RECALL ELECTIONS

Summary

Wisconsin law permits voters to recall elected officials under certain circumstances. Recall is an opportunity for voters to require elected officials to stand for election before the end of the official's term. No petition for recall of an officer may be offered for filing before the expiration of one year after commencement of the term of office for which the officer is elected. The Elections Board staff has prepared a manual, *Recall of Local Elected Officials,* which can be found on the agency website.

Procedures

Registration Required

1. Before a recall petition may be circulated, the individual or committee seeking the recall of an elected official must file a Campaign Registration Statement (EB-1) with the filing officer.
2. The Campaign Registration Statement (EB-1) must clearly indicate that the committee is registering as a recall committee and identify the officeholder it seeks to recall.
3. A statement must be attached to the Campaign Registration Statement (EB-1) form indicating:
    a. the petitioner's intent to circulate a recall petition;
    b. the name of the officeholder for whom recall is sought; and
    c. the reason for the recall which is related to the official responsibilities of the officeholder (the same reason must appear on the petition).
4. No signature on a recall petition is valid until the Campaign Registration Statement (EB-1) and a statement of reasons for the recall has been filed with the filing officer.

Number of Signatures Required

1. The filing officer with whom recall petitions are filed is required to determine the appropriate number of signatures and certify that amount to any interested person on request.
2. Recall petitions must contain signatures of qualified electors equal to at least 25% of the vote cast for the office of governor at the last election in the same district or territory as that of the officeholder being recalled.

Sample Recall Petition (EB-170)

A sample Recall Petition (EB-170) has been prepared by the State Elections Board and is available on the agency website.

1. Any recall petition shall be identified by the words "RECALL PETITION" at the top of the form.
2. All recall petitions for local elected officials shall contain a statement of reasons for which the recall is sought. The reasons for the recall must be related to the officeholder's official duties.
3. Petitions seeking recall of more than one elected official must be prepared and filed separately.

Circulation Time Period

A recall petition may be circulated after filing the Campaign Registration Statement (EB-1).

1. The petition to recall any officeholder must be filed no later than 5:00 p.m. on the 60th day after registration.

   After the petition has been offered for filing, no name may be added or removed.

2. Only signatures dated within the 60-day circulation period may be counted.

Candidate Eligibility

1. The official against whom the petition is filed shall be a candidate at the recall election without nomination, unless the official resigns within ten (10) days after the date the election is called.
2. In order to have their names placed on the ballot at the recall election, candidates, other than the incumbent, must file nomination papers,

declarations of candidacy, and campaign registration statements no later than 5:00 p.m. on the 4th Tuesday before the election.

Recall Primary

A recall primary will be held in nonpartisan recall elections if more than two candidates compete for an office.

1. The names of the two candidates who receive the highest number of votes in the recall primary will be certified and printed on the ballot for the recall election.
2. A recall election will not be held if a candidate receives a majority (50% plus 1) of the votes at the recall primary.
3. Write-in votes are permitted only at a recall primary or at a recall election in which no primary is held.

Recall Election

1. The recall election is held on the Tuesday of the 6th week after the recall petition is certified.
2. If a primary is required, the primary is held on Tuesday of the 6th week after the recall petition is certified, and the recall election is held on Tuesday of the 4th week after the primary election.

Frequently Asked Questions

1. *May individuals petition for recall if the office holder has been in office for less than one year for the current term being served?*

   No petition for recall of an officer may be offered for filing before the expiration of **one year** after commencement of the term of office for which the officer is elected. A petition may be circulated 60 days before the expiration of one year, but may not be offered for filing until after the officer has completed one year in office.

2. *Are filing officers required to publish a notice for recall elections like all other elections?*

   Recall elections are noticed, conducted, and canvassed like all other regular elections administered by the filing officer.

3. *Who may circulate recall petitions?*

   Any U.S. citizen, age 18 years or older and not disqualified from voting under the impediments listed in §6.03 Wis. Stats., may circulate recall petitions.

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.

Forms

EB-1: Campaign Registration Statement
EB-170: Recall Petition

Manuals

Recall of Local Elected Officials Manual