

Election Law Changes Impacting You & Your Municipality

By Michael Haas, Elections Division Administrator,
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Four regular statewide elections will be held in 2016 — the Spring Primary on February 16th, the Spring Election on April 5th, the Partisan Primary on August 9th, and the General Election on November 4th. The Presidential Primary in April and the Presidential Election in November are expected to generate increased voter turnout.

This article summarizes recent developments related to election administration and campaign finance laws which will be in effect for the first time in 2016.

VOTER PHOTO ID REQUIREMENT

In 2011, Wisconsin first enacted a requirement for most voters to display a photo identification card prior to receiving a ballot. After several court cases which ultimately reached the U.S. Supreme Court, the photo ID requirement has been in effect on a permanent basis since the spring of 2015. This year will bring the first statewide elections implementing the requirement. Wisconsin residents are encouraged to obtain an acceptable form of photo identification well in advance of scheduled elections.

In most cases voters will be able to use their Wisconsin driver license or DMV-issued ID card, even if it has expired after November 4, 2014. Several other forms of photo ID can be used, including a military ID, passport, tribal ID, or student ID from a Wisconsin university or college if it is

accompanied by proof that the student is currently enrolled. Further information can be obtained from the Bring It to the Ballot website (<http://bringit.wi.gov/>).

OTHER ELECTION CHANGES

Some of the other election law changes which will affect local clerks, candidates and voters, include the following.

The fee structure for recounts has been simplified. A candidate requesting a recount is not charged if the margin of victory is less than 10 votes when 4,000 or fewer votes are cast, or not more than 0.25 percent of the total votes cast for the office if more than 4,000 votes are cast. In all other cases the candidate is charged the entire cost of the recount. 2015 Act 36.

Write-in candidates must now file a registration statement with the local filing officer no later than noon on the Friday before the election to be considered a registered write-in candidate. Also, the time period for holding a

town or village caucus is now between January 2 and January 21. 2015 Act 37.

Villages and towns which were not required to designate an official newspaper and which were permitted to post legal notices in three places in lieu of publication may now post the notice in one public place and on the municipality's website. This change includes election notices for those villages and towns. 2015 Act 79.

CAMPAIGN FINANCE RULES

Significant changes to Wisconsin's campaign finance rules went into effect on January 1, 2016 as a result of 2015 Act 117. Local candidates must continue to register their committees with their local filing officer, but the threshold for exempt committees has increased. Previously, candidates could claim exempt status and would not have to file campaign finance reports if the committee did not raise or spend more than \$1,000 in a calendar year. Under the new law, a candidate com-

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mittee may claim exemption if it does not collect or spend more than \$2,000 in a calendar year.

Campaign contribution limits have increased, generally doubling previous limits. For individuals and political action committees contributing to local candidates, the contribution limit is calculated as 2 cents times the population of the district in which the candidate is running, with a minimum contribution limit of \$500 and a maximum limit of \$6,000. The campaign finance reporting periods are generally the same but the January and July continuing reports are now due on the 15th of those months rather than the 31st.

Candidates no longer need to provide employer name and address information for contributions over \$100, but must report the occupation of an individual who contributes more than \$200 in a calendar year. An elected official is now allowed, but not required, to form a second committee to pursue another office.

STATE AGENCY RESTRUCTURING

Beginning June 30, 2016, the Government Accountability Board (G.A.B.) will be replaced and its responsibilities assigned to two new agencies, the Elections Commission and the Ethics Commission. The Elections Commission will administer and enforce election administration laws, and the Ethics Commission will administer and enforce campaign finance and lobbying laws, as well as the ethics code for public officials.

The G.A.B. is working with other state officials to develop and manage the many details of a transition plan. Members of the two new commissions will be appointed on a partisan basis by legislative leaders and the Governor, and commission members will select the agency leadership. Apart from the new leadership structure, the Elections and Ethics Commissions will continue to operate with the same staff as the current G.A.B., and with the same mission — to serve local clerks, public officials, candidates, lobbyists, and voters in a fair and impartial manner.

Additional information about legislation regarding these issues can be found at <http://www.gab.wi.gov> or by contacting G.A.B. staff.