

State of Wisconsin



2023 Assembly Bill 298

Date of enactment:
Date of publication*:

2023 WISCONSIN ACT

AN ACT *to renumber and amend* 5.25 (3); and *to create* 5.25 (3) (a) 1. to 5., 5.25 (3) (b), 5.25 (3) (c) and 5.25 (3) (d) of the statutes; **relating to**: polling place closures.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. 5.25 (3) of the statutes is renumbered 5.25 (3) (a) (intro.) and amended to read:

5.25 (3) (a) (intro.) Polling places shall be established for each election at least 30 days before the election. Subject to par. (b), no polling place so established in a municipality may be closed to voters on election day unless the majority of the members-elect, as defined in s. 66.10015 (1) (bs), of the governing body of the municipality makes a finding of emergency, both the majority of the members-elect of the governing body of the municipality and the municipal clerk approve the closure, and the municipal clerk does all of the following:

SECTION 2. 5.25 (3) (a) 1. to 5. of the statutes are created to read:

5.25 (3) (a) 1. Posts public notice of the closure on the municipality's website or, if the municipality does not maintain a website, posts notices in at least 3 different locations within the municipality reasonably calculated to notify the most residents.

2. Publishes a class 3 notice under ch. 985 notifying the public of the closure.

3. Publishes a class 2 or class 1 notice under ch. 985 notifying the public of the closure if time does not permit publication of a class 3 notice.

4. Designates a proper person who shall be stationed at or as near as possible to the closed location to notify all electors of the closure and of their new polling location.

5. In a municipality establishing one polling place only, establishes a new polling location approved by the majority of the members-elect of the governing body and the municipal clerk.

SECTION 3. 5.25 (3) (b) of the statutes is created to read:

5.25 (3) (b) Under no circumstance may a municipality close more than one-half of its polling places within 30 days before an election, except as provided in par. (a) 5.

SECTION 4. 5.25 (3) (c) of the statutes is created to read:

5.25 (3) (c) After an election and more than 30 days before the next election, the location of a polling place in a municipality may not be discontinued without the approval of the municipality's governing body after a public hearing at which the public has an opportunity to present testimony on the proposed discontinuation.

SECTION 5. 5.25 (3) (d) of the statutes is created to read:

5.25 (3) (d) Nothing in this subsection alters the authority of the election inspectors to adjourn to another location for voting on election day under s. 7.37 (1).

* Section 991.11, WISCONSIN STATUTES: Effective date of acts. "Every act and every portion of an act enacted by the legislature over the governor's partial veto which does not expressly prescribe the time when it takes effect shall take effect on the day after its date of publication."