

STATE OF WISCONSIN CIRCUIT COURT WAUKESHA COUNTY

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AMERICANS FOR CITIZEN VOTING

PAC

11166 Fairfax Boulevard

Suite 500, #1023

Fairfax, VA 22030

Plaintiff,

v.

Case Type: Declaratory Judgment

Case Code: 30701

Case No. 26-CV-

MEAGAN WOLFE, in her official capacity as Administrator of the Wisconsin Elections Commission, and ANN S. JACOBS, MARK L. THOMSEN, CARRIE RIEPL, DON M. MILLIS, ROBERT F. SPINDELL, JR., and MARGE BOSTELMANN, in their official capacities as Commissioners of the Wisconsin Elections Commission, 201 West Washington Avenue, 2nd Floor Madison, Wisconsin 53703

Defendants.

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**SUMMONS**

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THE STATE OF WISCONSIN, To each person named above as a Defendant:

You are hereby notified that the Plaintiff named above has filed a lawsuit or other legal action against you. The complaint, which is attached, states the nature and basis of the legal action.

Within 45 days of receiving this summons, you must respond with a written answer, as that term is used in Chapter 802 of the Wisconsin Statutes, to the complaint. The court may reject or disregard an answer that does not follow the

requirements of the statutes. The answer must be sent or delivered to the court, whose address is **Waukesha County Clerk of Courts, 515 West Moreland Boulevard, Waukesha, Wisconsin 53188**, and to the **Wisconsin Institute for Law & Liberty**, Plaintiff's attorneys, whose address is **1241 North Franklin Place, Milwaukee, Wisconsin 53202**. You may have an attorney help or represent you.

If you do not provide a proper answer within 45 days, the court may grant judgment against you for the award of money or other legal action requested in the complaint, and you may lose your right to object to anything that is or may be incorrect in the complaint. A judgment may be enforced as provided by law. A judgment awarding money may become a lien against any real estate you own now or in the future, and may also be enforced by garnishment or seizure of property.

Dated: April 29, 2026.

Respectfully Submitted,

WISCONSIN INSTITUTE  
FOR LAW & LIBERTY

*Electronically signed by  
Nathalie E. Burmeister*

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Lucas T. Vebber (#1067543)  
Daniel P. Lennington (#1088694)  
Nathalie E. Burmeister (#1126820)

1241 N. Franklin Place  
Milwaukee, WI 53202  
Phone: (414) 727-7361

lucas@will-law.org  
dan@will-law.org  
nathalie@will-law.org

*Attorneys for Plaintiff*

STATE OF WISCONSIN    CIRCUIT COURT    WAUKESHA COUNTY

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PAC  
11166 Fairfax Boulevard  
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Plaintiff,

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MEAGAN WOLFE, in her official capacity as Administrator of the Wisconsin Elections Commission, and ANN S. JACOBS, MARK L. THOMSEN, CARRIE RIEPL, DON M. MILLIS, ROBERT F. SPINDELL, JR., and MARGE BOSTELMANN, in their official capacities as Commissioners of the Wisconsin Elections Commission, 201 West Washington Avenue, 2nd Floor Madison, Wisconsin 53703

Defendants.

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**COMPLAINT**

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Plaintiff Americans for Citizen Voting PAC (“ACV PAC”), by and through undersigned counsel, complains against Defendants Meagan Wolfe, Ann S. Jacobs, Mark L. Thomsen, Carrie Riepl, Don M. Millis, Robert F. Spindell, Jr., and Marge Bostelmann as follows:

## INTRODUCTION

1. This is a civil rights action challenging various provisions of Wisconsin law as amended by 2025 Wisconsin Act 126 (“Act 126”)<sup>1</sup>, which unlawfully restrict core political speech and associational rights protected by the First Amendment.

2. Act 126 amends Wis. Stat. §§ 8.10(3), 8.15(4)(a), 8.20(3), 8.40(2), and 9.10(2)(em)2. in order to impose strict residency requirements upon individuals who circulate nomination papers or recall petitions in the State of Wisconsin.

3. Specifically, Act 126 amends state law to require circulators to be “qualified elector[s]” of Wisconsin, and any nomination papers or recall petitions circulated by a non-qualified elector are invalid.

4. Those residency requirements violate the First Amendment. *See Krislov v. Rednour*, 226 F.3d 851 (7th Cir. 2000), which struck down an Illinois law imposing similar residency requirements on circulators as a substantial burden on core political speech.

5. This is not the first time Wisconsin has tried to restrict out-of-state circulators. A previous Wisconsin law imposing similar residency requirements for circulators was struck down more than twenty years ago. *See Frami v. Ponto*, 255 F. Supp. 2d 962 (W.D. Wis. 2003).

6. Nevertheless, Act 126 was signed into law by Governor Tony Evers on March 27, 2026.

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<sup>1</sup> Available at <https://docs.legis.wisconsin.gov/2025/related/acts/126>.

7. Time is of the essence, as nomination papers are being circulated right now for the fall election. Plaintiff is seeking immediate temporary relief.

### **PARTIES**

8. Plaintiff Americans for Citizen Voting PAC (“ACV PAC”) is a federal political action committee registered with the Federal Election Commission as a Hybrid PAC since December 27, 2023.

9. ACV PAC maintains its principal place of business in Fairfax, Virginia.

10. ACV PAC does not accept corporate contributions into its contribution account and is eligible to support candidates for state and federal office in the State of Wisconsin.

11. ACV PAC was formed to promote election integrity, to support policies that ensure only United States citizens vote in American elections, and to support candidates and efforts to advance those goals across the country.

12. As part of advancing its mission and goals, ACV PAC seeks to support and associate with candidates for public office in the State of Wisconsin.

13. One way that ACV PAC wants to support and associate with candidates for public office in the State of Wisconsin is by helping those candidates collect signatures on nomination forms.

14. ACV PAC wants to work with out-of-state residents seeking to collect nomination signatures in Wisconsin but is prohibited from doing so by the residency requirements imposed by Act 126 and challenged in this action.

15. Defendant Meagan Wolfe is the Administrator of the Wisconsin Elections Commission and is sued in her official capacity.

16. Defendants Ann S. Jacobs, Mark L. Thomsen, Carrie Riepl, Don M. Millis, Robert F. Spindell, Jr., and Marge Bostelmann, are each sued in their official capacities as Commissioners of the Wisconsin Elections Commission, as they are collectively and individually are responsible for coordinating Wisconsin's responsibilities under state law regarding the laws challenged in this action.

### **JURISDICTION AND VENUE**

17. This is an action for declaratory and injunctive relief for which this Court has jurisdiction under Wis. Stat. §§ 806.04 and 813.01.

18. Venue is proper in this Court is pursuant to Wis. Stat § 801.50(3)(a) because the sole Defendant is a state employee in an official capacity.

### **BACKGROUND**

19. Petition circulation is core political speech.

20. Before Act 126, Wisconsin law permitted non-residents who would otherwise be eligible Wisconsin electors if they were Wisconsin residents, to circulate nomination papers and recall petitions provided they complied with state law, including certification requirements. *Compare* 2025 Wisconsin Act 126 *with* 2005 Wisconsin Act 451<sup>2</sup>.

21. Act 126, which was signed into law on March 27, 2026, and published a day later, makes several changes to state law.

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<sup>2</sup> Available at <https://docs.legis.wisconsin.gov/2005/related/acts/451>.

22. Act 126 amends Wis. Stat. § 8.15(4)(a) and related provisions to require that circulators state they are “a qualified elector of this state” with a narrow carve-out only for presidential/vice-presidential nomination papers.

23. Act 126 also requires that a circulator of a recall petition must certify they are “a qualified elector of this state.”

24. Wis. Stat. § 6.02 sets the qualifications to be an elector in Wisconsin as being a U.S. citizen, age 18 or older, and having resided in Wisconsin for at least 28 days before any election.

25. This is not Wisconsin’s first attempt at imposing residency requirements on circulators.

26. More than two decades ago, Wisconsin law required that circulators “reside[] within the district which the candidate . . . will represent.” Wis. Stat. § 8.15(4)(a) (2001).<sup>3</sup> That requirement was challenged in federal court, deemed unconstitutional, and enjoined. *See Frami v. Ponto*, 255 F. Supp. 2d 962 (W.D. Wis. 2003).

27. Following *Frami*, Wisconsin removed this requirement from the statutes via 2005 Wisconsin Act 451. The requirement remained out of Wisconsin law until Act 126 reinserted it.

28. After Act 126 was enacted, the Wisconsin Elections Commission updated its “Nomination Paper for Partisan Office” template to add “I am a qualified

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<sup>3</sup> Available at <https://docs.legis.wisconsin.gov/2001/statutes/statutes/8/15>

elector of Wisconsin” to the “Certification of Circulator.” **A true and correct copy of that template is attached hereto as Exhibit 1.**<sup>4</sup>

29. After Act 126 was enacted, the Wisconsin Elections Commission also sent a “communication” to “Wisconsin Candidates and Political Parties” explaining that, under Act 126, “Any person who is circulating nomination papers for the 2026 Fall Election cycle must reside in Wisconsin and must be qualified to vote in Wisconsin.” **A true and correct copy of that memorandum is attached hereto as Exhibit 2.**<sup>5</sup>

30. Nomination papers for the November 2026 general election began to be circulated on April 15, 2026.

31. On that day, the Wisconsin Elections Commission posted on its X.com social media account (@WI\_Elections): “It’s go time! Candidates can begin circulating nomination papers today for the Aug. 11 election! FYI: Under a new law, circulators must live in WI & be qualified to vote in the state.” **A true and correct copy of that post (as displayed on X.com) is attached hereto as Exhibit 3.**<sup>6</sup>

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<sup>4</sup> This document is also available online at <https://elections.wi.gov/sites/default/files/documents/EL-168%20Nomination%20Paper%20for%20Partisan%20Office%20Fillable%20%28Rev.%202026-04%29%205.pdf>.

<sup>5</sup> This document is also available on the Wisconsin Elections Commission’s website at <https://elections.wi.gov/candidates/getting-ballot> (See “2026 Wisconsin Act 126 – Communication to Candidates & Political Parties.pdf”).

<sup>6</sup> The post is also available on X.com at [https://x.com/WI\\_Elections/status/2044461839954727038](https://x.com/WI_Elections/status/2044461839954727038), and is archived at <https://archive.ph/XwQGT>.

32. Act 126 directly restricts the First Amendment protected activities of the Plaintiff.

33. Because of Act 126, Plaintiff is unable to work with out-of-state circulators to support and associate with candidates in the State of Wisconsin.

34. These restrictions shrink the pool of available circulators for Wisconsin candidates, prevent candidates from associating with out-of-state supporters, and thus limit the dissemination of political messages.

35. For Plaintiff, this means a limited pool of circulators with which it can associate to advance its goals and support candidates in furtherance of its mission.

36. Act 126 severely burdens Plaintiff's First Amendment rights because Plaintiff wants to engage out-of-state circulators to help Wisconsin candidates that it supports gather nomination signatures—but is prohibited from doing so in Wisconsin because of Act 126.

## **CAUSES OF ACTION**

### **CLAIM ONE: VIOLATION OF THE FIRST AND FOURTEENTH AMENDMENTS, 42 U.S.C. § 1983**

37. Plaintiff realleges and incorporates the preceding allegations of the complaint.

38. The residency requirements imposed by Act 126 on petition circulators, as provided by Wis. Stat. §§ 8.10(3), 8.15(4)(a), 8.20(3), 8.40(2), and 9.10(2)(em)2., substantially burden and infringe on Plaintiff's right to free speech and political association protected by the First Amendment, and applied to the State of Wisconsin through the Fourteenth Amendment.

39. These restrictions are not narrowly tailored to serve any compelling governmental interest.

40. In *Frami*, the United States District Court for the Western District of Wisconsin struck down Wisconsin's previous residency requirements for circulators.

41. The Seventh Circuit's *Krislov v. Rednour*, 226 F.3d 851 (7th Cir. 2000) decision is controlling here. Under *Krislov*, the challenged residency requirements violate the First Amendment.

42. Defendants, acting under color of state law, have enforced and will continue to enforce these unconstitutional provisions, harming Plaintiff's rights guaranteed by the First Amendment unless this Court declares those provisions to be unconstitutional and enjoins future enforcement, all in violation of 42 U.S.C. § 1983.

43. "State courts have jurisdiction over actions brought under 42 U.S.C. § 1983." *Thorp v. Town of Lebanon*, 2000 WI 60, ¶ 19, 235 Wis. 2d 610, 612 N.W.2d 59 (citation omitted).

### **REQUEST FOR RELIEF**

Plaintiff therefore requests the following relief:

A. Declare that the residency requirements imposed by Act 126, and contained in Wis. Stat. §§ 8.10(3), 8.15(4)(a), 8.20(3), 8.40(2), and 9.10(2)(em)2., are unconstitutional under the First Amendment as applied to the State of Wisconsin via the Fourteenth Amendment;

B. Issue preliminary and permanent injunctive relief enjoining Defendants, their agents, employees, and successors from enforcing the residency requirements imposed by Act 126, and contained in Wis. Stat. §§ 8.10(3), 8.15(4)(a), 8.20(3), 8.40(2), and 9.10(2)(em)2.

C. Award Plaintiff its attorney fees under 42 U.S.C. § 1988, costs, and any such other relief as the Court deems appropriate.

Dated: April 29, 2026.

Respectfully Submitted,

WISCONSIN INSTITUTE FOR LAW &  
LIBERTY

*Electronically signed by Nathalie E.  
Burmeister*

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Lucas T. Vebber (#1067543)  
Daniel P. Lennington (#1088694)  
Nathalie E. Burmeister (#1126820)

1241 N. Franklin Place  
Milwaukee, WI 53202  
Phone: (414) 727-9455

lucas@will-law.org  
dan@will-law.org  
nathalie@will-law.org

*Attorneys for Plaintiff*

### NOMINATION PAPER FOR PARTISAN 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 voting purposes <b>(required)</b> . <input type="checkbox"/> Town of _____ <input type="checkbox"/> Village of _____ <input type="checkbox"/> City of _____ <small>(name of municipality)</small>	
Candidate's mailing address, including municipality for mailing purposes <b>(required)</b> if different than residential address or voting municipality		State <b>(required)</b> <b>WI</b>	Zip code	Type of election <b>(required)</b> <input type="checkbox"/> general <input type="checkbox"/> special	General Election date <b>(required)</b> <u>Mo/Day/Year</u>	Name of Party or Statement of Principle <b>(Required)</b> (\$ words or less)
Title of office <b>(required)</b>		District or Jurisdiction <b>(required)</b> if applicable <input type="checkbox"/> District number _____ <input type="checkbox"/> Jurisdiction (county) _____			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 representing the party or statement of principle indicated above, 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.

<b>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.</b>				
Signatures of Electors	Printed Name of Electors	Residential Address <i>(No P.O. Box Addresses)</i> Street and Number or Rural Route <small>(Rural address must also include box or fire no)</small>	Municipality of Residence <small>Check the type and write the name of your municipality for voting purposes</small>	Date of Signing <u>Mo/Day/Year</u>
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	

#### CERTIFICATION OF CIRCULATOR

I, \_\_\_\_\_, certify: I reside at \_\_\_\_\_.

(Name of circulator) (Circulator's residential address - include number, street, and municipality)

I further certify I am a qualified elector of Wisconsin. 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)



Page No.

## INSTRUCTIONS FOR PREPARING NOMINATION PAPERS FOR PARTISAN OFFICE

This is a sample nomination paper form. It conforms to the statutory requirements for nomination papers for partisan 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 campaign information 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. Federal and state candidates file with the Wisconsin Elections Commission. County candidates file with the County Clerk.

**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 that 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 Residence** – 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 general election, the date is the Tuesday after the first Monday in November of an even-numbered year. If the election is a special partisan election, the date of the special election must be listed.

**Party or Statement of Principle** – Insert the name of the party the candidate represents. Independent candidates may provide a Statement of Principle, not to exceed 5 words.

**Title of Office** - The name of the office must be listed **along with the jurisdiction or district number** that clearly identifies the office the candidate is seeking, for example, Representative to the Assembly – 1<sup>st</sup> district or Dane County District Attorney.

**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. Other examples are 1<sup>st</sup> Congressional District, 24<sup>th</sup> Assembly District or Brown County.

**Signatures and Printed Names 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 CIRCULATOR MUST BE A QUALIFIED ELECTOR OF WISCONSIN. 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/emailed 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 June 1<sup>st</sup> (or the next day if June 1<sup>st</sup> is a holiday or weekend) before the general election. Nomination papers may not be circulated before April 15. Special elections may have different circulation time frames and 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-168) containing the appropriate number of signatures for the office sought no later than the filing deadline. Wis. Stat. § 8.15(6). 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

**DATE:** April 8, 2026

**TO:** Wisconsin Candidates and Political Parties

**FROM:** Wisconsin Elections Commission

**SUBJECT:** 2025 Act 126- Qualifications of Nomination Paper and Petition Circulators

## Summary

On March 30, 2026, [Act 126](#) was signed into law. [Wis. Stat. §§ 8.10, 8.15, 8.20, 8.40](#), and [9.10](#) were amended to require a circulator of nomination papers and recall petitions to be a “qualified elector of this state.” The key change was that in the past, circulators could be residents of other states who *would* have been eligible to vote in Wisconsin if they lived in the state. **Under the new law, circulators must be residents of Wisconsin for voting purposes.** Note: Circulators for presidential nomination papers and referenda petitions may still be adult U.S. citizens who are not Wisconsin residents but who would be otherwise qualified to vote under Wisconsin law.

The new law requires that all petition circulators be a “qualified elector.” A qualified elector of Wisconsin is someone who:

- Is a U.S. citizen
- Is at least 18 years old
- Has resided at their residential address in Wisconsin for at least 28 consecutive days with no present intent to move
- Is not currently serving a felony conviction, including incarceration, parole, probation, or extended supervision
- Has not been adjudicated to be incompetent with a finding that they do not understand the voting process
- Has not made a bet or wager on the result of the election

This means individuals who are not Wisconsin residents, or individuals who reside in Wisconsin but are disqualified from voting, cannot serve as a circulator. Specifically, circulators must have lived at their Wisconsin residential address for at least 28 days.

*Wisconsin Elections Commissioners*

Ann S. Jacobs, chair | Marge Bostelmann | Don M. Millis | Carrie Riepl | Robert Spindell | Mark L. Thomsen

Administrator  
Meagan Wolfe



On April 6, 2026, the Wisconsin Elections Commission held a public meeting to approve this memo and updated nomination paper templates to reflect this change in the law. The forms can be found on the WEC's website at <https://elections.wi.gov/forms>.

Candidates and petitioners must follow the new law immediately. **Any person who is circulating nomination papers for the 2026 Fall Election cycle must reside in Wisconsin and must be qualified to vote in Wisconsin.**

## Legal Analysis

**On March 30, 2026, Wisconsin 2026 Act 126 required that all circulators reside in Wisconsin and must be qualified to vote in Wisconsin.** The law includes circulators of nomination papers, and recall petitions.

Circulators for presidential nomination papers and referendum petitions do not need to be Wisconsin residents. However, they must be U.S. citizens, at least 18 years old, and otherwise eligible to vote under Wisconsin law.

While circulators are not required to be registered to vote, they must be *qualified* to vote. Therefore, if an individual is under 18, not a U.S. citizen, serving any portion of a felony sentence, or is otherwise disqualified from voting in Wisconsin, they may **not** serve as a circulator.

Qualified Wisconsin electors **can** serve as circulators. [Wis. Stat. 6.02](#) defines a **qualified Wisconsin Elector**:

*(1) Every U.S. citizen age 18 or older who has resided in an election district or ward for 28 consecutive days before any election where the citizen offers to vote is an eligible elector.*

*(2) Any U.S. citizen age 18 or older who moves within this state later than 28 days before an election shall vote at his or her previous ward or election district if the person is otherwise qualified. If the elector can comply with the 28-day residence requirement at the new address and is otherwise qualified, he or she may vote in the new ward or election district.*

Disqualified Wisconsin electors cannot serve as circulators. [Wis. Stat. 6.03](#) defines a **disqualified Wisconsin Elector**:

*(1) The following persons shall not be allowed to vote in any election and any attempt to vote shall be rejected:*

*(a) Any person who is incapable of understanding the objective of the elective process or who is under guardianship, unless the court has determined that the person is competent to exercise the right to vote.*

*(b) Any person convicted of treason, felony or bribery, unless the person's right to vote is restored through a pardon or under s. 304.078 (3).*

*(2) No person shall be allowed to vote in any election in which the person has made or become interested, directly or indirectly, in any bet or wager depending upon the result of the election.*

*(3) No person may be denied the right to register to vote or the right to vote by reason that the person is alleged to be incapable of understanding the objective of the elective process unless the person has been adjudicated incompetent in this state. If a determination of incompetency of the person has already been made, or if a determination of limited incompetency has been made that does not include a specific finding that the subject is competent to exercise the right to vote, and a guardian has been appointed as a result of any such determination, then no determination of incapacity of understanding the objective of the elective process is required unless the guardianship is terminated or modified under s. 54.64.*

## Action Items for Candidates and Circulators

### **Effective immediately, all circulators must follow the new law.**

The first day potential candidates for the 2026 Fall Primary and General Election may start circulating nomination papers is **April 15, 2026**. Candidates are responsible for ensuring all their circulators comply with the new law.

### **Use the new nomination paper template.**

The WEC has approved new nomination paper templates. The new templates include updated "Certification of Circulator" language. The new language clearly states that the circulator is a qualified elector of the State of Wisconsin. Please use the new templates when preparing your nomination papers for the 2026 Fall Primary and General Election. If you have already submitted your nomination papers to the WEC or your local filing officer for review, we encourage you to modify your templates to include the new "Certification of Circulator" language.

### **Challenges to the old template.**

During the WEC staff's facial review of nomination papers, staff will not check that each circulator is a qualified elector. The WEC staff will also not strike signatures if a candidate uses the old nomination paper template. However, the signatures must be valid, which means that the circulator must provide information showing that the circulator has a Wisconsin residential address. If a circulator provides an address outside of Wisconsin, all signatures on the page will be struck.

Candidates and recall petitioners **could face challenges** to their signatures and petitions if they use the old template or use circulators who are not qualified electors. The Commission cannot pre-judge challenges and will make determinations on the outcome of any such challenges at its June 9, 2026 ballot access meeting.

#### **4. Communication with Candidates.**

This communication is being sent to political parties who have ballot access status. Most candidates on the 2026 Fall Primary and General Election ballot file their nomination papers with the Wisconsin Elections Commission (WEC). However, WEC encourages county, municipal, and school district clerks, who are filing officers for the 2026 Fall Primary and General Election, to contact candidates and parties in their area to inform them of the law change ahead of the April 15 circulation period.

#### **5. Questions?**

Please direct any questions to our Help Desk at [elections@wi.gov](mailto:elections@wi.gov) or 608-261-2028.



# Post



**Wisconsin Elections**

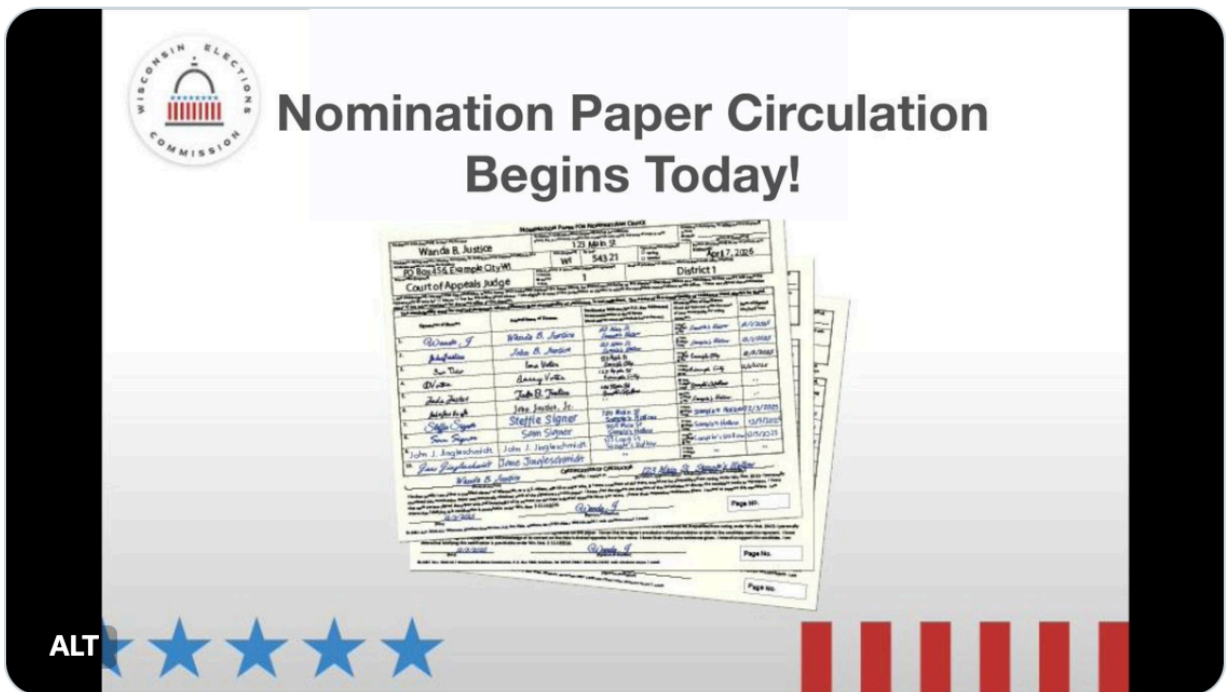
@WI\_Elections



It's go time! 🏃🏻‍♂️🗳️ Candidates can begin circulating nomination papers today for the Aug. 11 election!

FYI: Under a new law, circulators must live in WI & be qualified to vote in the state.

More info: [elections.wi.gov/candidates/get...](https://elections.wi.gov/candidates/get...)



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