



# Wisconsin Elections Commission

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**DATE:** October 21, 2020

**TO:** All Wisconsin Elections Officials

**FROM:** Meagan Wolfe  
Administrator

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**SUBJECT: Counting Write-In Votes for President and Vice President**

Wisconsin Elections Commission (WEC) staff has received many calls with respect to counting write-in votes for the offices of President and Vice-President of the United States. The guidance below is based on the limited information provided in Wis. Stats. §§ 7.50(2)(i) and 8.185 which addresses the counting of these write-in votes. Please read this memo in its entirety to ensure that write-in votes for President and Vice-President are tabulated uniformly across the State.

Background - Write-in Candidates for President/Vice President

The deadline has passed for prospective write-in candidates for the offices of President and Vice-President to file Declarations of Candidacy and a list of electors, as provided in Wis. Stat. § 8.185. All candidates listed as Registered Write-in Candidate for President and Vice-President on the attached report have met these requirements. There are currently seven President/Vice-President “teams” that qualify as registered write-in tickets. For the WEC staff to consider a write-in candidate for President or Vice-President as “registered” the individual must have submitted a Declaration of Candidacy and a list of electors by the statutory deadline. The Declaration of Candidacy provides the name of the write-in candidate, and the list of presidential electors states who will support the candidate in the Electoral College should they receive the highest number of votes in Wisconsin.

**Please note:** Two write-in candidates for President did not submit a Declaration of Candidacy for their Vice-President running mate. Therefore, these presidential candidates are listed without a running mate.

The Statutory Basis for Counting Write-in Votes for President and Vice-President

The statute that discusses counting presidential write-in votes is not detailed. But Wis. Stat. § 7.50 provides direction on how votes should be counted for President and Vice-President in certain circumstances.

*7.50(2)(i) “The failure by an elector to write in the name of a candidate for the office vice president of the United States on the general election ballot does not invalidate the elector’s vote for any candidate whose name is written in for the office of president of the United States.”*

Wisconsin Elections Commissioners

Ann S. Jacobs, chair | Marge Bostelmann | Julie M. Glancey | Dean Knudson | Robert Spindell | Mark L. Thomsen

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Administrator  
Meagan Wolfe

**A write-in vote for President should not be invalidated if the write-in line for Vice-President is left blank.**

Wis. Stat. § 7.50(2)(i) Cont: *“The failure of an elector to write in the name of a candidate for the office of president of the United States on the general election ballot invalidates the elector’s vote for any candidate whose name is written in for the office of vice president of the United States.*

**A write-in vote for Vice-President, with the write-in line for President left blank, does not count as a vote for President.**

Counting Combinations of Registered Write-in Votes for President/Vice President.

7.50(2)(h): *“In the general election or a partisan special election, a write-in vote may not be counted for any candidate if the candidate’s name appears on the official ballot, except a write-in vote cast for the same office under which the candidate’s name appears if no other similar name appears on the ballot for any office.”*

**Any write-in vote for President and Vice-President that combines the name of a registered write-in candidate with the name of a candidate on the ballot is not counted, unless the exact ballot ticket is written in.**

~~Jo Jorgensen/Michelle Tidball~~   ~~Jade Simmons/Kamala Harris~~   Joe Biden/Kamala Harris **OK**  
Donald Trump/Mike Pence **OK**

**A write-in vote for a registered write-in candidate for President which is combined with *any* candidate (except a candidate named on the ballot) for Vice-President (whether the VP name is registered or not) is a vote for the write-in candidate for President. The combinations provided in the example below would all be votes tallied for candidate Howie Hawkins.**

Howie Hawkins/Angela Walker **OK**   Howie Hawkins/Sunil Freeman **OK**   Hawkins/Roze **OK**

Below is quick-reference guide for Tallying Write-In Votes for President on Election Night:

<b>Write In Vote For:</b>		
<b>President</b>	<b>Vice President</b>	<b>Vote Counted?</b>
Registered Write In	Registered Write In	Yes
Registered Write In	Not Registered	Yes
Registered Write In	None	Yes
Registered Write In	Candidate on Ballot	No
Not Registered	None	No
Not Registered	Not Registered	No
None	Registered Write In	No
None	Not Registered	No
Candidate on Ballot	Candidate on Ballot	Yes
Candidate on Ballot	Registered Write In	No

We hope this guidance is helpful. If you have questions, please contact the Elections Help Desk at 608-261-2028 or [Elections@wi.gov](mailto:Elections@wi.gov).