



Tony Evers

OFFICE OF THE GOVERNOR

April 15, 2022

TO THE HONORABLE MEMBERS OF THE SENATE:

I am vetoing Senate Bill 213 in its entirety.

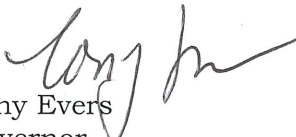
This bill would change the venue for certain election law violations. Currently an action for certain election law violations must occur in the county where the defendant resides; the bill would provide that venue is proper in the county where the alleged violation occurred or, in some circumstances, a contiguous county. The bill would also allow any person to bypass filing a complaint with the Wisconsin Elections Commission in favor of commencing an action against an election official they believe has acted contrary to the law without first filing a complaint with the Wisconsin Elections Commission.

The right to vote is fundamental to our democracy; it should not be subject to the whim of politicians who do not like the outcome of an election. Elected officials should not be able to abuse their power to cheat or control the outcomes of our elections or to prevent eligible voters from casting their ballots. This legislation is among many that have been sent to my desk during this legislative session, each passed under the guise of needing to reform our election system because elected officials in this state have enabled disinformation about our elections and election processes. I have and will object to each and every effort by this Legislature and its members to undermine our democracy, to erode confidence in our elections, and to demean and harass dedicated clerks, election administrators, and poll workers.

I am vetoing this bill in its entirety because I object to changing the venue for these actions and changing the procedure for commencing an action against an election official. Currently, a person accused of violations of state election laws is tried in the circuit court for the county where the defendant resides, with certain exceptions. This bill would specify that the venue for trying certain violations be either in the county where the act occurred or potentially in a contiguous county. This would undoubtedly lead to parties shopping around for judges who are perceived as more sympathetic to one political side or another. This is a dangerous precedent to set, and one which is not healthy for a well-functioning democracy.

I also object to modifying the way in which a person challenges the actions of an election official. Currently, any individual, other than a district attorney or the attorney general, must first file a complaint with the Elections Commission, and only after the commission's review can the matter go before a court. This step is essential as election laws are highly complex. It is quite likely that members of the public may perceive there to be an incorrect action by an election official because they do not understand the detailed law that regulates our elections. By starting the process with the Elections Commission, election experts can review the actions or perceived failures of action and determine if there was a potential violation or if the complainant simply did not understand the law.

Respectfully submitted,


Tony Evers
Governor