

# WISCONSIN ELECTIONS COMMISSION

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**DATE:** August 25, 2017

**TO:** Wisconsin Municipal Clerks  
Wisconsin County Clerks  
City of Milwaukee Election Commission  
Milwaukee County Election Commission

**FROM:** Diane Lowe  
Lead Elections Specialist

**SUBJECT:** Nomination Paper Deadline Cannot be Extended

The Wisconsin Elections Commission (WEC) has received several calls and emails from county clerks with respect to the spring election nomination paper deadline. Several county clerks have reported that their county offices are closed on Tuesday, January 2, 2018 and questioned whether the nomination paper deadline could be extended to Wednesday, January 3.

Wis. Stat. § 8.10(2)(a), provides that nomination papers of candidates for the spring election are due no later than 5 p.m. on the first Tuesday in January. In 2018, that date is January 2. The deadline is statutory and cannot be extended or abbreviated. Wis. Stat. 990.001(4)(b),(c) allows that when a statutory deadline falls on a Sunday, a legal holiday or a Saturday when the filing officer does not have office hours, the deadline may be extended to the next secular day or day that is not a Sunday or legal holiday. Tuesday, January 2, 2018 is not a legal holiday. Therefore, state, county, municipal and school district filing officers must be available on January 2 until 5:00 p.m. to receive ballot access documents from prospective candidates.

If the building where the office of a filing officer is located is closed on January 2, 2018 and the filing officer is prevented from entering the building on that day, the filing officer must provide for another location at which candidates may file ballot access documents until the 5 p.m. deadline. A press release or other communication notifying prospective candidates where ballot access documents may be filed on the deadline must be issued. WEC staff also recommends that a sign directing candidates to the alternate location be posted on the door of the closed building.

If you have questions, please contact the Help Desk at 608-261-2028 or [elections@wi.gov](mailto:elections@wi.gov).