

# NOTICES

## Summary

County, municipal, and school district clerks are responsible for publishing five basic election notices:

1. Type A – Notice of Election.
2. Type B – Sample Ballot and Voting Instruction Notice.
3. Type C – Notice of Referendum.
4. Type D – Polling Place Location and Hours Notice.
5. Type E – Absentee Voting Notice.

Sample election notices can be found on the agency website. These samples may require modification for your municipality based on offices up for election and voting equipment used in your municipality.

Additionally, Wisconsin law requires that meetings of all state and local governmental bodies, including governmental subunits, shall be publicly noticed, held in places reasonably accessible to members of the public, and shall be open to all citizens at all times unless otherwise expressly provided by law. Election-related meetings such as Board of Canvassers, voting equipment testing, post-election audits, etc., fall under this requirement, and the municipal clerk must properly notice such meetings. If you have specific questions about requirements for open meetings notice, please consult with your municipal attorney.

## Type A – Notice of Election

The purpose of this notice is to inform the public and potential candidates of the offices to be elected and inform voters of the upcoming election. This notice must include the following information:

1. Date of the election;
2. Offices to be elected;
3. Name(s) of the current incumbent(s);
4. Length of the term(s) and expiration date(s);

5. Beginning date for circulating nomination papers (if applicable);
6. Deadline for filing nomination papers (if applicable);
7. Proper location to file nomination papers (if applicable);
8. Scheduling of caucus (if applicable);
9. Statement on where to find district boundary information.

For an election at which a referendum is to be held, the Type A Notice must include the following information:

1. Date of the election;
2. Text of the referendum question;
3. Statement on where to obtain a copy of the resolution directing submission of the question to the voters.

### *Publishing*

1. Spring elections: Municipal clerks publish or post one Type A notice for municipal offices on the fourth Tuesday in November before a spring municipal election.

If there will be any referenda voted on at the spring primary or election, municipal clerks publish or post a Type A Notice of Referendum on the fourth Tuesday before the spring primary or election.

2. Fall elections: County clerks publish the Type A notice.

If there are municipal referenda on the ballot, the municipal clerk shall publish or post a Type A Notice of Referendum on the fourth Tuesday preceding the September primary and general election.

3. Special municipal primary or election: Municipal clerks must publish or post the Type A notice at least 40 days preceding a primary and election for municipal office.
4. Special municipal referendum election: Municipal clerks must publish or post the Type A notice on the fourth Tuesday preceding the election.

## Type B – Sample Ballots and Voting Instructions

The purpose of this notice is to inform voters of the ballot type and the candidates for which they will vote, as well as voting instructions. This notice must include the following information:

1. Applicable voting instructions for each type of voting system used;
2. A copy of each type of ballot to be voted on.

### *Layout and Format*

1. The headline or caption, the introductory paragraph and the voting instructions shall be printed once at the beginning of the Type B Notice, followed by a sample of each ballot to be used at the election.
2. The sample ballots shall follow the voting instructions:
  - a. The size and style of type and the general display of the sample ballots shall conform substantially to sample ballots provided by the State Elections Board. However, the ballot size may be reduced for publication in the notice.
  - b. State law requires that all sample ballots must be printed on paper of a different color than the official ballots, may not be white, and must be overprinted with the word "SAMPLE".
  - c. Touch screen sample ballots shall show a reduced diagram of the front of the touch screen voting machine and instructions to electors on how to vote on the machine.

### *Publishing*

1. Spring elections: Municipal clerks publish or post the Type B notice on the Monday before the spring election.

If there is a municipal primary, municipal clerks publish or post a Type B notice on the Monday before the primary.

2. Fall elections: County clerks publish the Type B notice.

If there are municipal referenda on the ballot, municipal clerks publish or post a Type B notice on the Monday before the election.

3. Special municipal election or referendum elections: Municipal clerks must publish or post a Type B notice on the day before the special municipal election or primary, or special municipal referendum.

### Type C – Notice of Referendum

The purpose of this notice is to inform voters of a referendum question that will appear on the ballot and provide an explanation of the effect of the referendum question. This notice must include the following information:

1. Date of the election;
2. Entire text of the proposed enactment;
3. Question as it will appear on the ballot;
4. An explanatory statement describing the effect of a “yes” or “no” vote.

#### *Publishing*

1. Spring elections: If there are municipal referenda, municipal clerks publish or post a Type C notice on the Monday before the spring election.

If there is a municipal primary where referenda are voted on at the primary, municipal clerks publish or post a Type C notice on the Monday before the primary.

2. Fall elections: County clerks publish Type C notices.

If there are municipal referenda on the ballot, municipal clerks publish or post a Type C notice on the Monday before the election.

3. Special municipal election or referendum elections: Municipal clerks must publish or post a Type C notice on the day before a special municipal referendum.

### Type D – Hours and Location of Polling Places

The purpose of this notice is to inform voters of the correct polling location and the hours during which they may cast a vote. This notice must include:

1. Location of polling places;

2. Wards served by each polling place;
3. Hours of polling (7:00 a.m. to 8:00 p.m.);
4. A statement about the accessibility for elderly and disabled voters for each polling place.

#### *Publishing*

1. Spring elections: Municipal clerks publish or post the Type D notice on the Monday before the spring primary and election.
2. Fall elections: Municipal clerks publish or post the Type D notice on the Monday before the September primary and general election.
3. Special election or referendum elections: Municipal clerk must publish or post a Type D notice on the day before any special primary or election for national, state, county or municipal office, or special county or municipal referendum.

### Type E Notice – Absentee Voting

The purpose of this notice is to inform voters of the process and deadlines for obtaining and casting an absentee ballot. This notice must include:

1. Qualifications for voting absentee;
2. Procedures for obtaining an absentee ballot from the municipal clerk;
3. Applicable deadlines for requesting and returning an absentee ballot;
4. Any alternate site for absentee voting established under §6.855, Wis. Stats.
5. Office hours during which an elector may cast an absentee ballot at the clerk's office or an alternate site.

#### *Publishing*

1. Spring elections: Municipal clerks publish or post the Type E notice on the fourth Tuesday before the spring primary or election.
2. Fall elections: Municipal clerks publish or post the Type E notice on the fourth Tuesday before the September primary and general election.
3. Special primary, election or referendum elections:

- a. Municipal clerks publish or post the Type E notice on the fourth Tuesday before any special primary for national, state, county, or municipal office.
- b. Municipal clerks publish or post the Type E notice on the third Tuesday before any special election for national, state, county or municipal office which is not held concurrently with the spring or general election.

### Summary of Publishing Dates

	Spring Elections	Fall Elections	Special municipal primaries, elections, or referenda	Special primary, election, or referenda for national, state, or county
Type A	For spring municipal elections: 4 <sup>th</sup> Tuesday in November before the election	Published by County Clerk	For municipal offices: 40 days before the primary or election	Published by County Clerk
Type A: Notice of Referendum Election	If referenda voted on for spring primary or election: 4 <sup>th</sup> Tuesday before spring primary or election	Only if municipal referendum on ballot: 4 <sup>th</sup> Tuesday before the September primary or general election	For special municipal referendum: 4 <sup>th</sup> Tuesday before referendum election	Published by County Clerk
Type B	For spring primary or election: Monday before primary or election	Only if municipal referendum on ballot: Monday before the election	Day before the election	Published by County Clerk
Type C	If municipal referendum on ballot: Monday before the election	Only if municipal referendum on ballot: Monday before the election	Day before the election	Published by County Clerk
Type D	Monday before the election	Monday before the election	Day before the election	Day before the election
Type E	For spring primary or election: 4 <sup>th</sup> Tuesday before the election	4 <sup>th</sup> Tuesday before September primary and general election	Special PRIMARY: 4 <sup>th</sup> Tuesday before	Special PRIMARY: 4 <sup>th</sup> Tuesday before
			Special ELECTION: 3 <sup>rd</sup> Tuesday before	Special ELECTION: 3 <sup>rd</sup> Tuesday before

## Procedures

### *Using Weekly Newspaper*

If a weekly newspaper that is not published on Monday is used for publication, the notices required to be published the day before the election must appear in the issue that is published during the week preceding the election. Notices may be published on a Saturday or Sunday if the clerk determines that this method provides more effective notice to the public.

### *Combined Publications and Prorated Costs*

County, municipal, and school district clerks may combine election notices where the notices contain identical information and when the levels of government share the same official newspaper. This practice reduces costs and avoids duplication. The costs for these combined notices can be prorated with the county paying for the portion of the notice covering federal, state, and county offices and municipalities and school districts paying for the portion that covers their respective local offices.

### *Posting in Lieu of Publication*

Towns and villages may post election notices in lieu of publication where there is no newspaper published within the municipality.

1. This is done by action of the governing body and, if it changes the former manner of notices, a notice must be given of the change before it can take place.
2. The same manner of notification must be used for all notices pertaining to an election.
3. Posting must be done in at least three conspicuous locations within the municipality.
4. For notices required to be published within one week of the primary or election (Types B, C, and D), posting must be done at least one week before the election. For all other notices (Type A and E), posting must be done no later than the required publication dates.
5. Posting may also be done to supplement publication.

## Frequently Asked Questions

### *1. When can jurisdictions combine their notices to save on printing costs?*

Jurisdictions may combine their notices if the information on the notice is identical and when the levels of government share the same official newspaper. For example, only one Type B notice with sample ballots for each type of equipment, along with a list of candidates, districts and seats to be voted on in each municipality, needs to be published.

### *2. Who writes the explanatory statements for referendum questions?*

For statewide referenda, the explanatory statement is prepared by the Attorney General. For county questions, the statement is prepared by the county's corporation counsel, and for municipal or school district referenda, the statement is prepared by the attorney representing the jurisdiction.

## List of Related Forms and Publications

All forms and publications are available on the agency website or can be ordered from the State Elections Board.

### *Sample Notices*

Type A – Notice of Spring Primary Election

Type A – Notice of Spring Election

Type A – Notice of Referendum

Type A – Notice of Special Election

Type B – Sample Ballot Notice for Paper and Optical Scan for Spring Primary

Type B – Sample Ballot Notice for Touchscreen DRE for Spring Primary

Type B – Sample Ballot Notice for Paper and Optical Scan for Spring Election

Type B – Sample Ballot Notice for Touchscreen DRE for Spring Election

Type B – Sample Ballot Notice for Paper and Optical Scan for Fall Elections with  
Municipal Referenda

Type B – Sample Ballot Notice for Touchscreen DRE for Fall Elections with  
Municipal Referenda

Type C – Sample Notice of Referendum

Type D – Sample Notice of Polling Place Location and Hours

Type E – Sample Absentee Voting Notice