

1999 DRAFTING REQUEST

Bill

Received: **01/5/99**

Received By: **kuesejt**

Wanted: **As time permits**

Identical to LRB:

For: **Rob Kreibich (608) 266-0660**

By/Representing: **Andy Cook**

This file may be shown to any legislator: **NO**

Drafter: **kuesejt**

May Contact:

Alt. Drafters:

Subject: **Elections - miscellaneous**

Extra Copies: **RJM - 1
JEO - 1**

Pre Topic:

No specific pre topic given

Topic:

Certain poll and registration list information withheld

Instructions:

See Attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	kuesejt 03/23/99	wjackson 03/24/99		_____			S&L
/1			lpaasch 03/25/99	_____	lrb_docadmin 03/25/99	lrb_docadminS&L 03/25/99	
/2	kuesejt 03/25/99	wjackson 03/25/99	lpaasch 03/25/99	_____	lrb_docadmin 03/25/99	lrb_docadmin 03/25/99 lrb_docadmin 03/25/99	

*FE sent
for 5/17/99*

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/?	kuesejt 03/23/99	wjackson 03/24/99		_____			S&L
/1 12	kuesejt 3/25/99	1/2 WJ 3/25	lpaasch 03/25/99	_____	lrb_docadmin 03/25/99		
			3-2567.	3-2567. ch			
	FE Sent For:						

<END>

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12/1	kuesejt 3/23	1 WLj 3/23	3-24 L.P.	3-24 L.P.			
				JF			

FE Sent For:

<END>

LEGISLATIVE REFERENCE BUREAU

BILL REQUEST FORM

Legal Section, 5th Floor, 100 N. Hamilton St.
(608) 266-3561

Use of this form is optional. It is often helpful to talk directly with the LRB attorney who will draft the bill.
Use this form only for **BILL** drafts. Attach more pages if necessary.

Date of request: 1/5/99	Legislator or agency requesting this draft: Rep. Rob Kreibich
Name/phone number of person submitting request: Andy - Rep. Kreibich's office	
Persons to contact for questions about this draft (names and phone numbers please): Andy - Rep. Kreibich's office	
Describe the problem, including any helpful examples. How do you want to solve the problem? This bill removes from public record the name & address of any registered voter who presents registrars with a court order granting protection or evidence in a shelter. This bill removes the name and address of an individual who is a rape victim. *Enclosed is language from Massachusetts.	
If you know of any statute sections that might be affected, please list them or provide a marked (not re-typed) copy.	

Please attach a copy of any correspondence or material that may help us. You may also attach a marked (not re-typed) copy of any LRB draft, or provide its number (e.g., 1997 LRB-2345/1 or 1995 AB-67):

Requests are confidential unless stated otherwise.

May we tell others that we are working on this for you? YES NO

If yes, anyone who asks? YES NO

Any legislator? YES NO ONLY the following persons:

Do you consider this urgent? YES NO If yes, please indicate why:

Is this request of higher priority than other pending request(s) you have made?
 YES NO If yes, please sign your name here:

Rob Kreibich

SB
388 - Jacques



[SIMILAR MATTER FILED DURING PAST SESSION -
HOUSE NO. OF]

*See Jacques
New*

By Ms. Jacques (by request), a petition (accompanied by
bill, Senate, No. 338) of Marjory A. Lant and David B.
Cohen for legislation to provide for confidential voter
registration for victims of certain crimes. Election
Laws.

EN

AN ACT PROVIDING CONFIDENTIAL VOTER REGISTRATION FOR
VICTIMS OF CERTAIN CRIMES.

61452

*Be it enacted by the Senate and House of Representatives in General Court assembled,
and by the authority of the same, as follows:*

SECTION 1. The fourth sentence of the first paragraph of
section 4 of chapter 51 of the General Laws, as amended by section
1 of chapter 187 of the acts of 1995, is hereby further amended
by striking out the words "protective shelter" and inserting in
place thereof the following words:- protective shelter, or an
affidavit attested to by a chief of police or his designee that
said person is entitled to have certain information withheld from
the public under section twenty-four C of chapter two hundred and
sixty-five.

SECTION 2. The first sentence of section 37 of said chapter
51, as amended by section 2 of said chapter 187, is hereby further
amended by adding the following words:- , or an affidavit
attested to by a chief of police or his designee that said person

is entitled to have certain information withheld from the public under section twenty-four C of chapter two hundred and sixty-five.

SECTION 3. The last sentence of section 44 of said chapter 51, inserted by section 3 of said chapter 187, is hereby amended by inserting after the word "shelter" the following words: - , or an affidavit attested to by a chief of police or his designee that said person is entitled to have certain information withheld from the public under section twenty-four C of chapter two hundred and sixty-five.

Massachusetts House of Representatives Bill Summary

Bill No: S 338

Title: An Act Providing Confidential Voter Registration for Victims of Certain Crimes

Sponsor: Cheryl A. Jacques

Committee: Election Laws

Hearing Date: 3/25/97

Similar Matters: —

Prior History: new file

Current Law: Chapter 51 section 4 as amended by chapter 187 of the Acts of 1995.

Summary: Chapter 187 of the Acts of 1995 removes from public record the name and address of any registered voter who presents registrars with a court order granting protection or evidence of residence in a protective shelter. These individuals are then issued a "Confidential Registration Certificate" to be used at the polls on election day.

This bill seeks to further extend the "Confidential Registration Certificate" to individuals who produce an affidavit attested to by a chief of police or his designee that the individual is entitled under the Rape Shield Law (Chapter 265 section 24C) to confidentiality of personal information as a victim in the arrest, investigation or complaint for rape or assault with intent to rape.

Chapter 187 Acts of 1995

Chap. 185

contempt. Any summons issued pursuant to this section shall not be made public by the inspector general or any officer or employee of his department, nor shall any documents provided pursuant to this section be made public until such time as it is necessary for the inspector general to do so in the performance of his duties under this section. The production of such books and papers pursuant to summons shall be governed by the same provisions with reference to secrecy which govern proceedings of a grand jury. Disclosure of such production, attendance, and testimony may be made to such members of the staff of the office of inspector general as is deemed necessary by the inspector general to assist him in the performance of his duties and responsibilities under this section and such members of the staff may be present at the production of records.

Approved October 26, 1995.

Chapter 186. AN ACT RELATIVE TO THE BOARD OF WATER COMMISSIONERS IN THE TOWN OF LITTLETON.

Be it enacted, etc., as follows:

Section 8 of chapter 617 of the acts of 1911 is hereby amended by striking out the first sentence and inserting in place thereof the following three sentences:-

Notwithstanding any general or special law, by-law or local vote of acceptance to the contrary, the board of water commissioners of said town shall consist of five members; provided, however, that the three commissioners who were elected prior to June thirtieth, nineteen hundred and ninety-five shall continue to hold office until the expiration of their respective terms. Two additional commissioners shall be elected at the annual town election to be held in nineteen hundred and ninety-six, one to hold office until the expiration of one year and one to hold office until the expiration of two years. Except as otherwise provided in this section, one or more commissioners shall be elected at each annual town election for a term of three years to replace any commissioner whose term of office is expiring.

Approved October 30, 1995.

Chapter 187. AN ACT ESTABLISHING CONFIDENTIAL VOTER REGISTRATION.

Be it enacted, etc., as follows:

SECTION 1. The first paragraph of section 4 of chapter 51 of the General Laws, as appearing in the 1994 Official Edition, is hereby amended by inserting after the word "department", in line 47, the following words:- ; and provided, further, that the name and address of any person who provides the registrars with a copy of a court order granting protection, or evidence of residence in a protective shelter shall not appear on the street list

[SIMILAR MATTER FILED DURING PAST SESSION —
SEE SENATE HOUSE NO. OF]



The Commonwealth of Massachusetts

IN THE YEAR ONE THOUSAND NINE HUNDRED AND NINETY- NINE

AN ACT

**PROVIDING ADDRESS CONFIDENTIALITY FOR VICTIMS OF
DOMESTIC ABUSE, RAPE, SEXUAL ASSAULT AND STALKING**

*Be it enacted by the Senate and House of Representatives in General Court assembled,
and by the authority of the same, as follows:*

SECTION 1.

The General Laws are hereby amended by inserting after chapter 9, as appearing in the 1996 Official Edition, the following new Chapter 9A:

**Chapter 9A
Address Confidentiality Program**

SECTION 1. The Office of the Secretary of the Commonwealth is hereby authorized and directed to establish the Address Confidentiality for Victims of Domestic Abuse, Rape, Sexual Assault, and Stalking Program, hereinafter known as the "program" to help persons in violent or potentially violent situations. This act shall enable state and local agencies to respond to requests for public records without disclosing the location of a victim of domestic abuse, rape, sexual assault, or stalking, enable interagency cooperation with the Secretary of the Commonwealth in providing address confidentiality for victims of domestic abuse, rape sexual assault, and stalking, and enable state and local agencies to accept a programs participant's use of an address designated by the Secretary of the Commonwealth as a substitute address.

SECTION 2. The Secretary of the Commonwealth is hereby authorized and directed to promulgate regulations, and set appropriate guidelines, for the program established in section 2, in consultation with the Secretary of Health and Human Services and Jane Doe Inc., Massachusetts Coalition Against Sexual Assault and Domestic Violence. Said regulations shall provide a framework for other state and local agencies to implement the requirements of this act.

SECTION 3. For the purposes of this act the following words shall have the following meanings:

- (a) "address", a residential street address, school address, or work address of address of an individual, as specified on the individual's application to be a program participant under this chapter;
- (b) "program participant" a person certified by the Secretary of the Commonwealth under this chapter to participate in the program;
- (c) "domestic abuse," abuse as defined in section 1 of chapter 209A of the General Laws;
- (d) "application assistant" an employee of a state or local agency, or of a nonprofit program that provides counseling, referral, shelter or other specialized service to victims of domestic abuse, rape, sexual assault, or stalking and who has been designated by the respective agency, and trained, accepted and registered by the Secretary of the Commonwealth to assist individuals in the completion of program participation applications;
- (e) "secretary" the Secretary of the Commonwealth;
- (f) "rape," rape as defined by sections 22, 22A, 23, of chapter 265 and sections 2, 4, 17, 26B of Chapter 272 of the General Laws;
- (g) "sexual assault," sexual assault as defined by sections 13B, 13F, 13H, 24, 24B of chapter 265 and sections 4A, 17, 29A, 29B, 35A of chapter 272 the General Laws; and,
- (h) "stalking," stalking as defined by section 43 of chapter 265 of the General Laws.

SECTION 4. The program is hereby established, and shall be administered pursuant to regulations promulgated by the secretary and under the following application and certification procedures.

- (a) Upon recommendation of an application assistant, an adult person, a parent or guardian acting on behalf of a minor, or a guardian acting on behalf of an incapacitated person may apply to the secretary to have an address designated by the secretary serve as the person's address or the address of the minor or incapacitated person.
- (b) The secretary shall only approve an application if it is filed with the office of the secretary in the manner established by regulation, and on a form prescribed by the secretary. A completed application must contain:
 - (1) The application preparation date, the applicant's signature and the signature and registration number of the application assistant who assisted the applicant in applying to be a program participant;
 - (2) A designation of the secretary as agent for purposes of service of process and for receipt of mail;
 - (3) The mailing address where the applicant can be contacted by the secretary, or his designee, and the telephone number or numbers where the applicant can be called by the secretary or his designee; and,
 - (4) The new address or addresses that the applicant requests not be disclosed for the reason that disclosure will jeopardize the applicant's

safety or increase the risk of violence to the applicant or members of the applicant's household.

(c) Upon receipt of a properly completed application, the secretary shall certify the applicant as a program participant. Applicants shall be certified for four years following the date of filing unless the certification is withdrawn or invalidated before that date.

(d) The Secretary of the Commonwealth shall by regulation establish a renewal procedure.

(e) A person who knowingly provides false or incorrect information in an application or who knowingly falsely attests that disclosure of the applicant's address threatens the safety of the applicant or the applicant's children or the minor or incapacitated person on whose behalf the application is made, shall be punished by a fine of not more than five hundred dollars (\$500.00) or by imprisonment for not more than six months in a house of correction and by cancellation of program certification.

SECTION 5. Certification for the program may be canceled if one or more of the following conditions applies.

(a) If the program participant obtains a name change, the participant loses certification as a program participant. A participant who has obtained a legal name change may apply to the secretary for recertification in the program if documentation of the legal name change is provided.

(b) If there is a change in the residential street address from the one listed on the application, unless the program participant provides the secretary with notice of the change in such manner as the secretary shall provide by regulation.

(c) Pursuant to section 4(e), the secretary shall cancel certification of a program participant who knowingly provides false information.

SECTION 6. State and local agencies shall accept the address designated by the secretary as a program participant's substitute address unless the secretary has determined that:

(a) The agency has a bona fide statutory or administrative requirement for the use of the participant's actual residential address, such that it is unable to fulfill its statutory duties and obligations without such residential address; and

(b) The participant's actual residential address will be used only for those statutory and administrative purposes.

SECTION 7. The secretary shall not make a program participant's address, other than the address designated by the secretary, available for inspection or copying, except under the following circumstances:

(a) If requested of the secretary by the chief commanding officer of a law enforcement agency or their designee in the manner provided for by regulation.

(b) Upon request to the secretary by a Commissioner of a state agency, or his specific designee, in the manner provided for by regulation and upon a showing of a bona fide statutory or administrative requirement for the use of the participant's

actual residential address, such that it is unable to fulfill its statutory duties and obligations without such residential address.

(c) To a person identified in a court order, upon the secretary's receipt of that court order which specifically orders the disclosure of a particular program participant's address and the reasons stated therefor.

(d) If certification has been canceled due to provision of false or incorrect information in an application or knowingly falsely attesting that disclosure of the applicant's address threatens the safety of the applicant or the applicants children or the minor or incapacitated person on whose behalf the application is made, as provided for in Section 4(e) of this act.

SECTION 8. The program participant's application and supporting materials shall not be a public record and will be exempt from the mandatory disclosure requirements of section 10 of chapter 66 and section 7(26) of chapter 4 of the General Laws.

SECTION 2. This act shall take effect upon its passage.

1999

Date (time) needed

THU 3/25

LRB - 1606, 1

BILL

JTC : Wlj :

Use the appropriate components and routines developed for bills.

AN ACT... [generate catalog] to repeal...; to renumber...; to consolidate and renumber...; to renumber and amend...; to consolidate, renumber and amend...; to amend...; to repeal and recreate...; and to create... of the statutes; relating to: authorization for electors who are victims of domestic abuse to be listed confidentially on poll and registration lists and providing penalties.

[NOTE: See section 4.02 (2) (br), Drafting Manual, for specific order of standard phrases.]

Analysis by the Legislative Reference Bureau

For the 3 titles used in an analysis, in the component bar:

For the main heading [old =M], execute: create -> anal: -> title: -> head

For the subheading [old =S], execute: create -> anal: -> title: -> sub

For the sub-subheading [old =P], execute: create -> anal: -> title: -> sub-sub

[Insert from next two pages]

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

SECTION #.

1999-2000 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-1606/2ins2
JTK.....

[Analysis Insert]

Currently, the names and addresses of all electors who register to vote, and in municipalities where registration is required, the names of electors who register to vote, are publicly accessible. Electors must orally disclose their names and addresses at polling places, which are recorded on poll and registration lists. Polling place observers may inspect the lists of names and addresses of registered and actual voters.

This bill permits certain electors to vote or register to vote confidentially. To be eligible for a confidential listing, an elector must have been granted a protective order by a court ^{that} ~~which~~ is currently in effect restraining another person from having or causing contact with the elector for reasons relating to domestic abuse; the elector must reside in an organized shelter for persons whose personal security is or may be threatened by other persons with whom the residents have had contact; or the elector must present the affidavit of a sheriff or chief of a police department verifying that a person has been charged with or convicted of an offense relating to domestic abuse in which the elector was a victim and reasonably continues to be threatened by that person. Under the bill, an "offense relating to domestic abuse" includes sexual assault, battery, stalking, harassment or sexual exploitation. A confidential listing expires when a protective order expires, when an individual ceases to be a resident of a shelter, when the sheriff or chief of a police department who signed an affidavit notifies a municipal clerk that a judgment in a domestic abuse case has been vacated or that a domestic abuse charge has been dropped, or upon expiration of the two-year period following creation of the listing, whichever first occurs. A listing may be renewed in the same manner as provided for creation of an original listing.

Under the bill, a municipal clerk must still provide access to a confidential name and address to a law enforcement officer for official purposes; to a state or local governmental officer pursuant to a specific law that necessitates obtaining the name or address; pursuant to a court order citing a reason that access to a name or address should be provided; to a clerk of circuit court for purposes of jury selection; or at the request of the protected elector for the purpose of permitting the elector to qualify as a signer on certain petitions.

The bill directs municipal clerks to issue to each elector who is entitled to a confidential listing an identification card containing a unique number issued by the elections board, which may be presented to election inspectors (poll workers) in lieu of providing a name and address. Alternatively, the bill permits an elector where registration is required to give his or her name and identification card number in lieu of an address.

Currently, voters may register at polling places, high schools and various other locations. Under this bill, an elector who wishes to obtain a confidential listing must register at the office of the clerk of the municipality where the elector resides.

The bill provides that polling place observers may not view the name or address of any elector who is entitled to be listed on a poll or registration list confidentially. However, the inspectors must disclose to any observer, upon request, the existence

of any confidential list of electors, the number of electors whose names appear on the list and the number of electors who have voted at any point in the proceedings.

The bill prohibits election officials and other persons who are provided confidential information relating to the names and addresses of electors from disclosing that information to other persons who are not authorized to obtain that information. The bill also prohibits an individual from providing false information to a municipal clerk for the purpose of obtaining a confidential listing on a poll or registration list. Violators are guilty of a misdemeanor and are subject to a fine of not more than \$1,000 or imprisonment for not more than ~~4~~^{six} months, or both, for each offense.

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

Section #. 6.28 (1) of the statutes is amended to read:

6.28 (1) REGISTRATION LOCATIONS; DEADLINE. Registration in person for any election shall close at 5 p.m. on the 2nd Wednesday preceding the election. Registrations made by mail under s. 6.30 (4) must be delivered to the office of the municipal clerk or postmarked no later than the 2nd Wednesday preceding the election. All applications for registration corrections and additions may be made throughout the year at the office of the city board of election commissioners, at the office of the municipal clerk, at the office of any register of deeds or at other locations provided by the board of election commissioners or the common council in cities over 500,000 population or by either or both the municipal clerk, or the common council, village or town board in all other municipalities and may also be made during the school year at any high school by qualified persons under sub. (2) (a). Other registration locations may include but are not limited to fire houses, police stations, public libraries, institutions of higher education, supermarkets, community centers, plants and factories, banks, savings and loan associations and savings banks. Special registration deputies shall be appointed for all locations. An elector who wishes to obtain a confidential

History: 1971 c. 304 s. 29 (2); 1973 c. 166, 225, 334; 1975 c. 85, 199; 1977 c. 378, 394, 447; 1979 c. 32; 1981 c. 44 s. 3; 1981 c. 202 s. 23; 1983 a. 484; 1985 a. 304; 1989 a. 31, 192; 1991 a. 221

1.3 ting under s. 6.47(2) shall register at the office of the municipal clerk of the municipality where the elector resides

Section #. 6.33 (1) of the statutes is amended to read:

6.33 (1) The municipal clerk shall supply sufficient registration forms as prescribed by the board printed on loose-leaf sheets or cards to obtain from each applicant information as to name, date, residence location, citizenship, age, whether the applicant has resided within the ward or election district for at least 10 days, whether the applicant has lost his or her right to vote, and whether the applicant is currently registered to vote at any other location, and shall provide a space for the applicant's signature. Each register of deeds shall obtain sufficient registration forms at the expense of the unit of government by which he or she is employed for completion by any elector who desires to register to vote.

~~History: 1971 c. 304 s. 29 (1), (2); 1971 c. 336 s. 37; 1975 c. 85 ss. 15, 16, 17, 66 (3); 1975 c. 94 s. 91; 1977 c. 378, 394, 447; 1979 c. 32; 1981 c. 44 s. 3; 1981 c. 202 s. 23; 1985 a. 304; 1987 a. 391; 1989 a. 31, 192.~~

The forms shall also include a space for the identification serial number of any elector who is issued such a number under s. 6.47(3).

Section #. 6.35 (1) (intro.)[✓] of the statutes is amended to read:

6.35 (1) (intro.) Under the direction of the municipal clerk or board of election commissioners, the original registration forms shall be filed in one of the following ways: ~~except as provided~~ in sub. (1m)[✓]

~~History: 1971 c. 249; 1971 c. 304 s. 29 (2); 1971 c. 336; 1975 c. 85; 1977 c. 394; 1983 a. 484; 1985 a. 304; 1989 a.~~

192.

1999-2000 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-1606/lins
JTK.....

SECTION 1. 6.35 (1m)[✓] of the statutes is created to read:

6.35 (1m) Original registration forms of electors who have obtained a confidential listing under s. 6.47 (2)[✓] shall be filed in alphabetical order after the forms of the other electors.

SECTION 2. 6.36 (4)[✓] of the statutes is created to read:

6.36 (4) The names and addresses of electors who have obtained^a confidential listings² under s. 6.47 (2)[✓] shall appear separately after the remainder of the list. These names shall be arranged alphabetically by last name.

SECTION 3. 6.47[✓] of the statutes is created to read:

6.47 Confidentiality of information relating to victims of domestic abuse. (1) In this section:

(a) "Eligible individual" means:

1. An individual who has been granted a protective order that is in effect.
2. An individual who files an affidavit with the municipal clerk of the municipality where the individual resides, on a form prescribed by the board, ^{STET} which is signed by a sheriff or the chief of a police department and directed to the municipal clerk, and ^{STET} which verifies that a person has been charged with or convicted of an offense relating to domestic abuse in which the individual was a victim and reasonably continues to be threatened by that person.

3. An individual who resides in a shelter.

(b) "Offense relating to domestic abuse" means an offense specified in s. 940.19,[✓] 940.20 (1m)[✓], 940.201,[✓] 940.22,[✓] 940.225,[✓] 940.22, 940.225,² 940.32,[✓] 947.013,[✓] 948.02,[✓] 948.025,[✓] 948.06,[✓] 948.09[✓] or 948.095.[✓]

JWS J
IA

(c) "Protected individual" means an individual whose name and address is confidential under sub. (2).[✓]

(d) "Protective order" means a temporary restraining order or an injunction issued under s. 813.12.[✓]

(e) "Shelter" means a place where at least 4 unrelated individuals reside that provides residential shelter to individuals whose personal security is or may be threatened by [§] a family member [§] or other person [§] with whom the individuals have had contact. ②

(2) Except as authorized in sub. (8),[✓] the municipal clerk shall withhold from public inspection under s. 19.35 (1)[✓] the name and address of any eligible individual whose name appears on a poll list or registration list if the individual files a valid written request with the clerk to protect the individual's confidentiality. To be valid, a request under this subsection[✓] must be accompanied by a copy of a protective order that is in effect, an affidavit under sub. (1) (a) 2.[✓] that is dated within 30 days of the date of the request or a statement signed by the operator or an authorized agent of the operator of a shelter that is dated within 30 days of the date of the request and that indicates that the operator operates the shelter and that the individual making the request resides in the shelter. A physically disabled individual who appears [✓] personally at the office^g of the municipal clerk accompanied by another elector of this state may designate that elector to make a request under this subsection[✓] on his or her behalf.

(3) Upon listing of an elector under sub. (2),[✓] the municipal clerk shall issue to [✓] the elector a voting identification card on a form prescribed by the board ^f which ^{that} shall contain the elector's name and address and a unique identification serial number

issued by the board. The number issued to an elector under this subsection shall not be changed for so long as the elector continues to qualify for a listing under sub. (2).

(4) Except as provided in sub. (5), a confidential listing under sub. (2) expires on the date that a protective order expires, the date that the protected individual ceases to reside in a shelter or at the end of the 24-month period that follows creation or renewal of the listing under sub. (2), whichever is earlier.

(5) (a) The municipal clerk shall cancel a confidential listing under sub. (2) if:

1. The clerk receives notification from a sheriff or chief of police under sub. (8).
2. The name of the protected individual is legally changed.
3. The protected individual changes his or her address without notifying the

municipal clerk.

✓ 4. The municipal clerk finds that the the protected individual provided false information to the clerk for the purpose of obtaining a confidential listing under sub. (2).

(b) An individual whose confidential listing is canceled under par. (a) may file a new request and qualify under sub. (2) to obtain a renewal of the listing.

(6) Upon expiration of a confidential listing on a registration list under sub. (2), the municipal clerk shall cancel the registration of the protected individual unless the individual files a new request and qualifies under sub. (2) to obtain a renewal of the listing or unless the individual applies for and qualifies to obtain a nonconfidential voter registration. Except as authorized in sub. (8), the municipal clerk shall withhold from public inspection under s. 19.35 (1) the name and address of any individual whose registration is canceled under this subsection if the individual qualified for a confidential listing at the time of that listing.

(7) (a) If the municipal clerk has notice that a confidential listing under sub. (2) is scheduled to expire, the municipal clerk shall provide 30 days' notice to the protected individual of the scheduled expiration of the listing.

(b) If notice to a protected individual is not provided under par. (a), the municipal clerk shall provide notice to the subject individual upon canceling a confidential listing under sub. (2).

(8) The municipal clerk shall provide access to a name and address under sub. (2):

(a) To a law enforcement officer for official purposes.

(b) To a state or local governmental officer pursuant to a specific law that necessitates obtaining the name or address.

(c) Pursuant to a court order citing a reason that access to the name or address should be provided.

(d) To a clerk of circuit court for purposes of s. 756.04 (5) (a).

(e) At the request of a protected individual, for purposes of permitting that individual to sign a petition under s. 59.05 (2) or a protest petition, consent or counter petition under s. 125.05.

(9) No person who obtains access to a name or address under sub. (8) may disclose the name or address to any person other than a public employe for the same purpose for which the information was obtained.

(10) If a sheriff or chief of a police department who signs an affidavit under sub.

(1) (a) 2. obtains information that the person who was charged with an offense relating to domestic abuse is no longer so charged or that the person's judgment of conviction has been vacated, and the charge or conviction was the sole basis for the

affidavit, the sheriff or chief shall provide written notice of that information to the municipal clerk to whom the affidavit was directed.

FWS
SA

SECTION 4. 6.55 (2) (cm) of the statutes is created to read:

6.55 (2) (cm) If an elector who is not registered wishes to obtain a confidential listing under s. 6.47 (2), the elector shall register at the office of the municipal clerk *of the municipality where the elector resides*

Upon completion of registration, the municipal clerk or a deputy clerk shall serially number the registration form and issue a voting identification card to the elector under s. 6.47 (3). The clerk shall provide one copy of the registration form to the elector. The elector may vote at the polling place serving his or her residence by presenting to the inspectors the identification card and the copy of the registration form.

FWS
SR

SECTION 5. 6.79 (6) of the statutes is created to read:

6.79 (6) CONFIDENTIAL NAMES AND ADDRESSES. (a) In municipalities where there is no registration, an elector who has a confidential listing under s. 6.47 (2) may present an identification card issued under s. 6.47 (3) in lieu of providing his or her name and address. If the elector resides in the area served by the polling place, the inspectors shall then enter the elector's name and identification serial number on the poll list in a section following the other names, shall issue a voting serial number to the elector and shall record that number on the poll list and permit the elector to vote.

(b) In municipalities where registration is required, an elector who has a confidential listing under s. 6.47 (2) may present his or her identification card issued under s. 6.47 (3) or may give his or her name and identification serial number issued under s. 6.47 (3). If the elector's name and identification serial number appear on the confidential portion of the list, the inspectors shall issue a voting serial number to the elector, record that number on the registration list and permit the elector to vote.

INS
SC

SECTION 6. 6.87 (6m) of the statutes is created to read:

6.87 (6m) Except as authorized in s. 6.47 (8), the municipal clerk shall withhold from public inspection under s. 19.35 (1) the name and address of any absent elector who obtains a confidential listing under s. 6.47 (2).

JWS
GA

SECTION 7. 9.01 (1) (b) 12. of the statutes is created to read:

9.01 (1) (b) 12. Except as authorized in s. 6.47 (8), the board of canvassers shall not permit access to the name or address of any elector who has obtained a confidential listing under s. 6.47 (2) during the recanvass.

SECTION 8. 12.13 (2) (b) 8. of the statutes is created to read:

12.13 (2) (b) 8. Intentionally disclose the name or address of any elector who obtains a confidential listing under s. 6.47 (2) to any person who is not authorized by law to obtain that information.

SECTION 9. 12.13 (3) (zm) and (zn) of the statutes are created to read:

12.13 (3) (zm) Wilfully provide to a municipal clerk false information for the purpose of obtaining a confidential listing under s. 6.47 (2) for that person or another person.

(zn) Disclose to any person information provided under s. 6.47 (8) when not authorized to do so.

Section #. 12.60 (1) (a) and (b) of the statutes are amended to read:

12.60 (1) (a) Whoever violates s. 12.09, 12.11 or 12.13 (1), (2) or (3) (a), (e), (f), (j), (k), (L), (m), (y) or (z) may be fined not more than \$10,000 or imprisoned not more than 3 years in the Wisconsin state prisons or both. (b) 1. to 7.

NOTE: Par. (a) is amended eff. 12-31-99 by 1997 Wis. Act 283 to read:

12.60 (1) (a) Whoever violates s. 12.09, 12.11 or 12.13 (1), (2) or (3) (a), (e), (f), (j), (k), (L), (m), (y) or (z) may be fined not more than \$10,000 or imprisoned for not more than 4 years and 6 months or both. (b) 1. to 7.

History: 1973 c. 334; 1975 c. 85; 1977 c. 418 s. 924 (18) (e); 1977 c. 427; 1979 c. 249, 311, 328; 1983 a. 484; 1985 a. 304; 1997 a. 283

12.60 (1) (b) Whoever violates s. 12.03, 12.05, 12.07, 12.08 or 12.13 (3) (b), (c), (d), (g), (i) or (n) to (x) may be fined not more than \$1,000, or imprisoned not more than 6 months or both. (z), (zm) or (zn)

History: 1973 c. 334; 1975 c. 85; 1977 c. 418 s. 924 (18) (e); 1977 c. 427; 1979 c. 249, 311, 328; 1983 a. 484; 1985 a. 304; 1997 a. 283

out of ref "A"

(2) (b) 8.

Section #. 60.11 (7) of the statutes is amended to read:

60.11 (7) POLL LIST. An annual town meeting may require the clerk of the town meeting to keep a poll list with the name and address of every elector voting at the meeting.

~~History: 1983 a. 532.~~

~~of the town obtains a confidential listing under s. 6.47(2) and presents an identification card issued under s. 6.47(3), the clerk shall withhold the name and address of that elector from public inspection under s. 19.35(1), except as authorized under s. 6.47(8).~~

record the identification serial number of the elector in lieu of the elector's name and address.

1999

Nonstat File Sequence: **FFF**

LRB -1606 / 1
Jrk : _____ : _____

EFFECTIVE DATE

1. In the component bar: For the action phrase, execute: ... create → action: → *NS: → effdate
For the text, execute: create → text: → *NS: → effdateA
2. Nonstatutory subunits are numbered automatically if "(#1)", "(#2)", etc., is filled in. Below, fill in "____" or "()" only if a "frozen" number is needed.

SECTION # _____ . Effective date.

(#1) () This act takes effect on

1. In the component bar: For the action phrase, execute: .. create → action: → *NS: → effdateE
For the text, execute: create → text: → *NS: → effdate
2. Nonstatutory subunits are numbered automatically if "(#1)", "(#2)", etc., is filled in. Below, fill in "____" or "()" only if a "frozen" number is needed.

SECTION # _____ . Effective dates;

..... This act takes effect on the day after publication, except as follows:

(#1) () The treatment of sections 12.60 (1)(a) (by section # autorefer) of the statutes takes effect on December 31, 1999
(end)

1. In the component bar: For the budget action phrase, execute: ... create → action: → *NS: → 94XX
For the text, execute: create → text: → *NS: → effdate
2. Nonstatutory subunits are numbered automatically if "(#1)", "(#2)", etc., is filled in. Below, for the budget, fill in the 9400 department code; and fill in "()" only if a "frozen" number is needed.

SECTION 94 _____ . Effective dates;

(#1) () The treatment of sections of the statutes takes effect on

JWS IA:1

Section #. 6.40 (2) (b) of the statutes is amended to read:

6.40 (2) (b) In addition to the revision which is required under s. 6.50, municipal clerks may conduct door-to-door and mail registration canvasses at any time. The door-to-door canvass shall consist of both the deletion from the registration list of the names of electors who no longer reside at the address for which they are registered and the addition to the registration list of the names of electors who reside at that address. The mail canvass shall consist of the municipal clerk examining the registration records and canceling the registration of electors after the mailing of notices in accordance with s. 6.50 (1) and (2) or (2m). The mail canvass may also consist of adding to the registration list the names of eligible electors. Both door-to-door and mail canvasses whenever made shall be made throughout the municipality in a uniform manner. An elector who wishes to

~~History: 1971 c. 242; 1971 c. 304 s. 29 (1), (2); 1975 c. 85, 199, 200; 1997 c. 394 ss. 23, 24, 53; 1983 a. 484; 1985~~

~~304~~
obtain a confidential listing under s. 6.47(2) shall register at the office of the municipal clerk of the municipality where the elector resides.



ZUS 1A:2

Section #. 6.45 of the statutes is amended to read:

6.45 Access to registration list. (1) After the deadline for revision of the registration list, the municipal clerk shall make copies of the list for election use. ^{9 (1m)} The registration list and any supplemental lists which are prepared at polling places or other registration locations under s. 6.55, shall be open to public inspection. Under the regulations prescribed by the municipal clerk, any person may copy the registration list at the office of the clerk. A registration list maintained at a polling place may be examined by an observer when such use does not interfere with the conduct of the elec-

This subsection does not apply to information that is confidential under s. 6.47. ✓

(2) The municipal clerk shall furnish upon request to each candidate who has filed nomination papers for an office which represents at least part of the residents of the municipality one copy of the current registration list for those areas for which he or she is a candidate, for a fee not to exceed the cost of reproduction.

The clerk shall exclude information that is confidential under s. 6.47(2) from copies of the list, except as authorized under s. 6.47(8) ✓

~~History: 1975 c. 85, 199, 1977 c. 394 s. 53; 1983 a. 484; 1989 a. 192.~~

2WSIA:3

Section #. 6.46 of the statutes is amended to read:

Ⓟ
↓
Ⓛ

6.46 Poll lists; copying. Poll lists shall be preserved by the municipal clerk until destruction or other disposition is authorized under s. 7.23, and shall be open to public inspection. The municipal clerk shall furnish upon request to each candidate who has filed nomination papers for an office which represents at least part of the municipality one copy of the current poll list for those areas for which he or she is a candidate for a fee not to exceed the cost of reproduction. If a copying machine is not accessible, the clerk shall remove the lists from the office for the purposes of copying, and return them immediately thereafter. *The clerk shall exclude information that*

is confidential under s. 6.47(2) from copies of the list except as authorized under s. 6.47(8). ✓

History: 1975 c. 85, 199.

[End of
Insert 1A]

Ans SA

Section #. 6.55 (2) (a) of the statutes is amended to read:

6.55 (2) (a) Except where the procedure under par. (c) ^{or (c.m)} is employed, any person who qualifies as an elector in the ward or election district where he or she desires to vote, but has not previously filed a registration form, or was registered at another location in a municipality where registration is required, may request permission to vote at the polling place for that ward or election district, or at an alternate polling place assigned under s. 5.25 (5) (b). When a proper request is made, the inspector shall require the person to execute a registration form prescribed by the board which shall contain the following certification:

"I,, hereby certify that to the best of my knowledge, I am a qualified elector, having resided at for at least 10 days immediately preceding this election, and that I am not disqualified on any ground from voting, and I have not voted, at this election." If a change of address is made from outside the municipality, the elector shall file a cancellation under 6.40 (1) (b) 6.08.

~~History: 1971 c. 304 s. 29 (2); 1973 c. 222; 1975 c. 85, 93, 199, 200; 1977 c. 394, 427; 1979 c. 311; 1981 c. 44 s. 3; 1981 c. 202 s. 23; 1983 a. 484; 1985 a. 304; 1987 a. 391; 1989 a. 31, 192~~

PROOF w/STATS.

Ins 5B:1

Section #. 6.79 (1) to (3) of the statutes are amended to read:

6.79 (1) MUNICIPALITIES WITHOUT REGISTRATION. ~~Where~~ ^{Except as provided in sub. (6)(a), where} there is no registration, before being permitted to vote, each person shall state his or her full name and address. The officials shall record each name and address on a poll list in the same order as the votes are cast. If the residence of the elector does not have a number, the election officials shall, in the appropriate space, write "none". Alternatively, the municipal clerk may maintain a poll list consisting of the full name and address of electors compiled from previous elections. Whenever an elector appears to vote, the officials shall verify the correctness of the elector's name and address, and shall enter a serial number next to the name of the elector in the order that the votes are cast, beginning with the number one. If the name and address of an elector do not appear on the prepared poll list, the officials shall record the name, address and serial number of the elector at the bottom of the list. The officials may require any elector to provide identification, including acceptable proof of residence, or to have another elector corroborate his or her information in accordance with the procedure specified in s. 6.55 (2) (b) before permitting the elector to vote. ^{An elector who presents an identification card under sub. (6)(a) is not required to provide separate identification.} The officials shall maintain a separate list of those persons voting under ss. 6.15 and 6.24.

(2) MUNICIPALITIES WITH REGISTRATION. ~~Where~~ ^{Except as provided in sub. (6)(b), where} there is registration, each person, before receiving a voting number, shall state his or her full name and address. Upon the prepared registration list, after the name of each elector, the officials shall enter the serial number of the vote as it is polled, beginning with number one. Each elector shall receive a slip bearing the same serial number. A separate list shall be maintained for electors who are voting under s. 6.15, 6.29 or 6.55 (2) or (3) and electors who are reassigned from another polling place under s. 5.25 (5) (b). Each such elector shall have his or her full name, address and serial number likewise recorded and shall be given a slip bearing such number.

(RWS 5B:2)

Except as provided in sub. (6), if

(3) REFUSAL TO GIVE NAME AND ADDRESS. If any elector offering to vote at any polling place refuses to give his or her name and address, the elector may not be permitted to vote.

~~History: 1971 c. 304 s. 29 (2); 1975 c. 85, 199, 200; 1977 c. 394, 447; 1979 c. 260, 311, 355; 1985 a. 304; 1989 a. 192.~~



JWS 5B:3

Section #. 6.79 (5) of the statutes is amended to read:

6.79 (5) POLL LIST FORMS. Poll lists shall be kept on forms designed by the board to be substantially similar to the standard registration list forms used in municipalities where registration is required and shall require, for each person offering to vote, the entry of the person's full name and address.

History: 1971 c. 304 s. 29 (2); 1975 c. 85, 199, 200; 1977 c. 394, 447; 1979 c. 260, 311, 355; 1985 a. 304; 1989 a.

192

except
as otherwise
required
under
Sub. (G)(a) ✓

[End of
Insert 5B]

3w s 5c 1

Section #. 6.87 (2) of the statutes is amended to read:

6.87 (2) The municipal clerk shall place the ballot in an unsealed envelope furnished by the clerk. The envelope shall have the name, official title and post-office address of the clerk upon its face. The other side of the envelope shall have a printed certificate-affidavit in substantially the following form:

[STATE OF

County of]

or

[(name of foreign country and city or other jurisdictional unit)]

I,, (certify) (do solemnly swear) subject to the penalties of 12.60 (1) (b) 12., Wis. Stats. for false statements that I am a resident of the [... ward of the] (town) (village) of, or of the aldermanic district in the city of, residing at in said city, the county of, state of Wisconsin, and am entitled to vote in the (ward) (election district) at the election to be held on; that I am not voting at any other location in this election; that I cannot appear at the polling place in the (ward) (election district) on election day because I expect to be absent from the municipality or because of age, sickness, handicap, physical disability, religious reasons, jury duty, service as an election official, or because I have changed my residence within the state from one ward or election district to another within 10 days before the election. I (certify) (swear) that I exhibited the enclosed ballot unmarked to the (2 witnesses) (person administering the oath), that I then in (their) (his) (her) presence and in the presence of no other person marked the ballot and enclosed and sealed the same in this envelope in such a manner that no one but myself and any person rendering assistance under s. 6.87 (5), Wis. Stats., if I requested assistance, could know how I voted.

Right Justify

[Identification social number, if any :

Signed

The (2 witnesses) (person administering the oath) shall execute either of the following as appropriate:

(In SSC:2)

We, the undersigned witnesses, subject to the penalties of 12.60 (1) (b) 12., Wis. Stats., for false statements, certify that the above statements are true and the voting procedure was executed as there stated. Neither of us is a candidate for any office on the enclosed ballot (except in the case of an incumbent municipal clerk). The elector was not solicited or advised by us to vote for or against any candidate or measure.

....(Name)

....(Address)

....(Name)

....(Address)

Subscribed and sworn to before me this day of, A.D.,, and I hereby certify that I am not a candidate on the ballot upon which the affiant voted (unless I am an incumbent municipal clerk), that the voting procedure above was executed as therein stated, and that the affiant was not solicited or advised by me to vote for or against any candidate or measure.

....(Name)

....(Title)

....(State or nation)

History: 1971 c. 242; 1971 c. 304 s. 29 (1); (2); 1975 c. 85; 1975 c. 93 s. 119 (2); 1975 c. 199; 1977 c. 394; 1979 c. 232, 260, 311, 355; 1983 a. 36, 484, 538; 1985 a. 304; 1991 a. 316.

[End of
Insert 5C]

(WS GA:1)

Section #. 6.88 (3) (a) of the statutes is amended to read:

6.88 (3) (a) Any time between the opening and closing of the polls on election day, the inspectors shall open the carrier envelope only, and announce the ~~absent elector's name~~ ^{at the absent elector}. When the inspectors find that the certification or affidavit has been properly executed, the applicant is a qualified elector ^{or the} of the ward or election district, and the applicant has not voted in the election, they shall enter an ^{identification} indication on the poll or registration list next to the applicant's name indicating an absentee ballot ^{Serial} is cast by the elector. They shall then open the envelope containing the ballot in a manner so as not ^{number} to deface or destroy the affidavit or certification thereon. The inspectors shall take out the ballot ^{of the} without unfolding it or permitting it to be unfolded or examined. Unless the ballot is cast under s. ^{absent} 6.95, the inspectors shall verify that the ballot has been endorsed by the issuing clerk. The inspectors ^{elector} shall deposit the ballot in the proper ballot box and enter the absent elector's name or voting number ^{if the} after his or her name on the poll or registration list the same as if the elector had been present and ^{elector} voted in person. ^{has a}

or the identification Serial number of the absent elector if the elector has a confidential listing under s. 6.47(2) ✓

History: 1971 c. 304 s. 29 (2); 1975 c. 85, 199; 1977 c. 394 ss. 43, 53; 1979 c. 232, 260, 1983 a. 183, 484; 1987 a.

391.



INS GA:2

Section #. 7.08 (1) (c) of the statutes is amended to read:

7.08 (1) (c) Prescribe forms required by ss. 6.24 (3) and (4), 6.30 (3) and (4), 6.33 (1), 6.40 (1) (b), ~~6.47 (1) (a) 2. and (3)~~, 6.55 (2) and (3), 6.79 (5) and 6.86 (2) and (3). All such forms shall contain a statement of the penalty applicable to false or fraudulent registration or voting through use of the form. Forms are not required to be furnished by the board.

History: 1971 c. 242; 1973 c. 334 s. 6, 57; 1975 c. 85, 93, 94, 199; 1977 c. 29, 107, 394, 427; 1979 c. 89, 177, 260, 311; 1981 c. 377; 1983 a. 51, 484; 1985 a. 120, 304; 1989 a. 192; 1993 a. 140; 1995 a. 16 s. 2; 1997 a. 27.



INSGA:3

Section #. 7.39 (5) of the statutes is amended to read:

7.39 (5) POLL POSITIONS. Observers of election proceedings, as a matter of right, shall be so positioned at the polls by the chief inspector as to reasonably be enabled to closely observe proceedings and hear instructions given to voters. No observer may view the confidential

registration form of an elector who has obtained a confidential listing under s. 6.47(2) or the

~~History: 1987 a. 391 ss. 42 to 45, 47; 1989 a. 192, 359; 1993 a. 184.~~
portion of a registration list maintained under s. 6.36(4) or poll list maintained under s. 6.79(6). However, the inspectors shall disclose to any observer, upon request, the existence of such a list, the number of electors whose names appear on the list and the number of those electors who have voted at any point in the proceedings.

No observer may view

the certificate-affidavit form of an absent elector who obtains a confidential listing under s. 6.47(2).



JWSGA:4

Section #. 7.51 (1) of the statutes is amended to read:

7.51 (1) CANVASS PROCEDURE. Immediately after the polls close the inspectors shall proceed to canvass publicly all votes received at the polling place. In any municipality where an electronic voting system is used, the municipal governing body or board of election commissioners may provide or authorize the municipal clerk or executive director of the board of election commissioners to provide for the adjournment of the canvass to one or more central counting locations for specified polling places in the manner prescribed in subch. III of ch. 5. No central counting location may be used to count votes at a polling place where an electronic voting system is not employed. The canvass, whether conducted at the polling place or at the central counting location, shall continue without adjournment until the canvass is completed and the return statements are made. The inspectors

~~History: 1971 c. 304 s. 29 (2); 1977 c. 29; 1977 c. 394 s. 53; 1977 c. 427, 447; 1979 c. 260 ss. 36, 48; 1979 c. 311; 1981 c. 4, 391; 1983 a. 183, 442; 1983 a. 484 ss. 76, 77, 172 (3); 1983 a. 538; 1985 a. 120, 304; 1987 a. 391; 1989 a. 56, 192; 1993 a. 399; 1997 a. 127.~~

shall not permit access to the name and address of any elector who has obtained a confidential listing under s. 6.47(2) during the canvass, except as authorized in s. 6.47(8).



FWSGA: 5

Section #. 9.01 (1) (b) 11. of the statutes is amended to read:

9.01 (1) (b) 11. All steps of the recount shall be performed publicly. Except as provided in subd. 12. all materials and ballots may be viewed and identified by the candidates, the person demanding the recount and their authorized representatives and counsel, but only members of the board of canvassers and tabulators assisting them may touch any of the materials or ballots. The candidates, the person demanding the recount and their authorized representatives and counsel may object to the counting of any ballot. Any errors shall be corrected.

History: ~~1971 c. 251; 1971 c. 304 s. 29 (2); 1971 c. 336; 1973 c. 313; 1973 c. 334 ss. 23 to 26, 57; 1975 c. 41, 422; 1977 c. 394 s. 53; 1977 c. 427; 1979 c. 200; 1979 c. 260 ss. 66 to 68, 93; 1979 c. 311, 355; 1983 a. 183; 1983 a. 484 s. 172 (3); 1983 a. 538; 1985 a. 304; 1987 a. 391; 1989 a. 192; 1993 a. 213; 1997 a. 27~~

[End of
Insert GA]



State of Wisconsin
1999 - 2000 LEGISLATURE

LRB-1606/r
JTK.wlj:lp

Wanted TNU 3/25

1999 BILL

Reger

1 AN ACT *to amend* 6.28 (1), 6.33 (1), 6.35 (1) (intro.), 6.40 (2) (b), 6.45, 6.46, 6.55
2 (2) (a), 6.79 (1) to (3), 6.79 (5), 6.87 (2), 6.88 (3) (a), 7.08 (1) (c), 7.39 (5), 7.51 (1),
3 9.01 (1) (b) 11., 12.60 (1) (a), 12.60 (1) (a), 12.60 (1) (b) and 60.11 (7); and *to*
4 *create* 6.35 (1m), 6.36 (4), 6.47, 6.55 (2) (cm), 6.79 (6), 6.87 (6m), 9.01 (1) (b) 12.,
5 12.13 (2) (b) 8. and 12.13 (3) (zm) and (zn) of the statutes; **relating to:**
6 authorization for electors who are victims of domestic abuse to be listed
7 confidentially on poll and registration lists and providing penalties.

Analysis by the Legislative Reference Bureau

Currently, the names and addresses of all electors who register to vote, and in municipalities where registration is required, the names of electors who register to vote, are publicly accessible. Electors must orally disclose their names and addresses at polling places, which are recorded on poll and registration lists. Polling place observers may inspect the lists of names and addresses of registered and actual voters.

This bill permits certain electors to vote or register to vote confidentially. To be eligible for a confidential listing, an elector must have been granted a protective order by a court that is currently in effect restraining another person from having or causing contact with the elector for reasons relating to domestic abuse; the elector must reside in an organized shelter for persons whose personal security is or may be

BILL

threatened by other persons with whom the residents have had contact; or the elector must present the affidavit of a sheriff or chief of a police department verifying that a person has been charged with or convicted of an offense relating to domestic abuse in which the elector was a victim and reasonably continues to be threatened by that person. Under the bill, an "offense relating to domestic abuse" includes sexual assault, battery, stalking, harassment or sexual exploitation. A confidential listing expires when a protective order expires, when an individual ceases to be a resident of a shelter, when the sheriff or chief of a police department who signed an affidavit notifies a municipal clerk that a judgment in a domestic abuse case has been vacated or that a domestic abuse charge has been dropped, or upon expiration of the two-year period following creation of the listing, whichever first occurs. A listing may be renewed in the same manner as provided for creation of an original listing.

Under the bill, a municipal clerk must still provide access to a confidential name and address to a law enforcement officer for official purposes; to a state or local governmental officer pursuant to a specific law that necessitates obtaining the name or address; pursuant to a court order citing a reason that access to a name or address should be provided; to a clerk of circuit court for purposes of jury selection; or at the request of the protected elector for the purpose of permitting the elector to qualify as a signer on certain petitions.

The bill directs municipal clerks to issue to each elector who is entitled to a confidential listing an identification card containing a unique number issued by the elections board, which may be presented to election inspectors (poll workers) in lieu of providing a name and address. Alternatively, the bill permits an elector where registration is required to give his or her name and identification card number in lieu of an address.

Currently, voters may register at polling places, high schools and various other locations. Under this bill, an elector who wishes to obtain a confidential listing must register at the office of the clerk of the municipality where the elector resides.

The bill provides that polling place observers may not view the name or address of any elector who is entitled to be listed on a poll or registration list confidentially. However, the inspectors must disclose to any observer, upon request, the existence of any confidential list of electors, the number of electors whose names appear on the list and the number of electors who have voted at any point in the proceedings.

The bill prohibits election officials and other persons who are provided confidential information relating to the names and addresses of electors from disclosing that information to other persons who are not authorized to obtain that information. The bill also prohibits an individual from providing false information to a municipal clerk for the purpose of obtaining a confidential listing on a poll or registration list. Violators are guilty of a misdemeanor and are subject to a fine of not more than \$1,000 or imprisonment for not more than six months, or both, for each offense.

BILL

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

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

1 **SECTION 1.** 6.28 (1) of the statutes is amended to read:

2 6.28 (1) **REGISTRATION LOCATIONS; DEADLINE.** Registration in person for any
3 election shall close at 5 p.m. on the 2nd Wednesday preceding the election.
4 Registrations made by mail under s. 6.30 (4) must be delivered to the office of the
5 municipal clerk or postmarked no later than the 2nd Wednesday preceding the
6 election. All applications for registration corrections and additions may be made
7 throughout the year at the office of the city board of election commissioners, at the
8 office of the municipal clerk, at the office of any register of deeds or at other locations
9 provided by the board of election commissioners or the common council in cities over
10 500,000 population or by either or both the municipal clerk, or the common council,
11 village or town board in all other municipalities and may also be made during the
12 school year at any high school by qualified persons under sub. (2) (a). Other
13 registration locations may include but are not limited to fire houses, police stations,
14 public libraries, institutions of higher education, supermarkets, community centers,
15 plants and factories, banks, savings and loan associations and savings banks.
16 Special registration deputies shall be appointed for all locations. An elector who
17 wishes to obtain a confidential listing under s. 6.47 (2) shall register at the office of
18 the municipal clerk of the municipality where the elector resides.

19 **SECTION 2.** 6.33 (1) of the statutes is amended to read:

20 6.33 (1) The municipal clerk shall supply sufficient registration forms as
21 prescribed by the board printed on loose-leaf sheets or cards to obtain from each

BILL

1 applicant information as to name, date, residence location, citizenship, age, whether
2 the applicant has resided within the ward or election district for at least 10 days,
3 whether the applicant has lost his or her right to vote, and whether the applicant is
4 currently registered to vote at any other location, and shall provide a space for the
5 applicant's signature. The forms shall also include a space for the identification
6 serial number of any elector who is issued such a number under s. 6.47 (3). Each
7 register of deeds shall obtain sufficient registration forms at the expense of the unit
8 of government by which he or she is employed for completion by any elector who
9 desires to register to vote.

10 **SECTION 3.** 6.35 (1) (intro.) of the statutes is amended to read:

11 6.35 (1) (intro.) Under the direction of the municipal clerk or board of election
12 commissioners, the original registration forms shall be filed in one of the following
13 ways, except as provided in sub. (1m):

14 **SECTION 4.** 6.35 (1m) of the statutes is created to read:

15 6.35 (1m) Original registration forms of electors who have obtained a
16 confidential listing under s. 6.47 (2) shall be filed in alphabetical order after the
17 forms of the other electors.

18 **SECTION 5.** 6.36 (4) of the statutes is created to read:

19 6.36 (4) The names and addresses of electors who have obtained a confidential
20 listing under s. 6.47 (2) shall appear separately after the remainder of the list. These
21 names ^{and addresses} shall be arranged alphabetically by last name.

22 **SECTION 6.** 6.40 (2) (b) of the statutes is amended to read:

23 6.40 (2) (b) In addition to the revision which is required under s. 6.50,
24 municipal clerks may conduct door-to-door and mail registration canvasses at any
25 time. The door-to-door canvass shall consist of both the deletion from the

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1 registration list of the names of electors who no longer reside at the address for which
2 they are registered and the addition to the registration list of the names of electors
3 who reside at that address. The mail canvass shall consist of the municipal clerk
4 examining the registration records and canceling the registration of electors after
5 the mailing of notices in accordance with s. 6.50 (1) and (2) or (2m). The mail canvass
6 may also consist of adding to the registration list the names of eligible electors. Both
7 door-to-door and mail canvasses whenever made shall be made throughout the
8 municipality in a uniform manner. An elector who wishes to obtain a confidential
9 listing under s. 6.47 (2) shall register at the office of the municipal clerk of the
10 municipality where the elector resides.

11 **SECTION 7.** 6.45 of the statutes is amended to read:

12 **6.45 Access to registration list.** (1) After the deadline for revision of the
13 registration list, the municipal clerk shall make copies of the list for election use.

14 (1m) The registration list and any supplemental lists which are prepared at
15 polling places or other registration locations under s. 6.55, shall be open to public
16 inspection. Under the regulations prescribed by the municipal clerk, any person may
17 copy the registration list at the office of the clerk. A registration list maintained at
18 a polling place may be examined by an observer when such use does not interfere
19 with the conduct of the election. This subsection does not apply to information that
20 is confidential under s. 6.47.

21 (2) The municipal clerk shall furnish upon request to each candidate who has
22 filed nomination papers for an office which represents at least part of the residents
23 of the municipality one copy of the current registration list for those areas for which
24 he or she is a candidate for a fee not to exceed the cost of reproduction. The clerk shall

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1 exclude information that is confidential under s. 6.47 (2) from copies of the list, except
2 as authorized under s. 6.47 (8).

3 **SECTION 8.** 6.46 of the statutes is amended to read:

4 **6.46 Poll lists; copying. (1)** Poll lists shall be preserved by the municipal
5 clerk until destruction or other disposition is authorized under s. 7.23, ~~and,~~

6 (2) Poll lists shall be open to public inspection, except as provided in s. 6.47.

7 The municipal clerk shall furnish upon request to each candidate who has filed
8 nomination papers for an office which represents at least part of the municipality one
9 copy of the current poll list for those areas for which he or she is a candidate for a fee
10 not to exceed the cost of reproduction. If a copying machine is not accessible, the clerk
11 shall remove the lists from the office for the purposes of copying, and return them
12 immediately thereafter. The clerk shall exclude information that is confidential
13 under s. 6.47 (2) from copies of the list, except as authorized under s. 6.47 (8).

14 **SECTION 9.** 6.47 of the statutes is created to read:

15 **6.47 Confidentiality of information relating to victims of domestic**
16 **abuse. (1)** In this section:

17 (a) "Eligible individual" means:

- 18 1. An individual who has been granted a protective order that is in effect.
- 19 2. An individual who files an affidavit with the municipal clerk of the
20 municipality where the individual resides, on a form prescribed by the board, which
21 is signed by a sheriff or the chief of a police department and directed to the municipal
22 clerk, and which verifies that a person has been charged with or convicted of an
23 offense relating to domestic abuse in which the individual was a victim and
24 reasonably continues to be threatened by that person.
- 25 3. An individual who resides in a shelter.

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1 (b) "Offense relating to domestic abuse" means an offense specified in s. 940.19,
2 940.20 (1m), 940.201, 940.22, 940.225, 940.32, 947.013, 948.02, 948.025, 948.06,
3 948.09 or 948.095.

4 (c) "Protected individual" means an individual whose name and address is
5 confidential under sub. (2).

6 (d) "Protective order" means a temporary restraining order or an injunction
7 issued under s. 813.12.

8 (e) "Shelter" means a place where at least 4 unrelated individuals reside that
9 provides residential shelter to individuals whose personal security is or may be
10 threatened by family members or other persons with whom the individuals have had
11 contact.

12 (2) Except as authorized in sub. (8), the municipal clerk shall withhold from
13 public inspection under s. 19.35 (1) the name and address of any eligible individual
14 whose name appears on a poll list or registration list if the individual files a valid
15 written request with the clerk to protect the individual's confidentiality. To be valid,
16 a request under this subsection must be accompanied by a copy of a protective order
17 that is in effect, an affidavit under sub. (1) (a) 2. that is dated within 30 days of the
18 date of the request or a statement signed by the operator or an authorized agent of
19 the operator of a shelter that is dated within 30 days of the date of the request and
20 that indicates that the operator operates the shelter and that the individual making
21 the request resides in the shelter. A physically disabled individual who appears
22 personally at the office of the municipal clerk accompanied by another elector of this
23 state may designate that elector to make a request under this subsection on his or
24 her behalf.

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1 (3) Upon listing of an elector under sub. (2), the municipal clerk shall issue to
2 the elector a voting identification card on a form prescribed by the board that shall
3 contain the elector's name and address and a unique identification serial number
4 issued by the board. The number issued to an elector under this subsection shall not
5 be changed for so long as the elector continues to qualify for a listing under sub. (2).

6 (4) Except as provided in sub. (5), a confidential listing under sub. (2) expires
7 on the date that a protective order expires, the date that the protected individual
8 ceases to reside in a shelter or at the end of the 24-month period that follows creation
9 or renewal of the listing under sub. (2), whichever is earlier.

10 (5) (a) The municipal clerk shall cancel a confidential listing under sub. (2) if:

11 1. The clerk receives notification from a sheriff or chief of police under sub. (8).

12 2. The name of the protected individual is legally changed.

13 3. The protected individual changes his or her address without notifying the
14 municipal clerk.

15 4. The municipal clerk finds that the protected individual provided false
16 information to the clerk for the purpose of obtaining a confidential listing under sub.
17 (2).

18 (b) An individual whose confidential listing is canceled under par. (a) may file
19 a new request and qualify under sub. (2) to obtain a renewal of the listing.

20 (6) Upon expiration of a confidential listing on a registration list under sub. (2),
21 the municipal clerk shall cancel the registration of the protected individual unless
22 the individual files a new request and qualifies under sub. (2) to obtain a renewal of
23 the listing or unless the individual applies for and qualifies to obtain a
24 nonconfidential voter registration. Except as authorized in sub. (8), the municipal
25 clerk shall withhold from public inspection under s. 19.35 (1) the name and address

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1 of any individual whose registration is canceled under this subsection if the
2 individual qualified for a confidential listing at the time of that listing.

3 (7) (a) If the municipal clerk has notice that a confidential listing under sub.
4 (2) is scheduled to expire, the municipal clerk shall provide 30 days' notice to the
5 protected individual of the scheduled expiration of the listing.

6 (b) If notice to a protected individual is not provided under par. (a), the
7 municipal clerk shall provide notice to the subject individual upon canceling a
8 confidential listing under sub. (2).

9 (8) The municipal clerk shall provide access to a name and address under sub.
10 (2):

11 (a) To a law enforcement officer for official purposes.

12 (b) To a state or local governmental officer pursuant to a specific law that
13 necessitates obtaining the name or address.

14 (c) Pursuant to a court order citing a reason that access to the name or address
15 should be provided.

16 (d) To a clerk of circuit court for purposes of s. 756.04 (5) (a).

17 (e) At the request of a protected individual, for purposes of permitting that
18 individual to sign a petition under s. 59.05 (2) or a protest petition, consent or counter
19 petition under s. 125.05.

20 (9) No person who obtains access to a name or address under sub. (8) may
21 disclose the name or address to any person other than a public employe for the same
22 purpose for which the information was obtained.

23 (10) If a sheriff or chief of a police department who signs an affidavit under sub.
24 (1) (a) 2. obtains information that the person who was charged with an offense
25 relating to domestic abuse is no longer so charged or that the person's judgment of

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1 conviction has been vacated, and the charge or conviction was the sole basis for the
2 affidavit, the sheriff or chief shall provide written notice of that information to the
3 municipal clerk to whom the affidavit was directed.

4 **SECTION 10.** 6.55 (2) (a) of the statutes is amended to read:

5 6.55 (2) (a) Except where the procedure under par. (c) or (cm) is employed, any
6 person who qualifies as an elector in the ward or election district where he or she
7 desires to vote, but has not previously filed a registration form, or was registered at
8 another location in a municipality where registration is required, may request
9 permission to vote at the polling place for that ward or election district, or at an
10 alternate polling place assigned under s. 5.25 (5) (b). When a proper request is made,
11 the inspector shall require the person to execute a registration form prescribed by
12 the board which shall contain the following certification:

13 "I,, hereby certify that to the best of my knowledge, I am a qualified elector,
14 having resided at for at least 10 days immediately preceding this election, and
15 that I am not disqualified on any ground from voting, and I have not voted, at this
16 election." If a change of address is made from outside the municipality, the elector
17 shall file a cancellation under s. 6.40 (1) (b) 6.

18 **SECTION 11.** 6.55 (2) (cm) of the statutes is created to read:

19 6.55 (2) (cm) If an elector who is not registered wishes to obtain a confidential
20 listing under s. 6.47 (2), the elector shall register at the office of the municipal clerk
21 of the municipality where the elector resides. Upon completion of registration, the
22 municipal clerk or a deputy clerk shall serially number the registration form and
23 issue a voting identification card to the elector under s. 6.47 (3). The clerk shall
24 provide one copy of the registration form to the elector. The elector may vote at the

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1 polling place serving his or her residence by presenting the identification card and
2 the copy of the registration form to the inspectors.

3 **SECTION 12.** 6.79 (1) to (3) of the statutes are amended to read:

4 **6.79 (1) MUNICIPALITIES WITHOUT REGISTRATION.** ~~Where~~ Except as provided in
5 sub.(6)(a), where there is no registration, before being permitted to vote, each person
6 shall state his or her full name and address. The officials shall record each name and
7 address on a poll list in the same order as the votes are cast. If the residence of the
8 elector does not have a number, the election officials shall, in the appropriate space,
9 write "none". Alternatively, the municipal clerk may maintain a poll list consisting
10 of the full name and address of electors compiled from previous elections. Whenever
11 an elector appears to vote, the officials shall verify the correctness of the elector's
12 name and address, and shall enter a serial number next to the name of the elector
13 in the order that the votes are cast, beginning with the number one. If the name and
14 address of an elector do not appear on the prepared poll list, the officials shall record
15 the name, address and serial number of the elector at the bottom of the list. The
16 officials may require any elector to provide identification, including acceptable proof
17 of residence, or to have another elector corroborate his or her information in
18 accordance with the procedure specified in s. 6.55 (2) (b) before permitting the elector
19 to vote. An elector who presents an identification card under sub. (6) (a) is not
20 required to provide separate identification. The officials shall maintain a separate
21 list of those persons voting under ss. 6.15 and 6.24.

22 **(2) MUNICIPALITIES WITH REGISTRATION.** ~~Where~~ Except as provided in sub. (6)(b),
23 where there is registration, each person, before receiving a voting number, shall state
24 his or her full name and address. Upon the prepared registration list, after the name
25 of each elector, the officials shall enter the serial number of the vote as it is polled,

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1 beginning with number one. Each elector shall receive a slip bearing the same serial
2 number. A separate list shall be maintained for electors who are voting under s. 6.15,
3 6.29 or 6.55 (2) or (3) and electors who are reassigned from another polling place
4 under s. 5.25 (5) (b). Each such elector shall have his or her full name, address and
5 serial number likewise recorded and shall be given a slip bearing such number.

6 (3) REFUSAL TO GIVE NAME AND ADDRESS. If Except as provided in sub. (6), if any
7 elector offering to vote at any polling place refuses to give his or her name and
8 address, the elector may not be permitted to vote.

9 SECTION 13. 6.79 (5) of the statutes is amended to read:

10 6.79 (5) POLL LIST FORMS. Poll lists shall be kept on forms designed by the board
11 to be substantially similar to the standard registration list forms used in
12 municipalities where registration is required and shall require, for each person
13 offering to vote, the entry of the person's full name and address, except as otherwise
14 required under sub. (6) (a).

15 SECTION 14. 6.79 (6) of the statutes is created to read:

16 6.79 (6) CONFIDENTIAL NAMES AND ADDRESSES. (a) In municipalities where there
17 is no registration, an elector who has a confidential listing under s. 6.47 (2) may
18 present an identification card issued under s. 6.47 (3) in lieu of providing his or her
19 name and address. If the elector resides in the area served by the polling place, the
20 inspectors shall then enter the elector's name and identification serial number on the
21 poll list in a section following the other names, shall issue a voting serial number to
22 the elector and shall record that number on the poll list and permit the elector to vote.

23 (b) In municipalities where registration is required, an elector who has a
24 confidential listing under s. 6.47 (2) may present his or her identification card issued
25 under s. 6.47 (3) or may give his or her name and identification serial number issued

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1 under s. 6.47 (3). If the elector's name and identification serial number appear on the
2 confidential portion of the list, the inspectors shall issue a voting serial number to
3 the elector, record that number on the registration list and permit the elector to vote.

4 **SECTION 15.** 6.87 (2) of the statutes is amended to read:

5 6.87 (2) The municipal clerk shall place the ballot in an unsealed envelope
6 furnished by the clerk. The envelope shall have the name, official title and
7 post-office address of the clerk upon its face. The other side of the envelope shall
8 have a printed certificate-affidavit in substantially the following form:

9 [STATE OF

10 County of]

11 or

12 [(name of foreign country and city or other jurisdictional unit)]

13 I,, (certify) (do solemnly swear) subject to the penalties of s. 12.60 (1) (b), Wis.
14 Stats. for false statements that I am a resident of the [.... ward of the] (town) (village)
15 of, or of the aldermanic district in the city of, residing at in said city, the
16 county of, state of Wisconsin, and am entitled to vote in the (ward) (election
17 district) at the election to be held on; that I am not voting at any other location
18 in this election; that I cannot appear at the polling place in the (ward) (election
19 district) on election day because I expect to be absent from the municipality or
20 because of age, sickness, handicap, physical disability, religious reasons, jury duty,
21 service as an election official, or because I have changed my residence within the
22 state from one ward or election district to another within 10 days before the election.
23 I (certify) (swear) that I exhibited the enclosed ballot unmarked to the (2 witnesses)
24 (person administering the oath), that I then in (their) (his) (her) presence and in the
25 presence of no other person marked the ballot and enclosed and sealed the same in

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1 this envelope in such a manner that no one but myself and any person rendering
2 assistance under s. 6.87 (5), Wis. Stats., if I requested assistance, could know how I
3 voted.

Signed

Identification serial number, if any:

6 The (2 witnesses) (person administering the oath) shall execute either of the
7 following as appropriate:

8 We, the undersigned witnesses, subject to the penalties of s. 12.60 (1) (b), Wis.
9 Stats., for false statements, certify that the above statements are true and the voting
10 procedure was executed as there stated. Neither of us is a candidate for any office
11 on the enclosed ballot (except in the case of an incumbent municipal clerk). The
12 elector was not solicited or advised by us to vote for or against any candidate or
13 measure.

14(Name)

15(Address)

16(Name)

17(Address)

18 Subscribed and sworn to before me this day of, A.D.,, and I hereby
19 certify that I am not a candidate on the ballot upon which the affiant voted (unless
20 I am an incumbent municipal clerk), that the voting procedure above was executed
21 as therein stated, and that the affiant was not solicited or advised by me to vote for
22 or against any candidate or measure.

23(Name)

24(Title)

25(State or nation)

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1 **SECTION 16.** 6.87 (6m) of the statutes is created to read:

2 6.87 (6m) Except as authorized in s. 6.47 (8), the municipal clerk shall withhold
3 from public inspection under s. 19.35 (1) the name and address of any absent elector
4 who obtains a confidential listing under s. 6.47 (2).

5 **SECTION 17.** 6.88 (3) (a) of the statutes is amended to read:

6 6.88 (3) (a) Any time between the opening and closing of the polls on election
7 day, the inspectors shall open the carrier envelope only, and announce the absent
8 elector's name of the absent elector or the identification serial number of the absent
9 elector if the elector has a confidential listing under s. 6.47 (2). When the inspectors
10 find that the certification or affidavit has been properly executed, the applicant is a
11 qualified elector of the ward or election district, and the applicant has not voted in
12 the election, they shall enter an indication on the poll or registration list next to the
13 applicant's name indicating an absentee ballot is cast by the elector. They shall then
14 open the envelope containing the ballot in a manner so as not to deface or destroy the
15 affidavit or certification thereon. The inspectors shall take out the ballot without
16 unfolding it or permitting it to be unfolded or examined. Unless the ballot is cast
17 under s. 6.95, the inspectors shall verify that the ballot has been endorsed by the
18 issuing clerk. The inspectors shall deposit the ballot in the proper ballot box and
19 enter the absent elector's name or voting number after his or her name on the poll
20 or registration list the same as if the elector had been present and voted in person.

21 **SECTION 18.** 7.08 (1) (c) of the statutes is amended to read:

22 7.08 (1) (c) Prescribe forms required by ss. 6.24 (3) and (4), 6.30 (3) and (4), 6.33
23 (1), 6.40 (1) (b), 6.47 (1) (a) 2. and (3), 6.55 (2) and (3), 6.79 (5) and 6.86 (2) and (3).
24 All such forms shall contain a statement of the penalty applicable to false or

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1 fraudulent registration or voting through use of the form. Forms are not required
2 to be furnished by the board.

3 **SECTION 19.** 7.39 (5) of the statutes is amended to read:

4 7.39 (5) POLL POSITIONS. Observers of election proceedings, as a matter of right,
5 shall be so positioned at the polls by the chief inspector as to reasonably be enabled
6 to closely observe proceedings and hear instructions given to voters. No observer
7 may view the registration form of an elector who has obtained a confidential listing
8 under s. 6.47 (2) or the confidential portion of a registration list maintained under
9 s. 6.36 (4) or poll ^{list} ~~test~~ maintained under s. 6.79 (6). However, the inspectors shall
10 disclose to any observer, upon request, the existence of such a list, the number of
11 electors whose names appear on the list and the number of those electors who have
12 voted at any point in the proceedings. No observer may view the certificate-affidavit
13 form of an absent elector who obtains a confidential listing under s. 6.47 (2).

14 **SECTION 20.** 7.51 (1) of the statutes is amended to read:

15 7.51 (1) CANVASS PROCEDURE. Immediately after the polls close the inspectors
16 shall proceed to canvass publicly all votes received at the polling place. In any
17 municipality where an electronic voting system is used, the municipal governing
18 body or board of election commissioners may provide or authorize the municipal
19 clerk or executive director of the board of election commissioners to provide for the
20 adjournment of the canvass to one or more central counting locations for specified
21 polling places in the manner prescribed in subch. III of ch. 5. No central counting
22 location may be used to count votes at a polling place where an electronic voting
23 system is not employed. The canvass, whether conducted at the polling place or at
24 the central counting location, shall continue without adjournment until the canvass
25 is completed and the return statements are made. The inspectors shall not permit

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1 access to the name and address of any elector who has obtained a confidential listing
2 under s. 6.47 (2) during the canvass, except ~~as~~ as authorized in s. 6.47 (8).

3 **SECTION 21.** 9.01 (1) (b) 11. of the statutes is amended to read:

4 9.01 (1) (b) 11. All steps of the recount shall be performed publicly. ~~All~~ Except
5 as provided in subd. 12., all materials and ballots may be viewed and identified by
6 the candidates, the person demanding the recount and their authorized
7 representatives and counsel, but only members of the board of canvassers and
8 tabulators assisting them may touch any of the materials or ballots. The candidates,
9 the person demanding the recount and their authorized representatives and counsel
10 may object to the counting of any ballot. Any errors shall be corrected.

11 **SECTION 22.** 9.01 (1) (b) 12. of the statutes is created to read:

12 9.01 (1) (b) 12. Except as authorized in s. 6.47 (8), the board of canvassers shall
13 not permit access to the name or address of any elector who has obtained a
14 confidential listing under s. 6.47 (2) during the recanvass.

15 **SECTION 23.** 12.13 (2) (b) 8. of the statutes is created to read:

16 12.13 (2) (b) 8. Intentionally disclose the name or address of any elector who
17 obtains a confidential listing under s. 6.47 (2) to any person who is not authorized
18 by law to obtain that information.

19 **SECTION 24.** 12.13 (3) (zm) and (zn) of the statutes are created to read:

20 12.13 (3) (zm) Wilfully provide to a municipal clerk false information for the
21 purpose of obtaining a confidential listing under s. 6.47 (2) for that person or another
22 person.

23 (zn) Disclose to any person information provided under s. 6.47 (8) when not
24 authorized to do so.

25 **SECTION 25.** 12.60 (1) (a) of the statutes is amended to read:

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1 12.60 (1) (a) Whoever violates s. 12.09, 12.11 or 12.13 (1), (2) (b) 1. to 7. or (3)
2 (a), (e), (f), (j), (k), (L), (m), (y) or (z) may be fined not more than \$10,000 or imprisoned
3 not more than 3 years in the Wisconsin state prisons or both.

4 **SECTION 26.** 12.60 (1) (a) of the statutes, as affected by 1997 Wisconsin Act 283,
5 is amended to read:

6 12.60 (1) (a) Whoever violates s. 12.09, 12.11 or 12.13 (1), (2) (b) 1. to 7. or (3)
7 (a), (e), (f), (j), (k), (L), (m), (y) or (z) may be fined not more than \$10,000 or imprisoned
8 for not more than 4 years and 6 months or both.

9 **SECTION 27.** 12.60 (1) (b) of the statutes is amended to read:

10 12.60 (1) (b) Whoever violates s. 12.03, 12.05, 12.07, 12.08 or 12.13 (2) (b) 8., (3)
11 (b), (c), (d), (g), (i) ~~or~~ (n) to (x), (zm) or (zn) may be fined not more than \$1,000, or
12 imprisoned not more than 6 months or both.

13 **SECTION 28.** 60.11 (7) of the statutes is amended to read:

14 60.11 (7) **POLL LIST.** An annual town meeting may require the clerk of the town
15 meeting to keep a poll list with the name and address of every elector voting at the
16 meeting. If an elector of the town obtains a confidential listing under s. 6.47 (2) and
17 presents an identification card issued under s. 6.47 (3), the clerk shall record the
18 identification serial number of the elector in lieu of the elector's address.

19 **SECTION 29. Effective dates.** This act takes effect on the day after publication,
20 except as follows:

21 (1) The treatment of section 12.60 (1) (a) (by SECTION 26) of the statutes takes
22 effect on December 31, 1999.

23

(END)

**SUBMITTAL
FORM**

**LEGISLATIVE REFERENCE BUREAU
Legal Section Telephone: 266-3561
5th Floor, 100 N. Hamilton Street**

The attached draft is submitted for your inspection. Please check each part carefully, proofread each word, and sign on the appropriate line(s) below.

Date: 3/25/99

To: Representative Kreibich

Relating to LRB drafting number: LRB-1606

Topic

Certain poll and registration list information withheld

Subject(s)

Elections - miscellaneous

Rep. Al Kreibich

1. **JACKET** the draft for introduction _____
in the **Senate** ____ or the **Assembly** (check only one). Only the requester under whose name the drafting request is entered in the LRB's drafting records may authorize the draft to be submitted. Please allow one day for the preparation of the required copies.

2. **REDRAFT**. See the changes indicated or attached _____
A revised draft will be submitted for your approval with changes incorporated.

3. Obtain **FISCAL ESTIMATE NOW**, prior to introduction _____
If the analysis indicates that a fiscal estimate is required because the proposal makes an appropriation or increases or decreases existing appropriations or state or general local government fiscal liability or revenues, you have the option to request the fiscal estimate prior to introduction. If you choose to introduce the proposal without the fiscal estimate, the fiscal estimate will be requested automatically upon introduction. It takes about 10 days to obtain a fiscal estimate. Requesting the fiscal estimate prior to introduction retains your flexibility for possible redrafting of the proposal.

If you have any questions regarding the above procedures, please call 266-3561. If you have any questions relating to the attached draft, please feel free to call me.

Jeffery T. Kuesel, Managing Attorney
Telephone: (608) 266-6778