



Conducting a Recount

March 1, 2023

Conducting a Recount

Agenda

- Overview
- Requests for Recounts
- Recount Petitions
- Procedures for Conducting a Recount
- Post Recount Activities
- Sample Forms, Scenarios and Checklists

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Overview

- What is a recount?
- There is no automatic recount in Wisconsin!
- Recount Manual: <https://elections.wi.gov/resources/manuals/recount-manual>

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Requests

- A recount is requested by filing a sworn petition with the filing officer along with the filing fee, if required.
- Who can request a recount?
 - Referendum: anyone who voted at a referendum election
 - Office: An aggrieved candidate for an office
- An aggrieved party for an office or referendum
 - When at least 4,000 votes were cast, total votes were within 1% of the winner's vote total
 - When fewer than 4,000 votes were cast, total votes were within 40 votes of the winner's total

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Requests

- Determining if a filing fee is required depends on the total votes cast for the office and the difference between the total votes cast for the “leading candidate” and the total votes cast for the petitioner or the difference between “yes” and “no” votes for a referendum.
- When a filing fee is required, the cost of the recount should be estimated by the filing officer
- Cost estimates may include labor, facility fees, etc. as determined by the filing officer.

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Requests

Total votes cast for the office	Difference between leading candidate - petitioner or Ref yes and no votes	Difference between leading candidate - petitioner or Ref yes and no votes	Difference greater than 1.0%
>4,000	0.25%, no recount fee	Over 0.25% and up to 1.0%, recount fee required	Over 1.0% difference, recount may not be requested
<4,000	10 votes, no recount fee	Over 10 votes and up to 40 votes, recount fee required	Above 40 vote differences, recount may not be requested

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Petitions

- A recount petition consists of:
 - A statement requesting that the votes at an election be counted again and setting out the reasons why the ballots should be recounted.
 - An indication from the petitioner that they were an aggrieved candidate for the office in question or if the results of a referendum election are at issue, the petition must state that the petitioner voted on the referendum question.
 - The ward or wards to be recounted
 - A verification signed under oath before a person authorized to administer oaths.
- For local offices, a petition for recount must be filed no earlier than the completion of the canvass and no later than 5 p.m. on the 3rd business day following the last meeting day of the board of canvassers determining the result for the office/referendum.

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Procedures

- Upon receipt of a valid recount petition, the filing officer prepares a public notice of the recount, indicating when and where the recount will be held.
- The filing officer sends a copy of the notice to the board of canvassers and a copy of the petition and public notice to all candidates listed on the ballot for the office. The WEC recommends including write-ins who are eligible to be counted.
- The recount begins no earlier than 9 a.m. on the day following delivery of notice to all candidates and no later than 9 a.m. on the day following the last day for filing the recount petition.
- The board of canvassers that determined the original election result conducts the recount. If one of the original members is unavailable when the recount is scheduled to begin, other qualified individuals may be appointed to fill the temporary vacancy.
- The board of canvassers can hire tabulators who work at the canvass board's direction and assist in administering the recount.

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Procedures

- The recount is a public meeting and any person may attend, including candidates, their representatives or legal counsel, media representatives, and any other interested persons.
- If there are multiple representatives from a single campaign, a single representative shall be identified as the designated primary representative to the board of canvassers.
- Secondary representatives may ask clarifying questions of recount staff and request that ballots be set aside for further review by the board of canvassers, but any challenges or objections for the record must be made by the designated primary representative. The recount statute does not specifically dictate how many may attend.
- As a public meeting, attendees do not have to sign in as observers or wear a badge.

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Procedures

- Unless a court orders otherwise, the board of canvassers may decide to either hand-count or use voting equipment to tabulate the ballots or a combination of the two.
- During the recount, the BOC will:
 - Reconcile Poll Lists
 - Review Absentee Ballots and Materials
 - Review Rejected Absentee Ballots
 - Examine defective absentee certificate envelopes
 - Examine the ballot bag or container



- Reconcile the ballot count
- Review provisional ballots
- Count the votes (hand count, optical scan, DREs)
- Secure the original materials
- Prepare new canvass statement

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Post Recount Activities

- The board of canvassers forwards the results and minutes of the recount to the filing officer.
- A copy of the minutes of any recount should be sent to the Wisconsin Elections Commission. For federal, state, and county elections, the board of canvassers should also send copies of the minutes to the chief officers of the state or county committee for any registered political party who ran candidates for that office.
- No certificate of election may be issued by the filing officer until the deadline for filing all appeals has passed and the election results are final.
- Challenging the recount results: The candidate or petitioner has a right to appeal the recount determination in circuit court. The appeal must be filed with the circuit court within 5 business days of the completion of the recount in all counties concerned.

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Sample Forms, Scenarios and Checklists

- Sample Forms (Petitions, Order for Recount, Public Notice, Acceptance of Service, Recount Minutes)
- Recount Fee Scenarios
- Recount Checklists
- Supplies and Materials
- Instructions for hand count, optical scan, DREs



Thank you!

For further information, contact the WEC
PH: 608-266-8005 Email: elections@wi.gov