



2013 ASSEMBLY BILL 54

March 1, 2013 – Introduced by Representatives STROEBEL, BIES, STRACHOTA, CRAIG, RIPP, LEMAHIEU, SPIROS, KLEEFISCH, SANFELIPPO, T. LARSON, WEATHERSTON, NASS and A. OTT. Referred to Committee on Campaigns and Elections.

1 **AN ACT** *to amend* 6.86 (1) (b) of the statutes; **relating to:** limiting the times for
2 voting by absentee ballots in person.

Analysis by the Legislative Reference Bureau

Under current law, a person may apply to the municipal clerk in person to vote using an absentee ballot. In-person applications to vote using an absentee ballot may be made beginning on the third Monday preceding the election and ending on the later of 5 p.m. or the close of business on the Friday preceding the election. Under this bill, in-person applications to vote using an absentee ballot may only be received Monday to Friday between the hours of 7:30 a.m. and 5 p.m. each day. In addition, the clerk's office may not be open more than 40 hours a week beginning on the third Monday preceding the election and ending on 5 p.m. on the Friday preceding the election in order to receive applications made in person. The bill does not require that the clerk's office be open 40 hours a week to receive applications made in person.

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

3 **SECTION 1.** 6.86 (1) (b) of the statutes is amended to read:
4 6.86 (1) (b) Except as provided in this section, if application is made by mail,
5 the application shall be received no later than 5 p.m. on the 5th day immediately

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1 preceding the election. If application is made in person, the application shall be
2 made no earlier than the opening of business on the 3rd Monday preceding the
3 election and no later than 5 p.m. ~~or the close of business, whichever is later,~~ on the
4 Friday preceding the election. An application made in person may only be received
5 Monday to Friday between the hours of 7:30 a.m. and 5 p.m. each day. The clerk's
6 office, or an alternate site under s. 6.855, may not be open more than 40 hours a week
7 beginning on the 3rd Monday preceding the election and ending on 5 p.m. on the
8 Friday preceding the election in order to receive applications made in person. Except
9 as provided in par. (c), if the elector is making written application for an absentee
10 ballot at the partisan primary, the general election, the presidential preference
11 primary, or a special election for national office, and the application indicates that
12 the elector is a military elector, as defined in s. 6.34 (1), the application shall be
13 received by the municipal clerk no later than 5 p.m. on election day. If the application
14 indicates that the reason for requesting an absentee ballot is that the elector is a
15 sequestered juror, the application shall be received no later than 5 p.m. on election
16 day. If the application is received after 5 p.m. on the Friday immediately preceding
17 the election, the municipal clerk or the clerk's agent shall immediately take the ballot
18 to the court in which the elector is serving as a juror and deposit it with the judge.
19 The judge shall recess court, as soon as convenient, and give the elector the ballot.
20 The judge shall then witness the voting procedure as provided in s. 6.87 and shall
21 deliver the ballot to the clerk or agent of the clerk who shall deliver it to the polling
22 place or, in municipalities where absentee ballots are canvassed under s. 7.52, to the
23 municipal clerk as required in s. 6.88. If application is made under sub. (2) or (2m),
24 the application may be received no later than 5 p.m. on the Friday immediately
25 preceding the election.

