

**BALLOT ACCESS CHECKLIST  
FOR 2021 MUNICIPAL CANDIDATES  
WHERE NOMINATION PAPERS ARE USED**



Each of the following forms must be completed and filed on time by a candidate for municipal office in order for the candidate's name to be placed on the ballot at the **February 16, 2021 Spring Primary** and the **April 6, 2021 Spring Election**.

In the City of Milwaukee, the filing officer is the Milwaukee City Election Commission. In all other municipalities, the filing officer is the municipal clerk (town, village or city). Candidates should contact their filing officer for further information or to obtain any of the necessary forms.

- Complete and Submit a Registration Statement (Form [CF-1](#))** to the filing officer prior to raising or spending any funds, and no later than **5 p.m. on Tuesday, January 5, 2021** or the candidate's name will not be placed on the ballot. If the form is faxed or emailed, the original document must follow postmarked no later than January 5, 2021. Wis. Stat. §§ 8.10(5), 8.30(2), Wis. Admin. Code EL § 6.04.
  - New Candidates  
**File** a campaign registration statement before campaign funds are collected or spent or before submitting nomination papers. Wis. Stat. §§ 11.0202(1)(a), 11.0101(1).
  - Continuing Candidates  
**Amend** your current registration, indicating the office sought and the new primary and election dates. Wis. Stat. §§ 11.0202(1)(a), 11.0101(1).
- Complete and Submit a Declaration of Candidacy (Form [EL-162](#))** to the filing officer no later than **5 p.m. on Tuesday, January 5, 2021** or the candidate's name will not be placed on the ballot. If the form is faxed or emailed, the original document must follow, postmarked no later than January 5, 2021. Wis. Stat. §§ 8.10(5), 8.21, 8.30(4), Wis. Admin. Code EL § 6.04.
- Circulate and Submit Nomination Papers for Nonpartisan Office (Form [EL-169](#))** to the filing officer no later than **5 p.m. on Tuesday, January 5, 2021** or the candidate's name will not be placed on the ballot. Only original nomination papers (no photocopies, faxes, or emailed documents) will be accepted. Nomination papers may not be circulated before December 1, 2020. Wis. Stat. § 8.10(2), Wis. Admin. Code EL § 6.04(2).

**The number of signatures required is as follows:**

All village and town offices:		20 - 100
1 <sup>st</sup> Class Cities:	Citywide offices	1,500 - 3,000
	Aldersperson elected to district	200 - 400
2 <sup>nd</sup> and 3 <sup>rd</sup> Class Cities:	Citywide offices	200 - 400
	Aldersperson elected at large	100 - 200
	Aldersperson elected to district	20 - 40
4 <sup>th</sup> Class Cities:	Citywide offices	50 - 100
	Aldersperson elected to district	20 - 40

- Municipal Judge Candidates:**  
**Complete and submit a Statement of Economic Interests (SEI)** to the Ethics Commission using the website (<https://sei.wi.gov>). Incumbents will be emailed a notice about December 1. New candidates must sign up on the website so staff can set them up to file electronically. The SEI must be received no later than 4:30 p.m. on Friday, January 8, 2021, or the candidate's name will not appear on the ballot. Wis. Stat. §§ 8.10(5), 8.30(3), 19.43(4). Candidates may also print the SEI form and instructions from the Ethics Commission website (<https://ethics.wi.gov>), and return those forms by email or fax. For more information, please contact the Ethics Commission at 608-266-8123 or [ethics@wi.gov](mailto:ethics@wi.gov).

**Important Note Regarding Statements of Economic Interests:**

A municipality may enact an ordinance establishing a code of ethics for public officials that may require a candidate for municipal office, *in addition to the office of Municipal Judge*, to file a *Statement of Economic Interests* (SEI). The ordinance may also provide that failure to timely file a *Statement of Economic Interests* will prevent the candidate's name from being placed on the ballot. Wis. Stat. § 19.59(1m),(3)(b). Please contact the filing officer to learn if this requirement applies to you.



# CAMPAIGN FINANCE REGISTRATION STATEMENT

STATE OF WISCONSIN

**Note:** An amended registration statement must be filed within 10 days of any changes in information.

<b>1. Is this an Amendment?</b> <input type="checkbox"/> No <input type="checkbox"/> Yes   If yes, please enter your committee number:	<b>Committee Number</b>
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## SECTION A: GENERAL INFORMATION

<b>A1. Candidate Committee/Committee/Conduit Name</b>		<b>A2. Registrant Type (Choose One)</b>			
<b>A3. Email</b>		<b>A4. Phone</b>		<input type="checkbox"/> Candidate <input type="checkbox"/> Referendum <input type="checkbox"/> Recall <input type="checkbox"/> Conduit <input type="checkbox"/> Political Action (PAC) <input type="checkbox"/> Independent Expenditure (IEC) <input type="checkbox"/> Political Party <input type="checkbox"/> Legislative Campaign Committee	
<b>A5. Mailing Address</b>			<b>A6. City</b>		<b>A7. State</b>
<b>Depository Institution Information</b>					
<b>A9. Institution Name</b>		<b>A10. Street Address</b>		<b>A11. City</b>	
<b>A12. State</b>		<b>A13. Zip</b>			
<b>Treasurer/Administrator Information</b>					
<b>A14. Name</b>		<b>A15. Email</b>		<b>A16. Phone</b>	
<b>A17. Mailing Address</b>			<b>A18. City</b>		<b>A19. State</b>
<b>A20. Zip</b>					
<b>Other Officers (Optional)</b>					
<i>Independent and local non-partisan candidates: Indicate by an asterisk (*) which officers are authorized to fill a vacancy in nomination due to death of candidate.</i>					
<b>A21. Name</b>		<b>A22. Title</b>		<b>A23. Email</b>	
<b>A24. Phone</b>		<b>A25. Name</b>		<b>A26. Title</b>	
<b>A27. Email</b>		<b>A28. Phone</b>			
<b>Filing Exemption</b>				<b>A29. Exemption Affirmation</b>	
<i>Registrants that will not accept contributions, make disbursements, or incur obligations in an aggregate amount of more than \$2,000 in a calendar year are eligible for exemption from filing campaign finance reports. Exempt status is effective only for the calendar year in which it is granted. Registrants wishing to remain on exempt status must renew each year. Candidates may not claim exemption in the year of their election before the day they appear on the ballot.</i>				<input type="checkbox"/> Yes, this registrant is eligible for exemption <input type="checkbox"/> No, this registrant is not eligible for exemption	

## SECTION B: CANDIDATE COMMITTEES

<b>B1. Office Sought (include District/Branch)</b>		<b>B2. Political Party</b>		<b>B3. Election Date</b>	
<b>Candidate Information</b>					
<b>B4. Name</b>		<b>B5. Email</b>		<b>B6. Phone</b>	
<b>B7. Mailing Address</b>			<b>B8. City</b>		<b>B9. State</b>
<b>B10. Zip</b>			<b>B11. Is this your only registered candidate committee in Wisconsin?</b>		
<i>An individual who holds a state or local elective office may establish a second candidate committee to pursue another state or local office.</i>			<input type="checkbox"/> Yes, this is my only candidate committee in Wisconsin <input type="checkbox"/> No, this is my second candidate committee in Wisconsin		
<b>B12. Other Office Held or Sought (include District/Branch) Only complete B12 if you responded "No" to B11.</b>					

## SECTION C: RECALL COMMITTEES

<b>C1. Name of Official Subject to Recall</b>		<b>C2. Office of Official Subject to Recall</b>		<b>C3.</b> <input type="checkbox"/> Support <input type="checkbox"/> Oppose	
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# CAMPAIGN FINANCE REGISTRATION STATEMENT

## STATE OF WISCONSIN

**Note:** An amended registration statement must be filed within 10 days of any changes in information.

### SECTION D: PAC, IEC, AND CONDUITS

<b>D1. Sponsoring Organization</b>	<b>D2. Email</b>	<b>D3. Phone</b>		
<b>D4. Mailing Address</b>	<b>D5. City</b>	<b>D6. State</b>	<b>D7. Zip</b>	

### SECTION E: POLITICAL PARTY & LEGISLATIVE CAMPAIGN COMMITTEES

<b>E1. Political Party (Name candidates appear under on a ballot)</b>		<b>E2. Does the Committee have a Segregated Fund?</b> <input type="checkbox"/> No <input type="checkbox"/> Yes		
<b>Segregated Fund Depository Institution Information (if applicable)</b>				
<b>E3. Institution Name</b>	<b>E4. Street Address</b>	<b>E5. City</b>	<b>E6. State</b>	<b>E7. Zip</b>

### SECTION F: REFERENDA COMMITTEES

<b>F1. Nature of Referendum (if applicable)</b>	<b>F2.</b> <input type="checkbox"/> Support <input type="checkbox"/> Oppose
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### SECTION G: CERTIFICATION

**Accurate Information**

*I certify that I am an authorized representative of the registrant and that to my knowledge all of the information contained within this registration is true, correct, and complete.*

**Timely Amendments**

*I am aware of the requirement to amend this registration statement within 10 days of any change of information contained within, as well as the requirement to register within 10 days of meeting the requirements to register under Chapter 11 of Wisconsin Statutes.*

**Records Retention**

*I further acknowledge the requirement to maintain the records of the registrant in an organized and legible manner for three years from the date of the most recent election in which this registrant participated.*

**Ongoing Compliance**

*This registrant shall continue to maintain its registration and comply with all applicable reporting requirements under Chapter 11 of Wisconsin Statutes.*

**Treasurer/Administrator**

<b>G1. Printed Name</b>	<b>G2. Signature</b>	<b>G3. Date</b>
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**Candidate (if applicable)**

<b>G4. Printed Name</b>	<b>G5. Signature</b>	<b>G6. Date</b>
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# FORM INSTRUCTIONS

## CAMPAIGN FINANCE REGISTRATION STATEMENT (CF-1)

**Note:** Use of this form is required by the Ethics Commission for registration of a political committee or conduit under Chapter 11 of Wisconsin Statute. Completion of this form is mandatory for committees that file on paper. It is not the Commission's intention to use any personally identifiable information from this form for any other purpose.

**Item 1. Is this an amendment?** Check the appropriate box. If "Yes" is checked, enter the committee ID number if you have one. If "No" is checked, proceed directly to Section A.

**Section A: General Information.** All candidates, committees, and conduits must complete section A.

**Item A1: Committee/Conduit Name.** All committees and conduits must have a name. It is not required that the name include the candidate or organization's name, but it is recommended, e.g., Friends of John Smith. A political party committee wishing to operate under the same name as a state political party committee must receive authorization from that state party (WIS. STAT. § 11.0101(26)(a)1).

**Depository Institution Information.** All committees and conduits must designate a depository institution. While it is recommended that all committees have a designated campaign depository account, candidates who will serve as their own treasurer may designate a single personal account to serve as the committee depository account and may intermingle personal and campaign funds (WIS. STAT. § 11.0201(2)(b)).

**Treasurer/Administrator Information.** Each committee must appoint a treasurer and each conduit must appoint an administrator. Any adult may serve as a treasurer or administrator. A candidate may serve as his or her own treasurer. If a candidate is serving as their own treasurer, please indicate so in this section.

**Section B: Candidate Committees.** Candidate committees must complete section B. No other committee type should complete section B.

**Section C: Recall Committees.** Recall committees must complete section C. No other committee type should complete section C.

**Section D: PAC, IEC, and Conduits.** Political action committees, independent expenditure committees, and conduits must complete section D. No other committee type should complete section B. All fields in section D refer to the sponsoring organization's contact information.

**Section E: Political Party and Legislative Campaign Committees.** Only political party committees and legislative campaign committees should complete section E.

**Item E2.** A political party or a legislative campaign committee may establish a segregated fund for purposes other than making contributions to a candidate committee or making disbursements for express advocacy (WIS. STAT. § 11.1104(6)). It is recommended that the committee maintain the segregated fund in a depository account separate from the primary account, but it is not required.

**Items E3 - E7.** If the segregated fund is maintained with the same depository institution as the primary account, write "Same as primary account." in E3.

**Section F: Referendum Committees.** Only referenda committees should complete section F.

**Section G: Certification.** All committees and conduits must complete section G.

# Declaration of Candidacy

(See instructions for preparation on back)

FOR OFFICE USE ONLY

Is this an amendment?

**Yes** (if you have already filed a DOC for this election)

**No** (if this is the first DOC you have filed for this election)

I, \_\_\_\_\_, being duly sworn, state that  
Candidate's name

I am a candidate for the office of \_\_\_\_\_  
Official name of office - Include district, branch or seat number

representing \_\_\_\_\_  
If partisan election, name of political party or statement of principle - five words or less (Candidates for nonpartisan office may leave blank.)

and I meet or will meet at the time I assume office the applicable age, citizenship, residency and voting qualification requirements, if any, prescribed by the constitutions and laws of the United States and the State of Wisconsin, and that I will otherwise qualify for office, if nominated and elected.

I have not been convicted of a felony in any court within the United States for which I have not been pardoned.<sup>1</sup>

**My present address, including my municipality of residence for voting purposes is:**

House or fire no.	Street Name	Mailing Municipality and State	Zip code	Town of <input type="checkbox"/>	Village of <input type="checkbox"/>	City of <input type="checkbox"/>
				Municipality of Residence for Voting		

**My name as I wish it to appear on the official ballot is as follows:**

\_\_\_\_\_  
(Any combination of first name, middle name or initials with surname. A nickname may replace a legal name.)

STATE OF WISCONSIN } \_\_\_\_\_ (Signature of candidate)  
County of \_\_\_\_\_ } ss.  
(County where oath administered)

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
(Signature of person authorized to administer oaths)

**NOTARY SEAL  
REQUIRED, IF OATH  
ADMINISTERED BY  
NOTARY PUBLIC**

Notary Public or  other official \_\_\_\_\_  
(Official title, if not a notary)

If Notary Public: My commission expires \_\_\_\_\_ or  is permanent.

The information on this form is required by Wis. Stat. § 8.21, Art. XIII, Sec. 3, Wis. Const., and must be filed with the filing officer in order to have a candidate's name placed on the ballot. Wis. Stats. §§ 8.05 (1)(j), 8.10 (5), 8.15 (4)(b), 8.20 (6), 120.06 (6)(b), 887.01.

<sup>1</sup> A 1996 constitutional amendment bars any candidate convicted of a misdemeanor which violates the public trust from running for or holding a public office. However, the legislature has not defined which misdemeanors violate the public trust. A candidate convicted of any misdemeanor is not barred from running for or holding a public office until the legislature defines which misdemeanors apply.

## Instructions for Completing the Declaration of Candidacy

All candidates seeking ballot status for election to any office in the State of Wisconsin must properly complete and file a **Declaration of Candidacy**. This form must be **ON FILE** with the proper filing officer no later than the deadline for filing nomination papers or the candidate's name will not appear on the ballot. A facsimile will be accepted if the FAX copy is received by the filing officer no later than the filing deadline **and** the signed original declaration is received by the filing officer with a postmark no later than the filing deadline.

### **Information to be provided by the candidate:**

- Type or print your name on the first line.
- The title of the office and **any district, branch, or seat number** for which you are seeking election must be inserted on the second line. *For legislative offices insert the title and district number, for district attorneys insert the title and the county, for circuit court offices insert the title, county and branch number, and for municipal and school board offices insert the title and any district or seat number.*
- Type or print the political party affiliation or principle supported by you in five words or less on the third line. *Nonpartisan candidates may leave this line blank.*
- **Felony convictions: Your name cannot appear on the ballot if you have been convicted of a felony in any court in the United States for which you have not been pardoned. Please see footnote on page 1 for further information with respect to convictions for misdemeanors involving a violation of public trust. These restrictions only apply to candidates for state and local office.**
- Your current address, including your municipality of residence for voting purposes, must be inserted on the fourth line. This must include your entire mailing address (**street and number, municipality where you receive mail**) and the name of the municipality in which you reside and vote (town, village, or city of \_\_\_). If your address changes before the election, an amended Declaration of Candidacy must be filed with the filing officer. Wis. Stat. § 8.21. *Federal candidates are not required to provide this information, however an address for contact purposes is helpful.*
- Type or print your name on the fifth line as you want it to be printed on the official ballot. You may use your full legal name, former legal surname, or any combination of first name, middle name, and initials, surname or nickname with last name.

**Note:** The Wisconsin Elections Commission has determined that, absent any evidence of an attempt to manipulate the electoral process, candidates are permitted to choose any form of their name, including nicknames, by which they want to appear on the ballot.

No titles are permitted. In addition, names such as “Red” or “Skip” are permitted, but names which have an apparent electoral purpose or benefit, such as “Lower taxes,” “None of the above” or “Lower Spending” are not permitted. It is also not permissible to add nicknames in quotes or parentheses. For example, John “Jack” Jones or John (Jack) Jones are not acceptable, but John Jones, Jack Jones or John Jack Jones are acceptable.

This form must be sworn to and signed in the presence of a notary public or other person authorized to administer oaths, such as a county or municipal clerk. Wis. Stat. §§ 8.21(2), 887.01(1).

### **Information to be provided by the person administering the oath:**

- The county where the oath was administered.
- The date the Declaration of Candidacy was signed and the oath administered.
- The signature and title of the person administering the oath. If signed by a notary public, the notary seal is required and the date the notary's commission expires must be listed.

All candidates for offices using the nomination paper process must file this form (*and all school district candidates must file the EL-162sd*) with the appropriate filing officer no later than the deadline for filing nomination papers. Wis. Stats. §§ 8.10 (5), 8.15 (4)(b), 8.20 (6), 8.21, 8.50 (3)(a), 120.06 (6)(b). Candidates nominated for local office at a caucus must file this form with their municipal clerk within 5 days of receiving notice of nomination. Wis. Stat. § 8.05 (l)(j).

# NOMINATION PAPER FOR NONPARTISAN OFFICE

Candidate's name <b>(required)</b> ; no titles may be used.	Candidate's residential address <b>(required)</b> <i>No P.O. box addresses</i> Street, fire, or rural route number; box number (if rural route); and name of street or road	Candidate's municipality for <u>voting</u> purposes <b>(required)</b> <input type="checkbox"/> Town <input type="checkbox"/> Village <input type="checkbox"/> City _____ (name of municipality)
Candidate's mailing address, including municipality for mailing purposes <b>(required)</b> if different than residential address or voting municipality	State <b>(required)</b> <div style="text-align: center; font-size: 24pt; font-weight: bold;">WI</div>	Type of election <b>(required)</b> <input type="checkbox"/> spring <input type="checkbox"/> special
Title of office <b>(required)</b>	Branch, district or seat number <b>(required)</b> if applicable <input type="checkbox"/> Branch <input type="checkbox"/> District <input type="checkbox"/> Seat	Election date <b>(required)</b> <i>Do not use primary date.</i> Mo/Day/Year
Name of jurisdiction or district in which candidate seeks office <b>(required)</b>		

I, the undersigned, request that the candidate, whose name and residential address are listed above, be placed on the ballot at the election described above as a candidate so that voters will have the opportunity to vote for  him or  her for the office listed above. I am eligible to vote in the jurisdiction or district in which the candidate named above seeks office. I have not signed the nomination paper of any other candidate for the same office at this election.

Signatures of Electors	Printed Name of Electors	Residential Address (No P.O. Box Addresses) Street and Number or Rural Route (Rural address must also include box or fire no.)	Municipality of Residence Check the type and write the name of your municipality for voting purposes. <input type="checkbox"/> Town <input type="checkbox"/> Village <input type="checkbox"/> City	Date of Signing Mo/Day/Year
1.			<input type="checkbox"/> Town <input type="checkbox"/> Village <input type="checkbox"/> City	
2.			<input type="checkbox"/> Town <input type="checkbox"/> Village <input type="checkbox"/> City	
3.			<input type="checkbox"/> Town <input type="checkbox"/> Village <input type="checkbox"/> City	
4.			<input type="checkbox"/> Town <input type="checkbox"/> Village <input type="checkbox"/> City	
5.			<input type="checkbox"/> Town <input type="checkbox"/> Village <input type="checkbox"/> City	
6.			<input type="checkbox"/> Town <input type="checkbox"/> Village <input type="checkbox"/> City	
7.			<input type="checkbox"/> Town <input type="checkbox"/> Village <input type="checkbox"/> City	
8.			<input type="checkbox"/> Town <input type="checkbox"/> Village <input type="checkbox"/> City	
9.			<input type="checkbox"/> Town <input type="checkbox"/> Village <input type="checkbox"/> City	
10.			<input type="checkbox"/> Town <input type="checkbox"/> Village <input type="checkbox"/> City	

**The municipality used for mailing purposes, when different than municipality of residence, is not sufficient. The name of the municipality of residence must always be listed.**

## CERTIFICATION OF CIRCULATOR

I, \_\_\_\_\_ (Name of circulator) \_\_\_\_\_ (Circulator's residential address - Include number, street, and municipality), \_\_\_\_\_ certify: I reside at \_\_\_\_\_.

I further certify I am either a qualified elector of Wisconsin, or a U.S. citizen, age 18 or older who, if I were a resident of this state, would not be disqualified from voting under Wis. Stat. §6.03. I personally circulated this nomination paper and personally obtained each of the signatures on this paper. I know that the signers are electors of the jurisdiction or district the candidate seeks to represent. I know that each person signed the paper with full knowledge of its content on the date indicated opposite his or her name. I know their respective residences given. I intend to support this candidate. I am aware that falsifying this certification is punishable under Wis. Stat. § 12.13(3)(a).

\_\_\_\_\_  
(Date)

\_\_\_\_\_  
(Signature of circulator)

## INSTRUCTIONS FOR PREPARING NOMINATION PAPERS FOR NONPARTISAN OFFICE

This is a sample nomination paper form. It conforms to the statutory requirements for nomination papers for nonpartisan office. All information concerning the candidate must be completed in full before circulating this form to obtain signatures of electors. All information concerning the signing electors and the circulator must be completed in full before filing with the appropriate filing officer. This form may be reproduced in any way. A candidate's picture and biographical data may also be added to this form. The Wisconsin Elections Commission has determined that no disclaimer or other attribution statement is required on nomination papers. Candidates are advised to send a sample of their completed form to the filing officer for review before circulation.

**Page Numbers** – Number each page consecutively, beginning with “1”, before submitting to the filing officer. A space for page numbers has been provided in the lower right-hand corner of the form.

**Candidate's Name** - Insert the candidate's name. A candidate may use his or her full legal name, or any combination of first name, middle name, and initials or nickname with last name. The Wisconsin Elections Commission has determined that, absent any evidence of an attempt to manipulate the electoral process, candidates are permitted to choose any form of their name, including nicknames, by which they want to appear on the ballot.

No titles are permitted. In addition, names such as “Red” or “Skip” are permitted, but names which have an apparent electoral purpose or benefit, such as “Lower taxes,” “None of the above” or “Lower Spending” are not permitted. It is also not permissible to add nicknames in quotes or parentheses between first and last names. For example, John “Jack” Jones or John (Jack) Jones are not acceptable, but John Jones, Jack Jones or John Jack Jones are acceptable.

**Candidate's Address** – Insert the candidate's residential address (*no P.O. Box addresses*) and the municipality for voting purposes. Indicate if the municipality of residence is a town, village, or city. If a candidate's mailing address is different from the residential address or voting municipality, a complete mailing address must also be given.

**Date of Election** - Insert the date of the election. If the nomination paper is being circulated for a spring election, the date is the first Tuesday in April. If the election is a special nonpartisan election, the date of the special election must be listed.

**Title of Office** - The name of the office must be listed **along with any branch, district, or seat number** (if applicable) that clearly identifies the office the candidate is seeking. If necessary, the name of the jurisdiction that identifies the office, such as Dane County Circuit Court Judge, Branch 3, must also be listed.

**Name of Jurisdiction** - The nomination papers must also indicate the municipality or jurisdiction in which the signing electors are qualified to vote, as it relates to the office sought by the candidate named on the nomination paper. For example, for a statewide office the jurisdiction is the State of Wisconsin. Others may be the county, town, village, city, aldermanic district, school district, or town sanitary district, as required.

**Signatures and Printed Name of Electors** - Only qualified electors of the jurisdiction or the district the candidate seeks to represent may sign the nomination papers. Each signer must also legibly print their name. Each elector must provide their **residential address** (*no P.O. Box addresses*), including any street, fire or rural route number, box number (if rural route) and street or road name, and municipality of residence. A post office box number alone does not show where the elector actually resides. The name of the Municipality of Residence must be listed for each signing elector and must clearly identify the town, village or city where the elector's voting residence is located. The date the elector signed the nomination paper, including month, day and year, must be indicated. Ditto marks that follow correct and complete address or date information are acceptable. The circulator may add any missing or illegible address or date information before the papers are filed with the filing officer.

**Signature of Circulator** - The circulator should carefully read the language of the *Certification of Circulator*. **THE CIRCULATOR MUST PERSONALLY PRESENT THE NOMINATION PAPER TO EACH SIGNER. THE NOMINATION PAPER MAY NOT BE LEFT UNATTENDED ON COUNTERS OR POSTED ON BULLETIN BOARDS.** The circulator's complete residential address including municipality of residence must be listed in the certification. After obtaining signatures of electors, the circulator must sign and date the certification.

**Other Instructions** - Candidates and circulators should review Ch. Wisconsin Elections Commission §§ 2.05, 2.07, Wis. Adm. Code.

- *Original* nomination papers must be in the physical custody of the appropriate filing officer by the filing deadline. A postmark on the filing deadline is **NOT** sufficient. Nomination papers **CANNOT** be faxed to the filing officer. Ch. Wisconsin Elections Commission § 6.04(2), Wis. Adm. Code.
- Nomination papers with the required number of signatures must be filed with the appropriate filing officer **no later than 5:00 p.m.** on the first Tuesday in January (or the next day if the first Tuesday is a holiday) before the spring election. Special elections may have different filing deadlines. Check with the filing officer.
- In order for a candidate's name to be placed on the ballot, a candidate must file a *Campaign Registration Statement* (ETHCF-1), a *Declaration of Candidacy* (EL-162), and *Nomination Papers* (EL-169) containing the appropriate number of signatures for the office sought no later than the filing deadline. Wis. Stat. § 8.10(3). Candidates for state office and municipal judge must also file a statement of economic interests with the Wisconsin Ethics Commission by the third business day after the nomination paper filing deadline. Wis. Stat. § 19.43. If any one of these required forms is not filed by the deadline, the candidate's name will not be placed on the ballot. Wis. Stat. § 8.30.
- If a candidate or circulator has any questions, he or she should contact the filing officer.





# Wisconsin Elections Commission

212 East Washington Avenue | Third Floor | P.O. Box 7984 | Madison, WI 53707-7984  
(608) 266-8005 | elections@wi.gov | elections.wi.gov

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## MEMORANDUM

**TO:** Wisconsin County Clerks and the Milwaukee County Elections Commission  
Wisconsin Municipal Clerks and the Milwaukee City Election Commission

**FROM:** Elections Commission Staff

**DATE:** September 13, 2019

**SUBJECT:** Effect of Constitutional Amendment Barring Convicted Felons from Running for or Holding Elective Office in Wisconsin

In November 1996, the electors of the State of Wisconsin ratified a constitutional amendment which bars any person, who has been convicted of a felony for which they have not been pardoned, or who has been convicted of a misdemeanor involving a violation of public trust for which they have not been pardoned, from holding a state or local office. As a result of the adoption of this constitutional amendment, which took effect on November 5, 1996, local election officials may need to address a number of questions relating to convicted felons who seek to run for office or who are elected to office.

The constitutional amendment deals with two different types of crimes. The first involves felony convictions. Any person convicted of a felony in any federal or state court in the United States is barred from running for state or local office in Wisconsin, unless that person has been pardoned.

The second involves misdemeanor convictions involving a violation of public trust. The term, “misdemeanor involving a violation of public trust,” has not been defined by state law. Filing officers do not have to worry about individuals convicted of that category of crime until the term has been defined. At the present time, there is no such thing as a misdemeanor involving a violation of public trust.

The Declaration of Candidacy form (EL-162) reflects this constitutional change. Any person seeking to be a candidate for state or local office must file a Declaration of Candidacy. That declaration contains a sworn statement that the person has not been convicted of any felony for which they have not been pardoned, or any misdemeanor involving a violation of public trust for which they have not been pardoned. Any person who falsely signs this statement could be convicted of a violation of Wis. Stat. § 12.13(3)(a), (am). If a person seeking to become a candidate advises you that they have been convicted of a felony, your best approach is to advise

*Wisconsin Elections Commissioners*

Dean Knudson, chair | Marge Bostelmann | Julie M. Glancey | Ann S. Jacobs | Jodi Jensen | Mark L. Thomsen

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Administrator  
Meagan Wolfe

them that they cannot be a candidate and discourage them from filing ballot access documents, including nomination papers, a Declaration of Candidacy and Campaign Registration Statement.

If it is brought to your attention that a person who is a convicted felon has filed ballot access documents, the matter needs to be resolved in consultation with your municipal or county attorney. It is the position of the Wisconsin Elections Commission that you should only act on information that has been presented to you, in the form of a sworn complaint, alleging that a person has been convicted of a felony and evidence is provided in support of that allegation. Your municipal attorney can assist you in verifying the basis of the complaint.

Once it has been determined that a candidate or an elected official has been convicted of a felony, your municipal attorney can assist you in removing the person's name from the ballot or take appropriate steps to have the person removed from office. A formal notice should be sent to the candidate or elected official informing that person of the filing officer's decision to remove his or her name from the ballot.

This change to Wisconsin law regarding candidate qualifications and the qualifications of elected public officials does not require the municipal clerk to verify that every elected official or candidate for elected public office has not been convicted of a felony for which they have not been pardoned. The clerk should rely on the sworn statement of the candidate on the Declaration of Candidacy. No action should be taken unless there is evidence, in the form of a sworn complaint, setting forth allegations which establish that a candidate or elected official has been convicted of a felony for which they have not been pardoned.