



2003 SENATE BILL 68

March 11, 2003 - Introduced by Senators REYNOLDS, DARLING, LEIBHAM, STEPP, LAZICH, KANAVAS, KEDZIE, ZIEN and SCHULTZ, cosponsored by Representatives STONE, GUNDRUM, LEMAHIEU, AINSWORTH, LADWIG, MCCORMICK, JESKEWITZ, BIES, VRAKAS, KREIBICH, MUSSER, NISCHKE, HAHN, OLSEN and JENSEN. Referred to Committee on Education, Ethics and Elections.

1 **AN ACT to amend** 6.29 (1), 6.55 (2) (b), 6.55 (2) (c) 2., 6.55 (3), 6.55 (7) (c) 9., 6.55
2 (7) (c) 10., 6.79 (1), 6.79 (2), 6.79 (3), 6.79 (4), 6.79 (6) (a), 6.79 (6) (b), 6.82 (1) (a)
3 and 10.02 (3) (a) of the statutes; **relating to:** requiring electors to present
4 identification in order to vote at a polling place.

Analysis by the Legislative Reference Bureau

Currently, before being permitted to vote at any polling place, an elector must provide or confirm his or her name and address. In municipalities where registration is not required, the election officials may require an elector to provide identification, including acceptable proof of residence, or to have another elector corroborate the elector's name and address, before permitting the elector to vote.

This bill requires every elector who appears to vote at a polling place to present a valid Wisconsin driver's license issued to the elector that contains a photograph of the license holder, a valid Wisconsin identification card issued to the elector, a university, college, or technical college identification card that contains a photograph of the elector, or a copy of the elector's birth certificate. The bill does not apply to an elector who qualifies under current law to vote using an identification card that does not include the elector's address. The bill does not affect the absentee voting procedure.

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

SENATE BILL 68**SECTION 1**

1 **SECTION 1.** 6.29 (1) of the statutes is amended to read:

2 6.29 (1) No names may be added to a registration list for any election after the
3 close of registration, except as authorized under this section or s. 6.28 (1), 6.55 (2),
4 or 6.86 (3) (a) 2. Any person whose name is not on the registration list but who is
5 otherwise a qualified elector is entitled to vote at the election upon compliance with
6 this section, if the person complies with all other requirements for voting at the
7 polling place.

8 **SECTION 2.** 6.55 (2) (b) of the statutes is amended to read:

9 6.55 (2) (b) Upon executing the registration form under par. (a), the person
10 shall be required by a special registration deputy or inspector to present acceptable
11 proof of residence under sub. (7). If the person cannot supply such proof, the
12 registration form shall be substantiated and signed by one other elector who resides
13 in the same municipality as the registering elector, corroborating all the material
14 statements therein. The corroborator shall then provide acceptable proof of
15 residence. The signing by the elector executing the form and by any elector who
16 corroborates the information in the form shall be in the presence of the special
17 registration deputy or inspector. Upon compliance with this procedure and all other
18 requirements for voting at the polling place, such person shall then be given the right
19 to vote.

20 **SECTION 3.** 6.55 (2) (c) 2. of the statutes is amended to read:

21 6.55 (2) (c) 2. Upon compliance with the procedures under subd. 1., the
22 municipal clerk or deputy clerk shall issue a certificate addressed to the inspectors
23 of the proper polling place directing that the elector be permitted to cast his or her
24 vote if the elector complies with all requirements for voting at the polling place. If
25 the elector's registration is corroborated, the clerk shall enter the name and address

SENATE BILL 68

1 of the corroborator on the face of the certificate. The certificate shall be numbered
2 serially and prepared in duplicate. The municipal clerk shall preserve one copy in
3 his or her office.

4 **SECTION 4.** 6.55 (3) of the statutes is amended to read:

5 6.55 (3) Any qualified elector in the ward or election district where the elector
6 desires to vote whose name does not appear on the registration list where
7 registration is required but who claims to be registered to vote in the election may
8 request permission to vote at the polling place for that ward or election district.
9 When the request is made, the inspector shall require the person to give his or her
10 name and address. If the elector is not at the polling place which serves the ward or
11 election district where the elector resides, the inspector shall provide the elector with
12 directions to the correct polling place. If the elector is at the correct polling place, the
13 elector shall then execute the following written statement: "I, ..., hereby certify that
14 to the best of my knowledge, I am a qualified elector, having resided at for at least
15 10 days immediately preceding this election, and that I am not disqualified on any
16 ground from voting, and I have not voted at this election and am properly registered
17 to vote in this election." The person shall be required to provide present a valid
18 operator's license issued to the person under ch. 343 that contains a photograph of
19 the license holder, a valid university, college, or technical college identification card
20 that contains a photograph of the elector, a valid identification card issued to the
21 person under s. 343.50, or a copy of the elector's birth certificate. If any identification
22 presented by the person is not acceptable proof of residence as provided under sub.
23 (7), the person shall also present acceptable proof of residence as provided under sub.
24 (7) and shall then be given the right to vote. If acceptable proof is presented, the
25 elector need not have the information corroborated by any other elector. If acceptable

SENATE BILL 68**SECTION 4**

1 proof is not presented, the statement shall be certified by the elector and shall be
2 corroborated by another elector who resides in the municipality. The corroborator
3 shall then provide acceptable proof of residence as provided in sub. (7). Whenever
4 the question of identity or residence cannot be satisfactorily resolved and the elector
5 cannot be permitted to vote, an inspector shall telephone the office of the municipal
6 clerk to reconcile the records at the polling place with those at the office.

7 **SECTION 5.** 6.55 (7) (c) 9. of the statutes is amended to read:

8 6.55 (7) (c) 9. A university, college, or technical institute college fee card.

9 **SECTION 6.** 6.55 (7) (c) 10. of the statutes is amended to read:

10 6.55 (7) (c) 10. A university, college, or technical institute college identification
11 card.

12 **SECTION 7.** 6.79 (1) of the statutes is amended to read:

13 6.79 (1) MUNICIPALITIES WITHOUT REGISTRATION. Except as provided in sub. (6)
14 (a), where there is no registration, before being permitted to vote, each ~~person~~ elector
15 shall state his or her full name and address and present to the officials a valid
16 operator's license issued to the elector under ch. 343 that contains a photograph of
17 the license holder, a valid identification card issued to the elector under s. 343.50, a
18 valid university, college, or technical college identification card that contains a
19 photograph of the elector, or a copy of the elector's birth certificate. The officials shall
20 enter each name and address on a poll list in the same order as the votes are cast.
21 If the residence of the elector does not have a number, the election officials shall, in
22 the appropriate space, enter "none". Alternatively, the municipal clerk may
23 maintain a poll list consisting of the full name and address of electors compiled from
24 previous elections. Whenever an elector appears to vote, the officials shall verify the
25 correctness of the elector's name and address, and shall enter a serial number next

SENATE BILL 68

1 to the name of the elector in the order that the votes are cast, beginning with the
2 number one. If the name and address of an elector do not appear on the prepared poll
3 list, the officials shall enter the name, address and serial number of the elector at the
4 bottom of the list. Before being permitted to vote, each elector shall present to the
5 officials a valid operator's license issued to the elector under ch. 343 that contains
6 a photograph of the license holder, a valid identification card issued to the elector
7 under s. 343.50, a valid university, college, or technical college identification card
8 that contains a photograph of the elector, or a copy of the elector's birth certificate.

9 The officials may require any elector to provide identification, including acceptable
10 proof of residence, or to have another elector corroborate his or her information in
11 accordance with the procedure specified in s. 6.55 (2) (b) before permitting the elector
12 to vote. An elector who presents an identification card under sub. (6) (a) is not
13 required to provide separate identification. The officials shall maintain a separate
14 list of those persons voting under ss. 6.15 and 6.24.

15 **SECTION 8.** 6.79 (2) of the statutes is amended to read:

16 **6.79 (2) MUNICIPALITIES WITH REGISTRATION.** Except as provided in sub. (6) (b),
17 where there is registration, each ~~person~~ elector, before receiving a voting number,
18 shall state his or her full name and address and present to the officials a valid
19 operator's license issued to the elector under ch. 343 that contains a photograph of
20 the license holder, a valid identification card issued to the elector under s. 343.50, a
21 valid university, college, or technical college identification card that contains a
22 photograph of the elector, or a copy of the person's birth certificate. Upon the
23 prepared registration list, after the name of each elector, the officials shall enter the
24 serial number of the vote as it is polled, beginning with number one. Each elector
25 shall receive a slip bearing the same serial number. A separate list shall be

SENATE BILL 68**SECTION 8**

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

5 **SECTION 9.** 6.79 (3) of the statutes is amended to read:

6 **6.79 (3) REFUSAL TO GIVE NAME AND ADDRESS AND FAILURE TO PRESENT**
7 **IDENTIFICATION.** Except as provided in sub. (6), if any elector offering to vote at any
8 polling place refuses to give his or her name and address or is unable to present
9 **identification authorized under sub. (1) or (2),** the elector may not be permitted to
10 vote.

11 **SECTION 10.** 6.79 (4) of the statutes is amended to read:

12 **6.79 (4) SUPPLEMENTAL INFORMATION.** When any elector provides identification
13 under ~~sub. (1) or~~ s. 6.15, 6.29 or 6.55 (2) or (3), the election officials shall enter the
14 type of identification on the poll or registration list, or supplemental list maintained
15 under sub. (2). If the form of identification includes a number which applies only to
16 the individual holding that piece of identification, the election officials shall also
17 enter that number on the list. When any elector corroborates the ~~registration~~
18 ~~identity or~~ residence of any person offering to vote under sub. (1) or s. 6.55 (2) (b) or
19 (c) or (3), or the ~~registration identity or~~ residence of any person registering on election
20 day under s. 6.86 (3) (a) 2., the name and address of the corroborator shall also be
21 entered next to the name of the elector whose information is being corroborated on
22 the registration or poll list, or the separate list maintained under sub. (2). When any
23 person offering to vote has been challenged and taken the oath, following the person's
24 name on the registration or poll list, the officials shall enter the word "Sworn".

25 **SECTION 11.** 6.79 (6) (a) of the statutes is amended to read:

SENATE BILL 68

1 6.79 (6) (a) In municipalities where there is no registration, an elector who has
2 a confidential listing under s. 6.47 (2) may present an identification card issued
3 under s. 6.47 (3) in lieu of providing his or her name and address and presenting
4 identification under sub. (1). If the elector resides in the area served by the polling
5 place, the inspectors shall then enter the elector's name and identification serial
6 number on the poll list in a section following the other names, shall issue a voting
7 serial number to the elector and shall record that number on the poll list and permit
8 the elector to vote.

9 **SECTION 12.** 6.79 (6) (b) of the statutes is amended to read:

10 6.79 (6) (b) In municipalities where registration is required, an elector who has
11 a confidential listing under s. 6.47 (2) may present his or her identification card
12 issued under s. 6.47 (3) or may give his or her name and identification serial number
13 issued under s. 6.47 (3), in lieu of stating his or her name and address and presenting
14 identification under sub. (2). If the elector's name and identification serial number
15 appear on the confidential portion of the list, the inspectors shall issue a voting serial
16 number to the elector, record that number on the registration list and permit the
17 elector to vote.

18 **SECTION 13.** 6.82 (1) (a) of the statutes is amended to read:

19 6.82 (1) (a) When any inspectors are informed that an elector is at the entrance
20 to the polling place who as a result of disability is unable to enter the polling place,
21 they shall permit the elector to be assisted in marking a ballot by any individual
22 selected by the elector, except the elector's employer or an agent of that employer or
23 an officer or agent of a labor organization which represents the elector. The
24 individual selected by the elector shall provide all information necessary for the
25 elector to obtain a ballot under s. 6.79 (1) or (2). The inspectors shall then issue a

SENATE BILL 68**SECTION 13**

1 ballot to the individual selected by the elector and shall accompany the individual
2 to the polling place entrance where the assistance is to be given. If the ballot is a
3 paper ballot, the assisting individual shall fold the ballot after the ballot is marked
4 by the assisting individual. The assisting individual shall then immediately take the
5 ballot into the polling place and give the ballot to an inspector. The inspector shall
6 distinctly announce that he or she has “a ballot offered by ... (stating person’s name),
7 an elector who, as a result of disability, is unable to enter the polling place without
8 assistance”. The inspector shall then ask, “Does anyone object to the reception of this
9 ballot?” If no objection is made, the inspectors shall record the elector’s name under
10 s. 6.79 and deposit the ballot in the ballot box, and shall make a notation on the
11 registration or poll list: “Ballot received at poll entrance”.

12 **SECTION 14.** 10.02 (3) (a) of the statutes is amended to read:

13 10.02 (3) (a) Upon entering the polling place, an elector shall give his or her
14 name and address and present a valid Wisconsin driver’s license, a valid Wisconsin
15 identification card, a valid university, college, or technical college identification card,
16 or a copy of the elector’s birth certificate before being permitted to vote. Where
17 ballots are distributed to electors, the initials of 2 inspectors must appear on the
18 ballot. Upon being permitted to vote, the elector shall retire alone to a voting booth
19 or machine and cast his or her ballot, except that an elector who is a parent or
20 guardian may be accompanied by the elector’s minor child or minor ward. An
21 election official may inform the elector of the proper manner for casting a vote, but
22 the official may not in any manner advise or indicate a particular voting choice.

23 (END)