuesday following a spring primary, the 15th day of May following a spring election,
6 the 3rd Wednesday following a partisan primary, the first day of December following
7 a general election, the 2nd Thursday following a special primary, or within 18 days
8 after any special election.

9 **SECTION 37.** 8.05 (1) (L) of the statutes is created to read:

10 8.05 (1) (L) A town or village may not use ranked-choice voting under s. 5.20
11 to nominate candidates for town or village offices at a caucus.

12 **SECTION 38.** 8.05 (3) of the statutes is repealed.

13 **SECTION 39.** 8.05 (4) (a) of the statutes is amended to read:

14 8.05 (4) (a) ~~If a primary is provided for the nomination of candidates for elective~~
15 ~~village offices under s. 8.11 (1m) (b) or (c), candidates for those offices shall file~~
16 ~~nomination papers. In any other case, a~~ A majority of the governing body of any
17 village may provide that candidates for elective village office shall be nominated by
18 nomination papers. Determination of the governing body to provide for nomination
19 of candidates by nomination papers shall be made not later than December 1
20 preceding the election. If nomination by nomination papers is not provided for under
21 this paragraph and ~~no primary is provided for under s. 8.11 (1m) (b) or (c), a village~~
22 shall nominate candidates by caucus.

23 **SECTION 40.** 8.05 (5) of the statutes is repealed.

24 **SECTION 41.** 8.10 (1) of the statutes is amended to read:

SENATE BILL 240**SECTION 41**

1 8.10 (1) Candidates for office to be filled at the spring election shall be
2 nominated by nomination papers, ~~or by nomination papers and selection at the~~
3 ~~primary if a primary is held~~, except as provided for towns and villages under s. 8.05.
4 ~~Unless designated in this section or s. 8.05, the general provisions pertaining to~~
5 ~~nomination at the partisan primary apply.~~

6 **SECTION 42.** 8.11 of the statutes is repealed.

7 **SECTION 43.** 8.13 of the statutes is repealed.

8 **SECTION 44.** 8.17 (1) (a) of the statutes is amended to read:

9 8.17 (1) (a) Political parties qualifying for a separate ballot under s. 5.62 (1) (b)
10 or (2) shall elect their party ~~committeemen and committeewomen~~ committee
11 members as provided under sub. (5) (b). The function of ~~committeemen and~~
12 ~~committeewomen~~ the committee members is to represent their neighborhoods in the
13 structure of a political party. ~~Committeemen and committeewomen~~ Committee
14 members shall act as liaison representatives between their parties and the residents
15 of the election districts in which they serve. Activities of ~~committeemen and~~
16 ~~committeewomen~~ committee members shall include, ~~but not be limited to,~~
17 identifying voters; ~~assistance~~ assisting in voter registration drives; increasing voter
18 participation in political parties; polling and other methods of passing information
19 from residents to political parties and elected public officials; and ~~dissemination of~~
20 disseminating information from public officials to residents. For assistance in those
21 and other activities of interest to a political party, each ~~committeeman and~~
22 ~~committeewoman~~ committee member may appoint a captain to engage in these
23 activities in each ward, if the election district served by the ~~committeeman or~~
24 ~~committeewoman~~ committee member includes more than one ward. In an election
25 district ~~which~~ that includes more than one ward, the ~~committeeman or~~

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1 ~~committeewoman~~ committee member shall coordinate the activities of the ward
2 captains in promoting the interests of his or her party.

3 **SECTION 45.** 8.17 (4) of the statutes is amended to read:

4 8.17 (4) The term of office of each ~~committeeman or committeewoman~~
5 committee member shall end on the date of the meeting held under sub. (5) (b)
6 following each partisan primary.

7 **SECTION 46.** 8.17 (5) (b) of the statutes is amended to read:

8 8.17 (5) (b) A combined meeting of the county committee and members in good
9 standing of the party in the county shall be held no sooner than 15 days after the
10 partisan primary and no later than April 1 of the following year. At this meeting, the
11 party ~~committeemen or committeewomen~~ committee members and the county
12 committee offices of chairperson, vice chairperson, secretary, and treasurer shall be
13 filled by election by the incumbent ~~committeemen, committeewomen~~ committee
14 members and other party members present and voting, each of whom is entitled to
15 one vote. At this meeting, the county committee shall elect the members of the
16 congressional district committee as provided in sub. (6) (b), (c), and (d). The secretary
17 of the county committee shall give at least 7 days' written notice of the meeting to
18 party and committee members. Individuals elected as county committee officers or
19 as congressional district committee members may be, but are not required to be,
20 ~~committeemen or committeewomen~~ party committee members. They are required
21 to be party members in good standing. The terms of ~~committeemen and~~
22 ~~committeewomen~~ party committee members, county committee officers, and
23 congressional district committee members begin during the meeting immediately
24 upon completion and verification of the voting for each office.

25 **SECTION 47.** 8.50 (2) (a) of the statutes is amended to read:

SENATE BILL 240**SECTION 47**

1 8.50 (2) (a) The date for the special election shall be not less than 62 nor more
2 than 77 days from the date of the order except when the special election is held to fill
3 a vacancy in a national office or the special election is held on the day of the general
4 election or spring election. If a special election is held concurrently with the spring
5 election, the special election may be ordered not earlier than ~~92~~ 106 days prior to the
6 spring ~~primary~~ election and not later than ~~49~~ 63 days prior to that ~~primary~~ election.
7 If a special election is held concurrently with the general election or a special election
8 is held to fill a national office, the special election may be ordered not earlier than
9 122 days prior to the partisan primary or special primary, respectively, and not later
10 than 92 days prior to that primary.

11 **SECTION 48.** 8.50 (2) (b) of the statutes is amended to read:

12 8.50 (2) (b) If a primary is required, the primary shall be on the day 4 weeks
13 before the day of the special election except when the special election is held on the
14 same day as the general election the special primary shall be held on the same day
15 as the partisan primary ~~or if the special election is held concurrently with the spring~~
16 ~~election, the primary shall be held concurrently with the spring primary, and except~~
17 when the special election is held on the Tuesday after the first Monday in November
18 of an odd-numbered year, the primary shall be held on the 2nd Tuesday of August
19 in that year.

20 **SECTION 49.** 8.50 (3) (a) of the statutes is amended to read:

21 8.50 (3) (a) Nomination papers may be circulated no sooner than the day the
22 order for the special election is filed and shall be filed not later than 5 p.m. 28 days
23 before the day that the special primary will or would be held, if required, except when
24 a special election is held concurrently with the spring election or general election, the
25 deadline for filing nomination papers shall be specified in the order and the date shall

SENATE BILL 240**SECTION 49**

1 be no earlier than the date provided in s. 8.10 (2) (a) or 8.15 (1), respectively, and no
2 later than ~~35~~ 75 days prior to the date of the spring ~~primary~~ election or no later than
3 June 1 preceding the partisan primary. Nomination papers may be filed in the
4 manner specified in s. 8.10, 8.15, or 8.20. Each candidate shall file a declaration of
5 candidacy in the manner provided in s. 8.21 no later than the latest time provided
6 in the order for filing nomination papers. If a candidate for state or local office has
7 not filed a registration statement under s. 11.0202 (1) (a) at the time he or she files
8 nomination papers, the candidate shall file the statement with the papers. A
9 candidate for state office shall also file a statement of economic interests with the
10 ethics commission no later than the end of the 3rd day following the last day for filing
11 nomination papers specified in the order.

12 **SECTION 50.** 8.50 (3) (b) of the statutes is amended to read:

13 8.50 (3) (b) Except as otherwise provided in this section, the provisions for the
14 partisan primary under s. 8.15 are applicable to all partisan primaries held under
15 this section, and the provisions for spring ~~primaries~~ election nominations under s.
16 8.10 are applicable to all nonpartisan ~~primaries~~ elections held under this section.
17 In a special partisan primary or election, the order of the parties on the ballot shall
18 be the same as provided under s. 5.62 (1) or 5.64 (1) (b). No primary is required for
19 ~~a nonpartisan election in which not more than 2 candidates for an office appear on~~
20 ~~the ballot or for a partisan election in which not more than one candidate for an office~~
21 appears on the ballot of each recognized political party. In every special election
22 except a special election for nonpartisan state office where no candidate is certified
23 to appear on the ballot, a space for write-in votes shall be provided on the ballot,
24 regardless of whether a special primary is held.

25 **SECTION 51.** 10.01 (2) (d) of the statutes is amended to read:

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1 10.01 (2) (d) Type D — The type D notice shall state the hours the polls will be
2 open and the polling places to be utilized at the election or shall include a concise
3 statement of how polling place information may be obtained. In cities over 500,000
4 population, the board of election commissioners shall determine the form of the
5 notice. In other municipalities and special purpose districts, the clerk of the
6 municipality or special purpose district shall give the polling place information in the
7 manner the governing body of the municipality or special purpose district decides
8 will most effectively inform the electors. The type D notice shall be published by the
9 municipal clerk or board of election commissioners of each municipality once on the
10 day before each spring ~~primary and~~ election, each special national, state, county, or
11 municipal election at which the electors of that municipality are entitled to vote and
12 each partisan primary and general election. The clerk of each special purpose
13 district ~~which~~ that calls a special election shall publish a type D notice on the day
14 before the election, and the day before the special primary, if any, except as
15 authorized in s. 8.55 (3).

16 **SECTION 52.** 10.01 (2) (e) of the statutes is amended to read:

17 10.01 (2) (e) Type E — The type E notice shall state the qualifications for
18 absentee voting, the procedures for obtaining an absentee ballot in the case of
19 registered and unregistered voters, the places and the deadlines for application and
20 return of application, including any alternate site under s. 6.855, and the office hours
21 during which an elector may cast an absentee ballot in the municipal clerk's office
22 or at an alternate site under s. 6.855. The municipal clerk shall publish a type E
23 notice on the 4th Tuesday preceding each spring ~~primary and~~ election, on the 4th
24 Tuesday preceding each partisan primary and general election, on the 4th Tuesday
25 preceding the primary for each special national, or state, ~~county or municipal~~

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1 election if any, on the 4th Tuesday preceding a special county or municipal
2 referendum, and on the 3rd Tuesday preceding each special national, state, county,
3 or municipal election to fill an office ~~which~~ that is not held concurrently with the
4 spring or general election. The clerk of each special purpose district ~~which~~ that calls
5 a special election shall publish a type E notice on the 4th Tuesday preceding the
6 ~~primary for the~~ special election, ~~if any,~~ on the 4th Tuesday preceding a special
7 referendum, and on the 3rd Tuesday preceding a special election for an office ~~which~~
8 that is not held concurrently with the spring or general election except as authorized
9 in s. 8.55 (3).

10 **SECTION 53.** 10.02 (3) (intro.) of the statutes is amended to read:

11 10.02 (3) (intro.) The notice shall contain the following:

12 **FACSIMILE BALLOT NOTICE**

13 **OF ... ELECTION**

14 Office of [County] [Municipal] Clerk.

15 To the Electors of [County] [Municipality]:

16 Notice is hereby given of a election to be held in the several wards in the
17 [county] [municipality] of, on the day of, (year), at which the officers
18 named below shall be chosen. The names of the candidates for each office to be voted
19 for, whose nominations have been certified to or filed in this office, are given under
20 the title of the office and under the appropriate party or other designation, each in
21 its proper column, together with the questions submitted to a vote, in the sample
22 ballot below.

23 **INFORMATION TO ELECTORS**

24 Except as provided in sub. (4) and except where a different statement is
25 prescribed by the commission for use in whole or in part by municipalities using

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1 electronic voting systems under s. 5.95, the voting instructions shall be given
2 substantially as follows:

3 **SECTION 54.** 10.02 (3) (b) 4. of the statutes is repealed.

4 **SECTION 55.** 10.02 (4) of the statutes is created to read:

5 10.02 (4) The commission shall prescribe by rule the content of type B notices
6 to be used at elections at which ranked-choice voting under s. 5.20 is used.

7 **SECTION 56.** 10.06 (1) (c) of the statutes is amended to read:

8 10.06 (1) (c) As soon as possible after the deadline for filing nomination papers
9 for the spring election, but no later than the 2nd Tuesday in January, the commission
10 shall send a type B notice certifying the list of candidates to each county clerk ~~if a~~
11 ~~primary is required.~~

12 **SECTION 57.** 10.06 (1) (e) of the statutes is amended to read:

13 10.06 (1) (e) ~~As soon as possible following the state canvass of the spring~~
14 ~~primary vote, but no later than the first Tuesday in March, the commission shall send~~
15 ~~a type B notice certifying to each county clerk the list of candidates for the spring~~
16 ~~election. When no state spring primary is held, this notice shall be sent under par.~~
17 ~~(e).~~ When there is a referendum, the commission shall send type A and C notices
18 certifying each question to the county clerks as soon as possible, but no later than the
19 first Tuesday in March.

20 **SECTION 58.** 10.06 (2) (b) of the statutes is repealed.

21 **SECTION 59.** 10.06 (2) (d) of the statutes is repealed.

22 **SECTION 60.** 10.06 (3) (am) of the statutes is amended to read:

23 10.06 (3) (am) As soon as possible following the deadline for filing nomination
24 papers for any municipal election when there is to be an election for a county or state
25 office or a county or statewide referendum, but no later than 3 days after such

SENATE BILL 240**SECTION 60**

1 deadline, the municipal clerk of each municipality in which voting machines or
2 ballots containing the names of candidates for both local offices and national, state,
3 or county offices are used shall certify the list of candidates for municipal office to the
4 county clerk ~~if a primary is required~~, unless the municipality prepares its own ballots
5 under s. 7.15 (2) (c).

6 **SECTION 61.** 10.06 (3) (as) of the statutes is repealed.

7 **SECTION 62.** 10.06 (3) (b) of the statutes is repealed.

8 **SECTION 63.** 10.06 (3) (bm) of the statutes is amended to read:

9 10.06 (3) (bm) As soon as possible following the ~~municipal canvass of the~~
10 ~~primary vote or the~~ qualification of the candidates under s. 8.05 (1) (j) when a
11 municipal caucus is held, if there is to be an election for a county or state office or a
12 county or statewide referendum, but no later than 3 days after such date, the
13 municipal clerk of each municipality in which voting machines or ballots containing
14 the names of candidates for both local offices and national, state, or county offices are
15 used shall certify the list of candidates for municipal office and municipal referenda
16 appearing on the ballot to the county clerk, unless the municipality prepares its own
17 ballots under s. 7.15 (2) (c).

18 **SECTION 64.** 10.06 (3) (f) of the statutes is amended to read:

19 10.06 (3) (f) At least 40 days prior to any special ~~primary or~~ election for
20 municipal office, the municipal clerk shall publish a type A notice. On the 4th
21 Tuesday prior to any special primary for national, or state, ~~county or municipal~~ office,
22 the municipal clerk shall publish a type E notice. On the 3rd Tuesday prior to any
23 special election for national, state, county, or municipal office ~~which~~ that is not held
24 concurrently with the spring or general election, the municipal clerk shall publish
25 a type E notice. On the 4th Tuesday prior to any special county referendum, the

SENATE BILL 240**SECTION 64**

1 municipal clerk shall publish a type E notice. On the 4th Tuesday prior to any special
2 municipal referendum, the municipal clerk shall publish type A and E notices. On
3 the day preceding any special ~~primary or~~ election for municipal office, or any special
4 municipal referendum, the municipal clerk shall publish a type B notice. The
5 municipal clerk shall publish a type C notice on the day preceding a special municipal
6 referendum. On the day preceding any special primary or election for national, state,
7 county, or municipal office, or a special county or municipal referendum, the
8 municipal clerk shall publish a type D notice.

9 **SECTION 65.** 10.06 (4) (g) of the statutes is amended to read:

10 10.06 (4) (g) On the day preceding any ~~primary or~~ election for any office other
11 than a national, state, county, or municipal office, the clerk of the jurisdiction in
12 which the ~~primary or~~ election is held shall publish a type B notice.

13 **SECTION 66.** 11.0101 (29) of the statutes is amended to read:

14 11.0101 (29) "Special election" means any election, other than those described
15 in subs. (15), (24), (30), and (32), ~~and (33)~~ to fill vacancies or to conduct a referendum.

16 **SECTION 67.** 11.0101 (33) of the statutes is repealed.

17 **SECTION 68.** 11.0204 (2) of the statutes is repealed.

18 **SECTION 69.** 11.0204 (3) (a) of the statutes is amended to read:

19 11.0204 (3) (a) File a preelection report no earlier than 14 42 days and no later
20 than ~~8~~ 36 days preceding the election.

21 **SECTION 70.** 11.0204 (3) (am) of the statutes is created to read:

22 11.0204 (3) (am) File a 2nd preelection report no earlier than 14 days and no
23 later than 8 days preceding the election.

24 **SECTION 71.** 11.0304 (2) of the statutes is repealed.

25 **SECTION 72.** 11.0304 (3) (a) of the statutes is amended to read:

SENATE BILL 240**SECTION 72**

1 11.0304 (3) (a) File a preelection report no earlier than 14 42 days and no later
2 than ~~8~~ 36 days preceding the election.

3 **SECTION 73.** 11.0304 (3) (am) of the statutes is created to read:

4 11.0304 (3) (am) File a 2nd preelection report no earlier than 14 days and no
5 later than 8 days preceding the election.

6 **SECTION 74.** 11.0504 (2) of the statutes is repealed.

7 **SECTION 75.** 11.0504 (3) (a) of the statutes is amended to read:

8 11.0504 (3) (a) File a preelection report no earlier than 14 42 days and no later
9 than ~~8~~ 36 days preceding the election.

10 **SECTION 76.** 11.0504 (3) (am) of the statutes is created to read:

11 11.0504 (3) (am) File a 2nd preelection report no earlier than 14 days and no
12 later than 8 days preceding the election.

13 **SECTION 77.** 11.0604 (2) of the statutes is repealed.

14 **SECTION 78.** 11.0604 (3) (a) of the statutes is amended to read:

15 11.0604 (3) (a) File a preelection report no earlier than 14 42 days and no later
16 than ~~8~~ 36 days preceding the election.

17 **SECTION 79.** 11.0604 (3) (am) of the statutes is created to read:

18 11.0604 (3) (am) File a 2nd preelection report no earlier than 14 days and no
19 later than 8 days preceding the election.

20 **SECTION 80.** 11.0704 (2) of the statutes is repealed.

21 **SECTION 81.** 11.0804 (2) of the statutes is repealed.

22 **SECTION 82.** 11.0804 (3) (a) of the statutes is amended to read:

23 11.0804 (3) (a) File a preelection report no earlier than 14 42 days and no later
24 than ~~8~~ 36 days preceding the election.

25 **SECTION 83.** 11.0804 (3) (am) of the statutes is created to read:

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1 11.0804 (3) (am) File a 2nd preelection report no earlier than 14 days and no
2 later than 8 days preceding the election.

3 **SECTION 84.** 20.005 (3) (schedule) of the statutes: at the appropriate place,
4 insert the following amounts for the purposes indicated:

2021-22 2022-23

5 **20.510 Elections commission**

6 (1) ADMINISTRATION OF ELECTIONS

7 (em) Outreach and education;

8 ranked-choice voting GPR A 1,000,000 -0-

9 **SECTION 85.** 20.510 (1) (ed) of the statutes is created to read:

10 20.510 (1) (ed) *Elections administration; ranked-choice voting.* A sum
11 sufficient to implement and administer ranked-choice voting, as provided under ss.
12 5.20 and 7.62, including updating equipment and software and implementing secure
13 technologies, and to provide grants to counties and municipalities under s. 5.05 (1)
14 (g) for the same purpose.

15 **SECTION 86.** 20.510 (1) (em) of the statutes is created to read:

16 20.510 (1) (em) *Outreach and education; ranked-choice voting.* The amounts
17 in the schedule to provided public outreach and education on ranked-choice voting,
18 as provided under ss. 5.20 and 7.62.

19 **SECTION 87.** 38.16 (3) (br) 1. of the statutes is amended to read:

20 38.16 (3) (br) 1. If a district board wishes to exceed the limit otherwise
21 applicable to the district under this subsection, it shall adopt a resolution supporting
22 inclusion in the final district budget of an amount equal to the proposed excess
23 revenue. The resolution shall be filed as provided in s. 8.37. Within 10 days after

SENATE BILL 240**SECTION 87**

1 adopting the resolution, the district board shall notify the board of the scheduled date
2 of the referendum and submit a copy of the resolution to the board. The district board
3 shall call a special referendum for the purpose of submitting the resolution to the
4 electors of the district for approval or rejection. In lieu of a special referendum, the
5 district board may specify that the referendum be held at the next succeeding spring
6 ~~primary or~~ election or partisan primary or general election, if such election is to be
7 held not sooner than 70 days after the filing of the resolution of the district board.
8 The district board shall certify the results of the referendum to the board within 10
9 days after the referendum is held.

10 **SECTION 88.** 59.17 (7) of the statutes is amended to read:

11 59.17 (7) REMOVAL FROM OFFICE; VACANCY, HOW FILLED. The county executive may
12 be removed from office by the governor for cause under s. 17.16. A vacancy in the
13 office of county executive shall be filled temporarily, within 30 days of the date of the
14 vacancy, by appointment by the chairperson of the board, subject to confirmation by
15 the board, from among electors of the county. Within 7 days following the occurrence
16 of the vacancy, the clerk shall order a special election to be held under s. 8.50 to fill
17 the vacancy. If the vacancy occurs after October 31 but not later than 49 days before
18 the day of the spring ~~primary~~ election, the special election shall be held concurrently
19 with the spring ~~primary and~~ election.

20 **SECTION 89.** 59.605 (3) (a) 1. of the statutes is amended to read:

21 59.605 (3) (a) 1. If the governing body of a county wishes to exceed the operating
22 levy rate limit otherwise applicable to the county under this section, it shall adopt
23 a resolution to that effect. The resolution shall specify either the operating levy rate
24 or the operating levy that the governing body wishes to impose for either a specified
25 number of years or an indefinite period. The governing body shall call a special

SENATE BILL 240**SECTION 89**

1 referendum for the purpose of submitting the resolution to the electors of the county
2 for approval or rejection. In lieu of a special referendum, the governing body may
3 specify that the referendum be held at the next succeeding spring ~~primary or~~ election
4 or partisan primary or general election to be held not earlier than 70 days after the
5 adoption of the resolution of the governing body. The governing body shall file the
6 resolution to be submitted to the electors as provided in s. 8.37.

7 **SECTION 90.** 60.10 (1) (c) 1. of the statutes is renumbered 60.10 (1) (c).

8 **SECTION 91.** 60.10 (1) (c) 2. of the statutes is repealed.

9 **SECTION 92.** 64.04 (2) of the statutes is amended to read:

10 64.04 (2) Except as herein otherwise provided, candidates for council member
11 shall be nominated and elected after the manner provided by law for the nomination
12 and election of other municipal officers and all provisions of the statutes relating to
13 ~~city primary and general~~ elections not inconsistent with the provisions of ss. 64.01
14 to 64.15 shall apply to such elections for cities reorganized under ss. 64.01 to 64.15
15 the same as to cities organized under general law.

16 **SECTION 93.** 66.0602 (4) (a) of the statutes is amended to read:

17 66.0602 (4) (a) A political subdivision may exceed the levy increase limit under
18 sub. (2) if its governing body adopts a resolution to that effect and if the resolution
19 is approved in a referendum. For purposes of this paragraph, the political
20 subdivision may use its best estimate of its valuation factor, based on the most
21 current data available to it. The resolution shall specify the proposed amount of
22 increase in the levy, the purpose for which the increase will be used, and whether the
23 proposed amount of increase is for the next fiscal year only or if it will apply on an
24 ongoing basis. With regard to a referendum relating to any levy in an odd-numbered
25 year, the political subdivision may call a special referendum for the purpose of

SENATE BILL 240**SECTION 93**

1 submitting the resolution to the electors of the political subdivision for approval or
2 rejection on the same election dates as when a school board may call for a referendum
3 under s. 121.91 (3). Otherwise, the referendum shall be held at the spring ~~primary~~
4 ~~or~~ election or partisan primary or general election.

5 **SECTION 94.** 66.0619 (2m) (b) of the statutes is amended to read:

6 66.0619 **(2m)** (b) If a referendum is to be held on a resolution, the municipal
7 governing body shall file the resolution as provided in s. 8.37 and shall direct the
8 municipal clerk to call a special election for the purpose of submitting the resolution
9 to the electors for a referendum on approval or rejection. In lieu of a special election,
10 the municipal governing body may specify that the election be held at the next
11 succeeding spring ~~primary~~ ~~or~~ election or partisan primary or general election.

12 **SECTION 95.** 66.0921 (2) of the statutes is amended to read:

13 66.0921 **(2)** FACILITIES AUTHORIZED. A municipality may enter into a joint
14 contract with a nonprofit corporation organized for civic purposes and located in the
15 municipality to construct or otherwise acquire, equip, furnish, operate, and maintain
16 a facility to be used for municipal and civic activities if a majority of the voters voting
17 in a referendum at a special election ~~or at a~~, spring ~~primary~~ ~~or~~ election or partisan
18 primary, or general election approve the question of entering into the joint contract.

19 **SECTION 96.** 67.05 (6a) (a) 2. a. of the statutes is amended to read:

20 67.05 **(6a)** (a) 2. a. Direct the school district clerk to submit the resolution to
21 the electors for approval or rejection at the next regularly scheduled spring ~~primary~~
22 ~~or~~ election or partisan primary or general election, provided such election is to be
23 held not earlier than 70 days after the adoption of the resolution. A school board may
24 proceed under this subd. 2. a. and under s. 121.91 (3) (a) 1. no more than 2 times in

SENATE BILL 240**SECTION 96**

1 any calendar year. The resolution shall not be effective unless adopted by a majority
2 of the school district electors voting at the referendum.

3 **SECTION 97.** 67.05 (6m) (b) of the statutes is amended to read:

4 67.05 **(6m)** (b) If a referendum is to be held on an initial resolution, the district
5 board shall direct the technical college district secretary to call a special election for
6 the purpose of submitting the initial resolution to the electors for a referendum on
7 approval or rejection. In lieu of a special election, the district board may specify that
8 the election be held at the next succeeding spring ~~primary or~~ election or partisan
9 primary or general election.

10 **SECTION 98.** 67.12 (12) (e) 5. of the statutes is amended to read:

11 67.12 **(12)** (e) 5. Within 10 days of the adoption by a technical college district
12 board of a resolution under subd. 1. to issue a promissory note for a purpose under
13 s. 38.16 (2), the secretary of the district board shall publish a notice of such adoption
14 as a class 1 notice, under ch. 985. The notice need not set forth the full contents of
15 the resolution, but shall state the amount proposed to be borrowed, the method of
16 borrowing, the purpose thereof, that the resolution was adopted under this
17 subsection, and the place where and the hours during which the resolution is
18 available for public inspection. If the amount proposed to be borrowed is for building
19 remodeling or improvement and does not exceed \$1,500,000 or is for movable
20 equipment, the district board need not submit the resolution to the electors for
21 approval unless, within 30 days after the publication or posting, a petition
22 conforming to the requirements of s. 8.40 is filed with the secretary of the district
23 board requesting a referendum at a special election to be called for that purpose.
24 Such petition shall be signed by electors from each county lying wholly or partially
25 within the district. The number of electors from each county shall equal at least 1.5

SENATE BILL 240**SECTION 98**

1 percent of the population of the county as determined under s. 16.96 (2) (c). If a
2 county lies in more than one district, the technical college system board shall
3 apportion the county's population as determined under s. 16.96 (2) (c) to the districts
4 involved and the petition shall be signed by electors equal to the appropriate
5 percentage of the apportioned population. In lieu of a special election, the district
6 board may specify that the referendum shall be held at the next succeeding spring
7 ~~primary or~~ election or partisan primary or general election. Any resolution to borrow
8 amounts of money in excess of \$1,500,000 for building remodeling or improvement
9 shall be submitted to the electors of the district for approval. If a referendum is held
10 or required under this subdivision, no promissory note may be issued until the
11 issuance is approved by a majority of the district electors voting at such referendum.
12 The referendum shall be noticed, called, and conducted under s. 67.05 (6a) insofar
13 as applicable, except that the notice of special election and ballot need not embody
14 a copy of the resolution and the question ~~which~~ that shall appear on the ballot shall
15 be "Shall (name of district) be authorized to borrow the sum of \$.... for (state
16 purpose) by issuing its general obligation promissory note (or notes) under section
17 67.12 (12) of the Wisconsin Statutes?"

18 **SECTION 99.** 77.994 (3) (b) 2. b. of the statutes is amended to read:

19 77.994 (3) (b) 2. b. The resolution must be approved by a majority of the electors
20 in the municipality voting on the resolution at a referendum, to be held at the first
21 spring ~~primary or~~ election or partisan primary or general election following by at
22 least 70 days the date of adoption of the resolution.

23 **SECTION 100.** 117.22 (2) (e) of the statutes is repealed.

24 **SECTION 101.** 119.08 (2) of the statutes is amended to read:

SENATE BILL 240**SECTION 101**

1 119.08 (2) The electors of each election district shall elect one member residing
2 within the election district to represent the election district. The at-large member
3 shall be elected by the electors of the city. Board members shall be electors of the city
4 and shall be elected at the spring election. Candidates shall file nomination papers
5 for full terms or, when vacancies are to be filled, for unexpired terms. The ~~primary~~
6 and spring elections for board members shall be conducted by the election officials
7 for the election of judicial or other officers held on that date. The polling places for
8 the state, municipal, or judicial election shall be the polling places for the board
9 election and the municipal election hours shall apply.

10 **SECTION 102.** 120.06 (7) (a) of the statutes is renumbered 120.06 (7).

11 **SECTION 103.** 120.06 (7) (b) of the statutes is repealed.

12 **SECTION 104.** 120.06 (8) (a) of the statutes is amended to read:

13 120.06 (8) (a) Notify the municipal clerk of each municipality lying wholly or
14 partially within the school district of the ~~primary election if one is to be held and~~ of
15 the spring election and furnish those municipal clerks with a copy of the notice of the
16 school board election.

17 **SECTION 105.** 120.06 (8) (b) of the statutes is amended to read:

18 120.06 (8) (b) Determine ~~for the primary, if any, and again for the spring~~
19 election the order in which the names of candidates shall appear on the ballot by
20 supervising the drawing of lots not later than the 2nd Tuesday in January, or the next
21 day if the first Tuesday is a holiday, ~~and the 2nd day following the completion of the~~
22 canvass of the ~~primary election, if any.~~

23 **SECTION 106.** 120.06 (8) (c) (intro.) of the statutes is amended to read:

24 120.06 (8) (c) (intro.) Cause to be given a class 1 notice, in accordance with ch.
25 985, ~~on the Monday before the primary election, if one is to be held, and on the~~

SENATE BILL 240**SECTION 106**

1 Monday before the spring election. If publication is made in a newspaper ~~which~~ that
2 does not publish on Monday, publication shall be made on the closest preceding day
3 on which the newspaper publishes. If the school district clerk determines that due
4 to the method of delivering newspapers in the school district more effective notice
5 will be provided by publication at an earlier date, the school district clerk may
6 publish the notice not earlier than 3 days before the ~~primary or~~ election. The notice
7 shall contain the following information:

8 **SECTION 107.** 120.06 (8) (d) of the statutes is amended to read:

9 120.06 (8) (d) Where paper ballots are utilized at a spring ~~primary or~~ election,
10 provide the municipal clerk an adequate supply of ballots for the ~~primary or~~ election
11 at least 22 days before the ~~primary or~~ election.

12 **SECTION 108.** 120.06 (8) (f) of the statutes is amended to read:

13 120.06 (8) (f) ~~After the spring primary, if any, after~~ the spring election, and after
14 any special ~~primary,~~ election or referendum, assure that the returns are canvassed
15 as provided in sub. (14) and ~~s. ss. 7.53 (3) and 7.62.~~

16 **SECTION 109.** 120.06 (8) (g) of the statutes is amended to read:

17 120.06 (8) (g) Retain and supervise the destruction of election materials from
18 ~~the primary, if any, and~~ the spring election pursuant to s. 7.23 insofar as applicable.

19 **SECTION 110.** 120.06 (8) (h) of the statutes is amended to read:

20 120.06 (8) (h) Whenever a recount of ~~a primary or other~~ an election is required,
21 assure that the recount is conducted by the municipal and school district boards of
22 canvassers pursuant to s. 9.01.

23 **SECTION 111.** 120.06 (9) (a) of the statutes is amended to read:

24 120.06 (9) (a) The ~~primary and~~ spring elections for school board members shall
25 be conducted by the election officials for state and municipal elections. In a school

SENATE BILL 240**SECTION 111**

1 board election or referendum held in conjunction with a state, county, municipal, or
2 judicial election, the polling places for the state, county, municipal, or judicial
3 election shall be the polling places for the school board election or referendum, and
4 the municipal election hours shall apply. If no state, county, municipal, or judicial
5 election is held on the day of the school board election or referendum, the school board
6 may select the polling places to be used. The election costs shall be charged as
7 provided in ss. 5.68 and 7.03.

8 **SECTION 112.** 121.91 (3) (a) 1. of the statutes is amended to read:

9 121.91 (3) (a) 1. If a school board wishes to exceed the limit under sub. (2m)
10 otherwise applicable to the school district in any school year, it shall promptly adopt
11 a resolution supporting inclusion in the final school district budget of an amount
12 equal to the proposed excess revenue. The resolution shall specify whether the
13 proposed excess revenue is for a recurring or nonrecurring purpose, or, if the
14 proposed excess revenue is for both recurring and nonrecurring purposes, the
15 amount of the proposed excess revenue for each purpose. The resolution shall be filed
16 as provided in s. 8.37. Within 10 days after adopting the resolution, the school board
17 shall notify the department that it will schedule a referendum for the purpose of
18 submitting the resolution to the electors of the school district for approval or rejection
19 and shall submit a copy of the resolution to the department. Except as provided in
20 subd. 2., the school board shall schedule the referendum to be held at the next
21 regularly scheduled spring ~~primary or~~ election or partisan primary or general
22 election, provided such election is to be held not sooner than 70 days after the filing
23 of the resolution of the school board. A school board may proceed under this
24 subdivision and under s. 67.05 (6a) (a) 2. a. no more than 2 times in any calendar year.

SENATE BILL 240**SECTION 112**

1 The school district clerk shall certify the results of the referendum to the department
2 within 10 days after the referendum is held.

3 **SECTION 113.** 995.20 of the statutes is amended to read:

4 **995.20 Legal holidays.** January 1, the 3rd Monday in January (which shall
5 be the day of celebration for January 15), the 3rd Monday in February (which shall
6 be the day of celebration for February 12 and 22), the last Monday in May (which
7 shall be the day of celebration for May 30), June 19, which shall be the day of
8 observation for Juneteenth Day, July 4, the 1st Monday in September which shall be
9 known as Labor day, the 2nd Monday in October, November 11, the 4th Thursday in
10 November (which shall be the day of celebration for Thanksgiving), December 25, the
11 day of holding the partisan primary election, and the day of holding the general
12 election in November are legal holidays. On Good Friday the period from 11 a.m. to
13 3 p.m. shall uniformly be observed for the purpose of worship. In every 1st class city
14 the day of holding any municipal election is a legal holiday, ~~and in every such city the~~
15 ~~afternoon of each day upon which a primary election is held for the nomination of~~
16 ~~candidates for city offices is a half holiday~~ and in counties having a population of
17 750,000 or more the county board may by ordinance provide that all county
18 employees shall have ~~a half holiday on the day of such primary election~~ and a holiday
19 on the day of such municipal election, ~~and that employees whose duties require that~~
20 they work on such days be given equivalent time off on other days. Whenever any
21 legal holiday falls on Sunday, the succeeding Monday shall be the legal holiday.

22 **SECTION 114. Initial applicability.**

23 (1) RANKED-CHOICE VOTING. This act first applies to the 2022 spring primary and
24 spring election.

25 **SECTION 115. Effective date.**

