



## WISCONSIN LEGISLATIVE COUNCIL AMENDMENT MEMO

**2013 Senate Bill 262**

**Senate Substitute  
Amendment 1**

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### **Current Law**

Current law requires election officials to make a duplicate of an elector's ballot under certain circumstances. If a ballot is damaged or defective such that it cannot be properly counted by the automatic tabulating equipment, then the officials make a duplicate that includes all votes from the elector's original ballot. If a ballot is overvoted because the elector wrote in votes for more candidates than the number of votes to be cast for the office, then the officials make a duplicate that includes all votes from the elector's original ballot except the office for which the elector overvoted.

Election officials must label the original ballot as "Damaged Ballot" or "Overvoted Ballot," as appropriate, and must label the duplicate ballot as "Duplicate Damaged Ballot" or "Duplicate Overvoted Ballot." Current law does not specify where on the ballot election officials must place these labels.

### **Senate Bill 262**

Senate Bill 262 provides that election officials must label original and duplicate damaged or overvoted ballots in the upper right-hand corner of the ballot.

### **Senate Substitute Amendment 1**

Senate Substitute Amendment 1 provides that election officials must identify original and duplicate damaged or overvoted ballots in the space on the ballot for official endorsement, rather than in the upper right-hand corner of the ballot.

The amendment further requires that the Government Accountability Board include on each ballot form, in the space for official endorsement, markings or spaces for identifying these ballots and writing an identifying serial number.

**Bill History**

Senate Substitute Amendment 1 was offered by Senator Lazich on September 11, 2013. The Senate Committee on Elections and Urban Affairs voted to recommend adoption of the amendment on September 12, 2013, on a vote of Ayes, 5; Noes, 0. The committee then voted to recommend passage of Senate Bill 262, as amended, on a vote of Ayes, 5; Noes, 0.

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