



State of Wisconsin  
2023 - 2024 LEGISLATURE

LRB-3193/1  
KRP:skw

## 2023 ASSEMBLY BILL 345

June 30, 2023 - Introduced by Representatives DONOVAN, BRANDTJEN, DUCHOW, EDMING, GUSTAFSON, MICHALSKI, MOSES, MURPHY and SCHRAA, cosponsored by Senators HUTTON, KNODL and ROYS. Referred to Committee on Judiciary.

\*\*\*AUTHORS SUBJECT TO CHANGE\*\*\*

1     **AN ACT to amend** 757.02 (2) of the statutes; **relating to:** prohibiting a judge from  
2             seeking or holding a nonjudicial office of public trust while serving in the office  
3             to which the judge was elected or appointed.

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***Analysis by the Legislative Reference Bureau***

This bill provides that a judge of any court of record in this state, including a justice of the state supreme court, may not seek or hold an office of public trust, other than a judicial office, while serving in the judicial office to which the judge was elected or appointed. Current law prohibits a judge from holding an office of public trust during the term for which the judge was elected or appointed. The Wisconsin Supreme Court, in *Wagner v. Milwaukee County Election Commission*, 2003 WI 103, has interpreted this provision of current law to prohibit a judge from seeking elected office for the duration of the term, regardless of whether the judge resigns from his or her judicial office.

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***The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:***

4             **SECTION 1.** 757.02 (2) of the statutes is amended to read:  
5             757.02 (2) The judge of any court of record in this state shall be ineligible to seek  
6             or hold any office of public trust, except a judicial office, ~~during the term for which~~

**ASSEMBLY BILL 345**

**SECTION 1**

1 ~~he or she~~ while serving in the judicial office to which the judge was elected or  
2 appointed.

3 (END)