

Timing for Petition Submission & Elements of Content - per Wisconsin Laws  
Revised October 9, 2012

Note: The authority on these questions is the Government Accountability Board. For the final word on the interpretation of these laws, contact the Staff Council Attorney Shane Falk, [Shane.Falk@WI.gov](mailto:Shane.Falk@WI.gov), 608 266-8005, or Michael Haas, 608 266-0136. Call them first, rather than city or county clerks or even city lawyers for questions on law interpretation.

Per Wisconsin Statute:

8.37 Unless otherwise required by law, **all proposed constitutional amendments** and any other measure or question that is **to be submitted to a vote of the people**, or any petitions requesting that a measure or question be submitted to a vote of the people, if applicable, **shall be filed with the official or agency responsible for preparing the ballots for the election no later than 70 days prior to the election** at which the amendment, measure or question will appear on the ballot.

70 days before April 2, 2013 is January 22, 2013. However, this is when the petition, already approved by the City Council, is to be submitted to the County, for the preparation of ballots.

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9.20 (1) A Petition may request that an attached, proposed resolution, without alteration, either be passed by the common council or referred to a vote of the electors. The individual filing the petition is to designate an individual to be notified of any insufficiency or improper form.

9.20 (2m) After the petition has been offered for filing, no name may be erased or removed. **No signature may be considered valid or counted unless the date is less than 60 days before the date offered for filing.**

That is, the petition gathering period is the 60 days ending on the day of petition submission.

9.20 (3) **Within 15 days after the petition is filed, the clerk shall determine by careful examination whether the petition is sufficient** and whether the proposed ordinance or resolution is in proper form. The clerk shall state his or her findings in a signed and dated certificate attached to the petition. **If the petition is found to be insufficient** or the proposed ordinance or resolution is not in proper form, the certificate shall give the particulars, stating the insufficiency or improper form. **The petition may be** amended to correct any insufficiency or the proposed ordinance or resolution may be **put in proper form within 10 days** following the affixing of the original certificate and notification of the individual designated under sub. (1). **When the original or amended petition is found to be sufficient** and the original or amended ordinance or resolution is in proper form, the clerk shall so state on the attached certificate and **forward it to the common council** or village board **immediately**.

9.20 (4) **The common council or village board shall**, without alteration, **either pass the ordinance or resolution within 30 days** following the date of the clerk's final certificate, **or submit it to the**

electors at the next spring or general election, if the election is **more than 6 weeks** after the date of the council's or board's action on the petition or the expiration of the 30-day period, whichever first occurs. If there are 6 weeks or less before the election, the ordinance or resolution shall be voted on at the next election thereafter. The council or board by a three-fourths vote of the members-elect may order a special election for the purpose of voting on the ordinance or resolution at any time prior to the next election, but not more than one special election for direct legislation may be ordered in any 6-month period.

Thus the **longest time** period required by WISS 9.20 to process a petition is:

**15 days** for clerk exam + **10 days** to correct + **30 days** for council passage + **70 days** for ballot preparation

= **55 days** maximum to end of council time limit + **70 days**

= **125 days** before the election on April 2, 2013

= November 28, 2012

9.20 (7) Publication of the result is made within 10 days after the election.