



Wisconsin Elections Commission

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DATE: November 9, 2023

TO: Wisconsin County Clerks
County of Milwaukee Elections Commission

FROM: WEC Staff

SUBJECT: Monday June 3, 2024, Filing Deadline for Partisan Primary

Introduction:

The Wisconsin Elections Commission (WEC) performed an analysis of relevant law, and consulted with the Wisconsin Department of Justice (DOJ), to determine if the upcoming June 1, 2024, candidate filing deadline moves due to the date falling on a Saturday. Ultimately, it was decided that the deadline should be moved to Monday, June 3, 2024, based on the statutory summary below.

The WEC has updated its election calendar and candidate checklists to show that 2024 General Election candidates with a June 1 filing deadline may file nomination papers no later than 5:00 p.m. on Monday, June 3.

Discussion:

Wisconsin Statute § 8.15(1) requires that nomination papers for the General Election “may be filed no later than 5 p.m. on June 1 preceding the partisan primary.” In 2024, June 1 is a Saturday. Due to the Saturday deadline, the Commission turned to Wisconsin Statute § 990.001(4)(c), which provides, in relevant part, that:

When the last day within which . . . an act [may be] done, which consists of . . . the filing with any [government entity], of any . . . statement, . . . or other document, falls on a Saturday and the duly established official office hours of such [entity] . . . with which such . . . statement . . . or other document is required to be filed, do not include any office hours thereof on such Saturday, . . . such act may be done on the next succeeding day that is not a Sunday or a legal holiday.

Since the June 1, 2024, deadline falls on a Saturday and the WEC does not have office hours on Saturday, this provision allows candidates to file instead on Monday, June 3, which is the next day that the WEC will be open for business. For this reason, the WEC updated its election calendar to show that nomination papers and declarations of candidacy for the General Election may be filed no later than 5 p.m. on Monday June 3, 2024. The failure of incumbents who have not filed a notice of noncandidacy to file nomination papers by this deadline would lead to an extension of 72 hours, for a deadline of no later than 5 p.m. Thursday, June 6. County offices administering this filing deadline should also examine these provisions and, if applicable, take the next steps below.

Wisconsin Elections Commissioners

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

Administrator
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Suggested Next Steps:

The WEC staff will be notifying leadership of political parties, who have ballot access, about the June 3, 2024, ballot access deadline. The WEC staff will also be encouraging county clerks to alert their county-level political parties about the updated deadline. Staff also suggest clerks remind candidates of the June 3, 2024, deadline, and challenge deadlines, when answering questions concerning ballot access.

The WEC has updated the election calendars located on <https://elections.wi.gov/resources/quick-reference-topics/2023-2024-calendar-election-events>. The various candidate checklists have also been updated to reflect the June 3, 2024 filing deadline. Please replace any previously circulated or printed election calendars or candidate checklists so that all materials reflect the updated filing deadline.

Questions:

If you have any questions, please contact the WEC Help Desk at elections@wi.gov, or 608-261-2028.