



State of Wisconsin  
2023 - 2024 LEGISLATURE

LRB-5232/1  
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## 2023 SENATE JOINT RESOLUTION 94

December 19, 2023 – Introduced by Senators STROEBEL, NASS, BALLWEG, TOMCZYK and WANGGAARD, cosponsored by Representatives BODDEN, GREEN, GOEBEN, ALLEN, BEHNKE, BRANDTJEN, DITTRICH, EDMING, GUNDRUM, GUSTAFSON, MAGNAFICI, MELOTIK, MURPHY, RETTINGER, TITTL, VANDERMEER, CALLAHAN, SCHRAA, ROZAR, BROOKS and MAXEY. Referred to Committee on Shared Revenue, Elections and Consumer Protection.

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

- 1 **To create** section 7 of article III and section 8 of article III of the constitution;
- 2 **relating to:** prohibiting ranked-choice voting in Wisconsin elections and
- 3 prohibiting voting for candidates of more than one political party in primaries
- 4 for partisan office (first consideration).

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### *Analysis by the Legislative Reference Bureau*

This constitutional amendment, proposed to the 2023 legislature on first consideration, prohibits the use of ranked-choice voting in Wisconsin elections and prohibits voting for candidates of more than one political party in partisan primaries held in the state.

#### **RANKED-CHOICE VOTING**

Ranked-choice voting is a voting method in which voters at an election are permitted to indicate and order their preferences for all candidates whose names appear on the ballot for the same office, rather than being required to vote for a single candidate for that office. Typically, under ranked-choice voting, tabulation of the votes then occurs in rounds, with each round dropping the candidate with the least support until a single candidate garners a majority of the ranked votes cast.

Under the constitutional amendment, any election in Wisconsin utilizing ranked-choice voting is invalid, and no individual may assume public office on the basis of such an election.

#### **MULTIPLE-PARTY PARTISAN PRIMARY VOTING**

The constitutional amendment additionally prohibits the use of a voting method in Wisconsin partisan primaries, including recall and special primaries for

partisan office, in which voters may cast votes for candidates of more than one political party or in which more than one candidate for each elective partisan office from each political party may advance from the primary to the final election. Under the constitutional amendment, any primary for a partisan office utilizing such a voting method is invalid.

A constitutional amendment requires adoption by two successive legislatures, and ratification by the people, before it can become effective.

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1            ***Resolved by the senate, the assembly concurring, That:***

2            **SECTION 1.** Section 7 of article III of the constitution is created to read:

3            [Article III] Section 7. No election conducted in this state may use a voting  
4            method in which electors may cast ballots ranking multiple candidates for the same  
5            elective office in order of preference and in which those ballots are then tabulated in  
6            rounds eliminating each candidate until a single candidate reaches a majority of the  
7            ranked votes cast. Any election in this state utilizing such a voting method is invalid,  
8            and no individual may assume public office on the basis of such an election.

9            **SECTION 2.** Section 8 of article III of the constitution is created to read:

10           [Article III] Section 8. No primary for a partisan office conducted in this state  
11           may use a voting method in which electors may cast votes for candidates of more than  
12           one political party, and no more than one candidate for each elective partisan office  
13           from each political party may advance from a partisan primary to the final election.  
14           Any primary for a partisan office utilizing such a voting method is invalid.

15           **SECTION 3. Numbering of new provisions.** If another constitutional  
16           amendment ratified by the people creates the number of any provision created in this  
17           joint resolution, the chief of the legislative reference bureau shall determine the  
18           sequencing and the numbering of the provisions whose numbers conflict.

