



2005 SENATE BILL 100

March 2, 2005 - Introduced by Senators KANAVAS, DARLING, OLSEN, ROESSLER, A. LASEE, REYNOLDS, LEIBHAM, STEPP and GROTHMAN, cosponsored by Representatives JENSEN, LEMAHIEU, NISCHKE, HAHN, SUDER, KERKMAN, HINES, VOS, BIES, VAN ROY, NASS, PETROWSKI, JESKEWITZ, ALBERS, BALLWEG, STONE, GUNDERSON, KREIBICH, TOWNSEND and GIELOW. Referred to Committee on Labor and Election Process Reform.

1 **AN ACT to amend** 6.29 (2) (a), 6.30 (4), 6.33 (1), 6.33 (2) (a) and 6.55 (2) (a) 1.; and
2 **to create** 6.26 (2) (cm) and 6.33 (1) (b) of the statutes; **relating to:** the
3 procedure for registration of electors by special registration deputies.

Analysis by the Legislative Reference Bureau

Under current law, a municipal clerk or board of election commissioners may appoint special registration deputies, who may register electors within the municipality prior to the close of registration for any election. The State Elections Board may also appoint special registration deputies, who may register electors in any municipality prior to the close of registration for any election.

This bill provides that prior to acceptance of any registration form by a special registration deputy, the deputy must require the registrant to provide acceptable proof of residence, as defined by law, and must verify the proof provided. The registrant must then check a box on the form which must read, "I have provided proof of residence" and the deputy must then check a box on the form which must read, "I have personally verified proof of residence." The deputy must then sign the form and print his or her name below the signature. The bill provides that no registration form submitted by a special registration deputy is valid unless both boxes have been checked and the deputy signs the form.

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

SENATE BILL 100**SECTION 1**

1 **SECTION 1.** 6.26 (2) (cm) of the statutes is created to read:

2 6.26 (2) (cm) Prior to acceptance of any registration form by a special
3 registration deputy, the deputy shall require the registrant to provide acceptable
4 proof of residence under s. 6.55 (7) and shall verify the proof provided. The deputy
5 shall sign the form and shall print his or her name below the signature. No
6 registration form submitted by a special registration deputy under this section is
7 valid unless the registrant checks the box specified in s. 6.33 (1) (b) which affirms
8 that the registrant has provided proof of residence and the deputy checks the box
9 specified in s. 6.33 (1) (b) which affirms that the deputy has verified proof of
10 residence, and the deputy signs the form.

11 **SECTION 2.** 6.29 (2) (a) of the statutes is amended to read:

12 6.29 (2) (a) Any qualified elector of a municipality who has not previously filed
13 a registration form or whose name does not appear on the registration list of the
14 municipality may register after the close of registration but not later than 5 p.m. or
15 the close of business, whichever is later, on the day before an election at the office of
16 the municipal clerk and at the office of the clerk's agent if the clerk delegates
17 responsibility for electronic maintenance of the registration list to an agent under
18 s. 6.33 (5) (b). The elector shall complete, in the manner provided under s. 6.33 (2),
19 a registration form containing all information required under s. 6.33 (1) (a). The
20 elector shall also provide acceptable proof of residence under s. 6.55 (7).
21 Alternatively, if the elector is unable to provide acceptable proof of residence under
22 s. 6.55 (7), the information contained in the registration form shall be corroborated
23 in a statement that is signed by any other elector of the municipality and that
24 contains the current street address of the corroborating elector. The corroborating
25 elector shall then provide acceptable proof of residence under s. 6.55 (7).

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1 **SECTION 3.** 6.30 (4) of the statutes is amended to read:

2 6.30 (4) **BY MAIL.** Any eligible elector may register by mail on a form prescribed
3 by the board and provided by each municipality. The form shall be designed to obtain
4 the information required in ss. 6.33 (1) (a) and to provide for changes authorized
5 under s. 6.40 (1) (a). The form shall contain a certification by the elector that all
6 statements are true and correct. The form shall be prepostpaid for return when
7 mailed at any point within the United States. The form shall be available in the
8 municipal clerk's office and may be distributed by any elector of the municipality.
9 The clerk shall mail a registration form to any elector upon written or oral request.

10 **SECTION 4.** 6.33 (1) of the statutes, as affected by 2003 Wisconsin Act 265,
11 section 49b, is amended to read:

12 6.33 (1) (a) The municipal clerk shall supply sufficient registration forms as
13 prescribed by the board printed on loose-leaf sheets or cards to obtain from each
14 applicant information as to name; date; residence location; citizenship; date of birth;
15 age; the number of a valid operator's license issued to the elector under ch. 343 or the
16 last 4 digits of the elector's social security account number; whether the applicant
17 has resided within the ward or election district for at least 10 days; whether the
18 applicant has lost his or her right to vote; and whether the applicant is currently
19 registered to vote at any other location.

20 (c) The forms shall also provide a space for the applicant's signature and the
21 ward and aldermanic district, if any, where the elector resides and any other
22 information required to determine the offices and referenda for which the elector is
23 certified to vote. The forms shall also include a space where the clerk may record an
24 indication of whether the form is received by mail and a space where the clerk, for
25 any applicant who possesses a valid voting identification card issued to the person

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1 under s. 6.47 (3), may record the identification serial number appearing on the voting
2 identification card.

3 (d) Each register of deeds shall obtain sufficient registration forms at the
4 expense of the unit of government by which he or she is employed for completion by
5 any elector who desires to register to vote at the office of the register of deeds under
6 s. 6.28 (3).

7 **SECTION 5.** 6.33 (1) (b) of the statutes is created to read:

8 6.33 (1) (b) The form shall include 2 boxes to be checked whenever an elector
9 registers with a special registration deputy under s. 6.26. One box, to be checked by
10 the registrant, shall specify, "I have provided proof of residence" and the other box,
11 to be checked by the deputy, shall specify, "I have personally verified proof of
12 residence." The form shall also contain a space for the deputy to sign the form and
13 to print his or her name below the signature.

14 **SECTION 6.** 6.33 (2) (a) of the statutes, as affected by 2003 Wisconsin Act 265,
15 section 49b, is amended to read:

16 6.33 (2) (a) All information may be recorded by any person, except that the ward
17 and aldermanic district, if any, other geographic information under sub. (1), the
18 indication of whether the registration is received by mail, and any information
19 relating to an applicant's voting identification card shall be recorded by the clerk, and
20 if the form is obtained by a special registration deputy under s. 6.26, the registrant
21 shall check the box under sub. (1) (b) indicating that the registrant has provided proof
22 of residence, the deputy shall check the box under sub. (1) (b) indicating that the
23 deputy has verified proof of residence, and the deputy shall sign the form and print
24 his or her name below the signature. Each applicant shall sign his or her own name
25 unless the applicant is unable to sign his or her name due to physical disability. In

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1 such case, the applicant may authorize another elector to sign the form on his or her
2 behalf. If the applicant so authorizes, the elector signing the form shall attest to a
3 statement that the application is made upon request and by authorization of a named
4 elector who is unable to sign the form due to physical disability.

5 **SECTION 7.** 6.55 (2) (a) 1. of the statutes is amended to read:

6 6.55 (2) (a) 1. Except where the procedure under par. (c) or (cm) is employed,
7 any person who qualifies as an elector in the ward or election district where he or she
8 desires to vote, but has not previously filed a registration form, or was registered at
9 another location, may request permission to vote at the polling place for that ward
10 or election district, or at an alternate polling place assigned under s. 5.25 (5) (b).
11 When a proper request is made, the inspector shall require the person to execute a
12 registration form prescribed by the board. The registration form shall be completed
13 in the manner provided under s. 6.33 (2) and shall contain all information required
14 under s. 6.33 (1) (a), together with the following certification:

15 “I,, hereby certify that to the best of my knowledge, I am a qualified elector,
16 having resided at for at least 10 days immediately preceding this election, and
17 that I am not disqualified on any ground from voting, and I have not voted, at this
18 election.”

19 **SECTION 8. Initial applicability.**

20 (1) This act first applies with respect to registration for voting at the 2006
21 spring primary election.

22 **SECTION 9. Effective date.**

23 (1) This act takes effect on January 1, 2006.

24

(END)