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1           **SECTION 55.** 6.87 (4) (b) 5. of the statutes, as created by 2009 Wisconsin Act ....  
2 (this act), is amended to read:

3           6.87 (4) (b) 5. Unless subd. 3. or 4. applies, if the absentee elector resides in a  
4 residential care apartment complex that is certified or registered under s. 50.034 (1)  
5 or an adult family home that is certified under s. 50.032 and the municipal clerk or  
6 board of election commissioners of the municipality where the complex or home is  
7 located does not send special voting deputies to visit the complex or home at the  
8 election under s. 6.875, the elector may, in lieu of providing a copy of a license or,  
9 identification card, or identification certificate required under s. 6.86 (1) (ar), submit  
10 with his or her absentee ballot a statement signed by the same individual who  
11 witnesses voting of the ballot that contains the certification of the manager of the  
12 complex or home that the elector resides in the complex or home and the complex or  
13 home is certified or registered as required by law, that contains the name and address  
14 of the elector, and that verifies that the name and address are correct.

15           **SECTION 56.** 6.875 (title) of the statutes is amended to read:

16           **6.875 (title) Absentee voting in nursing and retirement certain homes**  
17 **and certain community-based residential, facilities, and complexes.**

18           **SECTION 57.** 6.875 (1) (ap) and (asm) of the statutes are created to read:

19           6.875 (1) (ap) “Qualified adult family home” means a facility that is certified  
20 to operate as an adult family home under s. 50.032 that qualifies under sub. (2) (d)  
21 to utilize the procedures under this section.

22           (asm) “Qualified residential care apartment complex” means a facility that is  
23 certified or registered to operate as a residential care apartment complex under s.  
24 50.034 (1) that qualifies under sub. (2) (d) to utilize the procedures under this section.

25           **SECTION 58.** 6.875 (2) (a) of the statutes is amended to read:

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1           6.875 (2) (a) The procedures prescribed in this section are the exclusive means  
2 of absentee voting for electors who are occupants of nursing homes, qualified  
3 community-based residential facilities ~~or~~, qualified retirement homes, qualified  
4 residential care apartment complexes, and qualified adult family homes.

5           **SECTION 59.** 6.875 (2) (d) of the statutes is created to read:

6           6.875 (2) (d) The municipal clerk or board of election commissioners of any  
7 municipality where a residential care apartment complex certified or registered  
8 under s. 50.034 (1) or an adult family home certified under s. 50.032 is located may  
9 adopt the procedures under this section for absentee voting in any such residential  
10 care apartment complex or adult family home located in the municipality if the  
11 municipal clerk or board of election commissioners finds that there are a significant  
12 number of the occupants of the complex or home who lack adequate transportation  
13 to the appropriate polling place, a significant number of the occupants of the complex  
14 or home may need assistance in voting, there are a significant number of the  
15 occupants of the complex or home aged 60 or over, or there are a significant number  
16 of indefinitely confined electors who are occupants of the complex or home.

17           **SECTION 60.** 6.875 (3) and (4) of the statutes are amended to read:

18           6.875 (3) An occupant of a nursing home or qualified retirement home ~~or~~,  
19 qualified community-based residential facility, qualified residential care apartment  
20 complex, or qualified adult family home who qualifies as an absent elector and  
21 desires to receive an absentee ballot shall make application under s. 6.86 (1), (2), or  
22 (2m) with the municipal clerk or board of election commissioners of the municipality  
23 in which the elector is a resident. The clerk or board of election commissioners of a  
24 municipality receiving an application from an elector who is an occupant of a nursing  
25 home or qualified retirement home ~~or~~, qualified community-based residential

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1 facility, qualified residential care apartment complex, or qualified adult family home  
2 located in a different municipality shall, as soon as possible, notify and transmit an  
3 absentee ballot for the elector to the clerk or board of election commissioners of the  
4 municipality in which the home ~~or qualified community-based residential, facility~~  
5 or complex is located. The clerk or board of election commissioners of a municipality  
6 receiving an application from an elector who is an occupant of a nursing home or  
7 qualified retirement home ~~or, qualified community-based residential facility,~~  
8 qualified residential care apartment complex, or qualified adult family home located  
9 in the municipality but who is a resident of a different municipality shall, as soon as  
10 possible, notify and request transmission of an absentee ballot from the clerk or  
11 board of election commissioners of the municipality in which the elector is a resident.  
12 The clerk or board of election commissioners shall make a record of all absentee  
13 ballots to be transmitted, delivered, and voted under this section.

14 (4) (a) For the purpose of absentee voting in nursing homes ~~and, qualified~~  
15 retirement homes ~~and, qualified community-based residential facilities, qualified~~  
16 residential care apartment complexes, and qualified adult family homes, the  
17 municipal clerk or board of election commissioners of each municipality in which one  
18 or more nursing homes ~~or, qualified retirement homes or, qualified~~  
19 community-based residential facilities, qualified residential care apartment  
20 complexes, or qualified adult family homes are located shall appoint at least 2 special  
21 voting deputies for the municipality. Upon application under s. 6.86 (1), (2), or (2m)  
22 by one or more qualified electors who are occupants of a nursing home ~~or qualified~~  
23 ~~retirement home or qualified community-based residential, facility, or complex~~, the  
24 municipal clerk or board of election commissioners of the municipality in which the  
25 home ~~or, facility, or complex~~ is located shall dispatch 2 special voting deputies to visit

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1 the home or ~~qualified community-based residential~~, facility, or complex for the  
2 purpose of supervising absentee voting procedure by occupants of the home or  
3 ~~qualified community-based residential~~, facility, or complex. The clerk shall  
4 maintain a list, available to the public upon request, of each ~~nursing home or~~  
5 ~~qualified retirement home or qualified community-based residential~~, facility, or  
6 complex where an elector has requested an absentee ballot. The list shall include the  
7 date and time the deputies intend to visit each home or facility. The 2 deputies  
8 designated to visit each nursing home or, qualified retirement home or, qualified  
9 community-based residential facility, qualified residential care apartment complex,  
10 and qualified adult family home shall be affiliated with different political parties  
11 whenever deputies representing different parties are available.

12 (b) Nominations for the special voting deputy positions described in par. (a)  
13 may be submitted by the 2 recognized political parties whose candidates for governor  
14 or president received the greatest numbers of votes in the municipality at the most  
15 recent general election. The deputies shall be specially appointed to carry out the  
16 duties under par. (a) for the period specified in s. 7.30 (6) (a). The clerk or board of  
17 election commissioners may revoke an appointment at any time. No individual who  
18 is employed or retained, or within the 2 years preceding appointment has been  
19 employed or retained, at a nursing home or, qualified retirement home or, qualified  
20 community-based residential facility, qualified residential care apartment complex,  
21 or qualified adult family home in the municipality, or any member of the individual's  
22 immediate family, as defined in s. 19.42 (7), may be appointed to serve as a deputy.

23 **SECTION 61.** 6.875 (6) (a) and (b) of the statutes are amended to read:

24 6.875 (6) (a) Special voting deputies in each municipality shall, not later than  
25 5 p.m. on the Friday preceding an election, arrange one or more convenient times

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1 with the administrator of each nursing home, qualified retirement home, and  
2 qualified community-based residential facility, qualified residential care apartment  
3 complex, and qualified adult family home in the municipality from which one or more  
4 occupants have filed an application under s. 6.86 to conduct absentee voting for the  
5 election. The time may be no earlier than the 4th Monday preceding the election and  
6 no later than 5 p.m. on the Monday preceding the election. The municipal clerk shall  
7 post a notice at the home ~~or~~, facility, or complex indicating the date and time that  
8 absentee voting will take place at that home ~~or~~, facility, or complex. The notice shall  
9 be posted as soon as practicable after arranging the visit but in no case less than 24  
10 hours before the visit. At the designated time, 2 deputies appointed under sub. (4)  
11 shall visit the home ~~or~~, facility, or complex.

12 (b) The municipal clerk or executive director of the board of election  
13 commissioners shall issue a supply of absentee ballots to the deputies sufficient to  
14 provide for the number of valid applications for an absentee ballot received by the  
15 clerk, and a reasonable additional number of ballots. The deputies may exercise the  
16 authority granted to the chief inspector under s. 7.41 to regulate the conduct of  
17 observers. For purposes of the application of s. 7.41, the home ~~or~~, facility, or complex  
18 shall be treated as a polling place. The municipal clerk or executive director shall  
19 keep a careful record of all ballots issued to the deputies and shall require the  
20 deputies to return every ballot issued to them.

21 **SECTION 62.** 6.875 (6) (c) 1. of the statutes is amended to read:

22 6.875 (6) (c) 1. Upon their visit to the home ~~or~~, facility, or complex under par.  
23 (a), the deputies shall personally offer each elector who has filed a proper application  
24 for an absentee ballot the opportunity to cast his or her absentee ballot. In lieu of  
25 providing a copy of a license or identification card under s. 6.87 (4) (b) 1. with his or

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1 her absentee ballot, the elector may submit with his or her ballot a statement signed  
2 by both deputies that contains the name and address of the elector and verifies that  
3 the name and address are correct. The deputies shall enclose the statement in the  
4 certificate envelope. If an elector presents a license or identification card under s.  
5 6.87 (4) (b) 1., the deputies shall make a copy of the document presented by the elector  
6 and shall enclose the copy in the certificate envelope. If an elector is present who has  
7 not filed a proper application for an absentee ballot, the 2 deputies may accept an  
8 application from the elector and shall issue a ballot to the elector if the elector is  
9 qualified, the elector presents a license or identification card, whenever required, or  
10 submits a statement containing his or her name and address under this subdivision,  
11 and the application is proper. The deputies shall each witness the certification and  
12 may, upon request of the elector, assist the elector in marking the elector's ballot. All  
13 voting shall be conducted in the presence of the deputies. Upon request of the elector,  
14 a relative of the elector who is present in the room may assist the elector in marking  
15 the elector's ballot. No individual other than a deputy may witness the certification  
16 and no individual other than a deputy or relative of an elector may render voting  
17 assistance to the elector.

18 **SECTION 63.** 6.875 (6) (c) 1. of the statutes, as affected by 2009 Wisconsin Act  
19 .... (this act), is amended to read:

20 6.875 (6) (c) 1. Upon their visit to the home, facility, or complex under par. (a),  
21 the deputies shall personally offer each elector who has filed a proper application for  
22 an absentee ballot the opportunity to cast his or her absentee ballot. In lieu of  
23 providing a copy of a license or, identification card, or identification certificate under  
24 s. 6.87 (4) (b) 1. with his or her absentee ballot, the elector may submit with his or  
25 her ballot a statement signed by both deputies that contains the name and address

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1 of the elector and verifies that the name and address are correct. The deputies shall  
2 enclose the statement in the certificate envelope. If an elector presents a license ~~or~~,  
3 identification card, or identification certificate under s. 6.87 (4) (b) 1., the deputies  
4 shall make a copy of the document presented by the elector and shall enclose the copy  
5 in the certificate envelope. If an elector is present who has not filed a proper  
6 application for an absentee ballot, the 2 deputies may accept an application from the  
7 elector and shall issue a ballot to the elector if the elector is qualified, the elector  
8 presents a license ~~or~~, identification card, or identification certificate, whenever  
9 required, or submits a statement containing his or her name and address under this  
10 subsection, and the application is proper. The deputies shall each witness the  
11 certification and may, upon request of the elector, assist the elector in marking the  
12 elector's ballot. All voting shall be conducted in the presence of the deputies. Upon  
13 request of the elector, a relative of the elector who is present in the room may assist  
14 the elector in marking the elector's ballot. No individual other than a deputy may  
15 witness the certification and no individual other than a deputy or relative of an  
16 elector may render voting assistance to the elector.

17 **SECTION 64.** 6.875 (6) (c) 2. of the statutes is amended to read:

18 6.875 (6) (c) 2. Upon the request of a relative of an occupant of a nursing home  
19 ~~or~~, qualified retirement home ~~or~~, qualified community-based residential facility,  
20 qualified residential care apartment complex, or qualified adult family home, the  
21 administrator of the home ~~or~~, facility, or complex may notify the relative of the time  
22 or times at which special voting deputies will conduct absentee voting at the home  
23 ~~or~~, facility, or complex and permit the relative to be present in the room where the  
24 voting is conducted.

25 **SECTION 65.** 6.875 (6) (e) of the statutes is amended to read:

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1           6.875 (6) (e) If a qualified elector is not able to cast his or her ballot on 2 separate  
2 visits by the deputies to the home ~~or~~, facility, or complex, the deputies shall so inform  
3 the municipal clerk or executive director of the board of election commissioners, who  
4 may then send the ballot to the elector no later than 5 p.m. on the Friday preceding  
5 the election.

6           **SECTION 66.** 6.875 (7) of the statutes is amended to read:

7           6.875 (7) One observer from each of the 2 recognized political parties whose  
8 candidate for governor or president received the greatest number of votes in the  
9 municipality at the most recent general election may accompany the deputies to each  
10 home ~~or~~, facility, or complex where absentee voting will take place under this section.  
11 The observers may observe the process of absentee ballot distribution in the common  
12 areas of the home ~~or~~, facility, or complex. Each party wishing to have an observer  
13 present shall submit the name of the observer to the clerk or board of election  
14 commissioners no later than the close of business on the last business day prior to  
15 the visit.

16           **SECTION 67.** 6.88 (3) (a) of the statutes is amended to read:

17           6.88 (3) (a) Except in municipalities where absentee ballots are canvassed  
18 under s. 7.52, at any time between the opening and closing of the polls on election day,  
19 the inspectors shall, in the same room where votes are being cast, in such a manner  
20 that members of the public can hear and see the procedures, open the carrier  
21 envelope only, and announce the name of the absent elector or the identification  
22 serial number of the absent elector if the elector has a confidential listing under s.  
23 6.47 (2). When the inspectors find that the certification has been properly executed,  
24 the applicant is a qualified elector of the ward or election district, and the applicant  
25 has not voted in the election, they shall enter an indication on the poll list next to the

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1 applicant's name indicating an absentee ballot is cast by the elector. They shall then  
2 open the envelope containing the ballot in a manner so as not to deface or destroy the  
3 certification thereon. The inspectors shall take out the ballot without unfolding it  
4 or permitting it to be unfolded or examined. Unless the ballot is cast under s. 6.95,  
5 the inspectors shall verify that the ballot has been endorsed by the issuing clerk. If  
6 the poll list indicates that proof of residence under s. 6.34 is required and no proof  
7 of residence is enclosed or the name or address on the document that is provided is  
8 not the same as the name and address shown on the poll list, or if the elector is not  
9 a military elector or an overseas elector, as defined in s. 6.34 (1), and the elector is  
10 required to provide, or to provide a copy of, a license or identification card under s.  
11 6.86 (1) (ar) or 6.87 (4) (b) 1. and no copy of the license or identification card is  
12 enclosed or the name on the document cannot be verified by the inspectors, the  
13 inspectors shall proceed as provided under s. 6.97 (2). The inspectors shall then  
14 deposit the ballot into the proper ballot box and enter the absent elector's name or  
15 voting number after his or her name on the poll list in the same manner as if the  
16 elector had been present and voted in person.

17 **SECTION 68.** 6.88 (3) (a) of the statutes, as affected by 2009 Wisconsin Act  
18 ....(this act), is amended to read:

19 6.88 (3) (a) Except in municipalities where absentee ballots are canvassed  
20 under s. 7.52, at any time between the opening and closing of the polls on election day,  
21 the inspectors shall, in the same room where votes are being cast, in such a manner  
22 that members of the public can hear and see the procedures, open the carrier  
23 envelope only, and announce the name of the absent elector or the identification  
24 serial number of the absent elector if the elector has a confidential listing under s.  
25 6.47 (2). When the inspectors find that the certification has been properly executed,

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1 the applicant is a qualified elector of the ward or election district, and the applicant  
2 has not voted in the election, they shall enter an indication on the poll list next to the  
3 applicant's name indicating an absentee ballot is cast by the elector. They shall then  
4 open the envelope containing the ballot in a manner so as not to deface or destroy the  
5 certification thereon. The inspectors shall take out the ballot without unfolding it  
6 or permitting it to be unfolded or examined. Unless the ballot is cast under s. 6.95,  
7 the inspectors shall verify that the ballot has been endorsed by the issuing clerk. If  
8 the poll list indicates that proof of residence under s. 6.34 is required and no proof  
9 of residence is enclosed or the name or address on the document that is provided is  
10 not the same as the name and address shown on the poll list, or if the elector is not  
11 a military elector or an overseas elector, as defined in s. 6.34 (1), and the elector is  
12 required to provide, or to provide a copy of, a license ~~or~~ identification card, or  
13 identification certificate under s. 6.86 (1) (ar) or 6.87 (4) (b) 1. and no copy of the  
14 license ~~or~~ identification card, or identification certificate is enclosed or the name on  
15 the document cannot be verified by the inspectors, the inspectors shall proceed as  
16 provided under s. 6.97 (2). The inspectors shall then deposit the ballot into the proper  
17 ballot box and enter the absent elector's name or voting number after his or her name  
18 on the poll list in the same manner as if the elector had been present and voted in  
19 person.

20 **SECTION 69.** 6.965 of the statutes is created to read:

21 **6.965 Voting procedure for electors presenting citation or notice in**  
22 **lieu of license.** Whenever any elector is allowed to vote at a polling place under s.  
23 6.79 (7) by presenting a citation or notice of intent to revoke or suspend an operator's  
24 license in lieu of an operator's license issued to the elector under ch. 343, the  
25 inspectors shall, before giving the elector a ballot, write on the back of the ballot the

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1 serial number of the elector corresponding to the number kept at the election on the  
2 poll list or other list maintained under s. 6.79 and the notation "s. 6.965." If voting  
3 machines are used in the municipality where the elector is voting, the elector's vote  
4 may be received only upon an absentee ballot furnished by the municipal clerk which  
5 shall have the notation "s. 6.965" written on the back of the ballot by the inspectors  
6 before the ballot is given to the elector. If the municipal clerk receives an absentee  
7 ballot from an elector who presents a citation or notice, or copy thereof, under s. 6.87  
8 (4) (b) 4., the clerk shall enter a notation on the certificate envelope "Ballot under s.  
9 6.965, stats." Upon receiving the envelope, the inspectors shall open and write on  
10 the back of the ballot the serial number of the elector corresponding to the number  
11 kept at the election on the poll list or other list maintained under s. 6.79 and the  
12 notation "s. 6.965." The inspectors shall indicate on the poll list or other list  
13 maintained under s. 6.79 the fact that the elector is voting by using a citation or  
14 notice in lieu of a license. The inspectors shall then deposit the ballot. The ballot  
15 shall then be counted under s. 5.85, or under s. 7.51 or 7.52.

16 **SECTION 70.** 6.97 (title) of the statutes, as affected by 2009 Wisconsin Act 180,  
17 is amended to read:

18 **6.97 (title) Voting procedure for individuals not providing required**  
19 **proof of residence or identification.**

20 **SECTION 71.** 6.97 (1) of the statutes is amended to read:

21 6.97 (1) Whenever any individual who is required to provide proof of residence  
22 under s. 6.34 in order to be permitted to vote appears to vote at a polling place and  
23 cannot provide the required proof of residence, the inspectors shall offer the  
24 opportunity for the individual to vote under this section. Whenever any individual,  
25 other than a military elector or an overseas elector, as defined in s. 6.34 (1), or an

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1 elector who has a confidential listing under s. 6.47 (2), appears to vote at a polling  
2 place and does not present a license or identification card under s. 6.79 (2), whenever  
3 required, the inspectors or the municipal clerk shall similarly offer the opportunity  
4 for the individual to vote under this section. If the individual wishes to vote, the  
5 inspectors shall provide the elector with an envelope marked "Ballot under s. 6.97,  
6 stats." on which the serial number of the elector is entered and shall require the  
7 individual to execute on the envelope a written affirmation stating that the  
8 individual is a qualified elector of the ward or election district where he or she offers  
9 to vote and is eligible to vote in the election. The inspectors shall, before giving the  
10 elector a ballot, write on the back of the ballot the serial number of the individual  
11 corresponding to the number kept at the election on the poll list or other list  
12 maintained under s. 6.79 and the notation "s. 6.97". If voting machines are used in  
13 the municipality where the individual is voting, the individual's vote may be received  
14 only upon an absentee ballot furnished by the municipal clerk which shall have the  
15 corresponding number from the poll list or other list maintained under s. 6.79 and  
16 the notation "s. 6.97" written on the back of the ballot by the inspectors before the  
17 ballot is given to the elector. When receiving the individual's ballot, the inspectors  
18 shall provide the individual with written voting information prescribed by the board  
19 under s. 7.08 (8). The inspectors shall indicate on the list the fact that the individual  
20 is required to provide proof of residence or a license or identification card under s.  
21 6.79 (2) but did not do so. The inspectors shall notify the individual that he or she  
22 may provide proof of residence or a license or identification card to the municipal  
23 clerk or executive director of the municipal board of election commissioners. The  
24 inspectors shall also promptly notify the municipal clerk or executive director of the

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1 name, address, and serial number of the individual. The inspectors shall then place  
2 the ballot inside the envelope and place the envelope in a separate carrier envelope.

3 **SECTION 72.** 6.97 (1) of the statutes, as affected by 2009 Wisconsin Act .... (this  
4 act), is amended to read:

5 6.97 (1) Whenever any individual who is required to provide proof of residence  
6 under s. 6.34 in order to be permitted to vote appears to vote at a polling place and  
7 cannot provide the required proof of residence, the inspectors shall offer the  
8 opportunity for the individual to vote under this section. Whenever any individual,  
9 other than a military elector or an overseas elector, as defined in s. 6.34 (1), or an  
10 elector who has a confidential listing under s. 6.47 (2), appears to vote at a polling  
11 place and does not present a license or, identification card, or identification  
12 certificate under s. 6.79 (2), whenever required, the inspectors or the municipal clerk  
13 shall similarly offer the opportunity for the individual to vote under this section. If  
14 the individual wishes to vote, the inspectors shall provide the elector with an  
15 envelope marked "Ballot under s. 6.97, stats." on which the serial number of the  
16 elector is entered and shall require the individual to execute on the envelope a  
17 written affirmation stating that the individual is a qualified elector of the ward or  
18 election district where he or she offers to vote and is eligible to vote in the election.  
19 The inspectors shall, before giving the elector a ballot, write on the back of the ballot  
20 the serial number of the individual corresponding to the number kept at the election  
21 on the poll list or other list maintained under s. 6.79 and the notation "s. 6.97". If  
22 voting machines are used in the municipality where the individual is voting, the  
23 individual's vote may be received only upon an absentee ballot furnished by the  
24 municipal clerk which shall have the corresponding number from the poll list or  
25 other list maintained under s. 6.79 and the notation "s. 6.97" written on the back of

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1 the ballot by the inspectors before the ballot is given to the elector. When receiving  
2 the individual's ballot, the inspectors shall provide the individual with written  
3 voting information prescribed by the board under s. 7.08 (8). The inspectors shall  
4 indicate on the list the fact that the individual is required to provide proof of  
5 residence or a license ~~or~~, identification card, or identification certificate under s. 6.79  
6 (2) but did not do so. The inspectors shall notify the individual that he or she may  
7 provide proof of residence or a license ~~or~~, identification card, or identification  
8 certificate to the municipal clerk or executive director of the municipal board of  
9 election commissioners. The inspectors shall also promptly notify the municipal  
10 clerk or executive director of the name, address, and serial number of the individual.  
11 The inspectors shall then place the ballot inside the envelope and place the envelope  
12 in a separate carrier envelope.

13 **SECTION 73.** 6.97 (2) of the statutes is amended to read:

14 6.97 (2) Whenever any individual who votes by absentee ballot is required to  
15 provide proof of residence in order to be permitted to vote and does not provide the  
16 required proof of residence under s. 6.34, the inspectors shall treat the ballot as a  
17 provisional ballot under this section. Whenever any individual, other than a military  
18 elector or an overseas elector, as defined in s. 6.34 (1), an individual who has a  
19 confidential listing under s. 6.47 (2), or an individual who is exempted under s. 6.87  
20 (4) or s. 6.875 (6), votes by absentee ballot and does not enclose a copy of the license  
21 or identification card required under s. 6.86 (1) (ar), the inspectors shall similarly  
22 treat the ballot as a provisional ballot under this section. Upon removing the ballot  
23 from the envelope, the inspectors shall write on the back of the absentee ballot the  
24 serial number of the individual corresponding to the number kept at the election on  
25 the poll list or other list maintained under s. 6.79 and the notation "s. 6.97". The

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1 inspectors shall indicate on the list the fact that the individual is required to provide  
2 proof of residence or to provide, or provide a copy of, a license or identification card  
3 required under s. 6.86 (1) (ar) or 6.87 (4) (b) 1. but did not do so. The inspectors shall  
4 promptly notify the municipal clerk or executive director of the municipal board of  
5 election commissioners of the name, address, and serial number of the individual.  
6 The inspectors shall then place the ballot inside an envelope on which the name and  
7 serial number of the elector is entered and shall place the envelope in a separate  
8 carrier envelope.

9 **SECTION 74.** 6.97 (2) of the statutes, as affected by 2009 Wisconsin Act .... (this  
10 act), is amended to read:

11 6.97 (2) Whenever any individual who votes by absentee ballot is required to  
12 provide proof of residence in order to be permitted to vote and does not provide the  
13 required proof of residence under s. 6.34, the inspectors shall treat the ballot as a  
14 provisional ballot under this section. Whenever any individual, other than a military  
15 elector or an overseas elector, as defined in s. 6.34 (1), an individual who has a  
16 confidential listing under s. 6.47 (2), or an individual who is exempted under s. 6.87  
17 (4) or s. 6.875 (6), votes by absentee ballot and does not enclose a copy of the license  
18 ~~or, identification card,~~ or identification certificate required under s. 6.86 (1) (ar), the  
19 inspectors shall similarly treat the ballot as a provisional ballot under this section.  
20 Upon removing the ballot from the envelope, the inspectors shall write on the back  
21 of the ballot the serial number of the individual corresponding to the number kept  
22 at the election on the poll list or other list maintained under s. 6.79 and the notation  
23 "s. 6.97". The inspectors shall indicate on the list the fact that the individual is  
24 required to provide proof of residence or to provide, or provide a copy of, a license ~~or,~~  
25 identification card, or identification certificate required under s. 6.86 (1) (ar) or 6.87

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1 (4) (b) 1. but did not do so. The inspectors shall promptly notify the municipal clerk  
2 or executive director of the municipal board of election commissioners of the name,  
3 address, and serial number of the individual. The inspectors shall then place the  
4 ballot inside an envelope on which the name and serial number of the elector is  
5 entered and shall place the envelope in a separate carrier envelope.

6 **SECTION 75.** 6.97 (3) of the statutes is renumbered 6.97 (3) (b) and amended to  
7 read:

8 6.97 (3) (b) Whenever the municipal clerk or executive director of the municipal  
9 board of election commissioners is informed by the inspectors that a ballot has been  
10 cast under this section, the clerk or executive director shall promptly provide written  
11 notice to the board of canvassers of each municipality, special purpose district, and  
12 county that is responsible for canvassing the election of the number of ballots cast  
13 under this section in each ward or election district. The municipal clerk or executive  
14 director then shall determine whether each individual voting under this section is  
15 qualified to vote in the ward or election district where the individual's ballot is cast.  
16 If the elector is required to provide a license or identification card or copy thereof  
17 under s. 6.79 (2) or 6.86 (1) (ar) and fails to do so, the elector bears the burden of  
18 correcting the omission by providing the license or identification card or copy thereof  
19 at the polling place before the closing hour or at the office of the municipal clerk or  
20 board of election commissioners no later than 4 p.m. on the day after the election.

21 The municipal clerk or executive director shall make a record of the procedure used  
22 to determine the validity of each ballot cast under this section. If, prior to 4 p.m. on  
23 the day after the election, the municipal clerk or executive director determines that  
24 the individual is qualified to vote in the ward or election district where the  
25 individual's ballot is cast, the municipal clerk or executive director shall notify the

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1 board of canvassers for each municipality, special purpose district and county that  
2 is responsible for canvassing the election of that fact.

3 **SECTION 76.** 6.97 (3) (a) of the statutes is created to read:

4 6.97 (3) (a) Whenever an elector who votes by provisional ballot under sub. (1)  
5 or (2) because the elector does not provide a license or identification card or copy  
6 thereof under s. 6.79 (2) or 6.86 (1) (ar) later appears at the polling place where the  
7 ballot is cast before the closing hour and provides the license or identification card  
8 or copy thereof, the inspectors shall remove the elector's ballot from the separate  
9 carrier envelope, shall note on the poll list that the elector's provisional ballot is  
10 withdrawn, and shall deposit the elector's ballot in the ballot box. If the inspectors  
11 have notified the municipal clerk or executive director of the board of election  
12 commissioners that the elector's ballot was cast under this section, the inspectors  
13 shall notify the clerk or executive director that the elector's provisional ballot is  
14 withdrawn.

15 **SECTION 77.** 6.97 (3) (a) of the statutes, as created by 2009 Wisconsin Act ....  
16 (this act), is amended to read:

17 6.97 (3) (a) Whenever an elector who votes by provisional ballot under sub. (1)  
18 or (2) because the elector does not provide a license or, identification card, or  
19 identification certificate or copy thereof under s. 6.79 (2) or 6.86 (1) (ar) later appears  
20 at the polling place where the ballot is cast before the closing hour and provides the  
21 license or, identification card, or identification certificate or copy thereof, the  
22 inspectors shall remove the elector's ballot from the separate carrier envelope, shall  
23 note on the poll list that the elector's provisional ballot is withdrawn, and shall  
24 deposit the elector's ballot in the ballot box. If the inspectors have notified the  
25 municipal clerk or executive director of the board of election commissioners that the

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1 elector's ballot was cast under this section, the inspectors shall notify the clerk or  
2 executive director that the elector's provisional ballot is withdrawn.

3 **SECTION 78.** 6.97 (3) (b) of the statutes, as affected by 2009 Wisconsin Act ....  
4 (this act), is amended to read:

5 6.97 (3) (b) Whenever the municipal clerk or executive director of the municipal  
6 board of election commissioners is informed by the inspectors that a ballot has been  
7 cast under this section, the clerk or executive director shall promptly provide written  
8 notice to the board of canvassers of each municipality, special purpose district, and  
9 county that is responsible for canvassing the election of the number of ballots cast  
10 under this section in each ward or election district. The municipal clerk or executive  
11 director then shall determine whether each individual voting under this section is  
12 qualified to vote in the ward or election district where the individual's ballot is cast.  
13 If the elector is required to provide a license or, identification card, or identification  
14 certificate or copy thereof under s. 6.79 (2) or 6.86 (1) (ar) and fails to do so, the elector  
15 bears the burden of correcting the omission by providing the license or, identification  
16 card, or identification certificate or copy thereof at the polling place before the closing  
17 hour or at the office of the municipal clerk or board of election commissioners no later  
18 than 4 p.m. on the day after the election. The municipal clerk or executive director  
19 shall make a record of the procedure used to determine the validity of each ballot cast  
20 under this section. If, prior to 4 p.m. on the day after the election, the municipal clerk  
21 or executive director determines that the individual is qualified to vote in the ward  
22 or election district where the individual's ballot is cast, the municipal clerk or  
23 executive director shall notify the board of canvassers for each municipality, special  
24 purpose district and county that is responsible for canvassing the election of that  
25 fact.

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1           **SECTION 79.** 6.97 (3) (c) of the statutes is created to read:

2           6.97 (3) (c) A ballot cast under this section by an elector for whom a valid license  
3 or identification card or copy thereof is required under s. 6.79 (2) or 6.86 (1) (ar) shall  
4 not be counted unless the municipal clerk or executive director of the board of  
5 election commissioners provides timely notification that the elector has provided a  
6 valid license or identification card or copy thereof under this section.

7           **SECTION 80.** 6.97 (3) (c) of the statutes, as created by 2009 Wisconsin Act ....  
8 (this act), is amended to read:

9           6.97 (3) (c) A ballot cast under this section by an elector for whom a valid license  
10 ~~or~~, identification card, or identification certificate or copy thereof is required under  
11 s. 6.79 (2) or 6.86 (1) (ar) shall not be counted unless the municipal clerk or executive  
12 director of the board of election commissioners provides timely notification that the  
13 elector has provided a valid license ~~or~~, identification card, or identification certificate  
14 or copy thereof under this section.

15           **SECTION 81.** 7.08 (8) (title) of the statutes is amended to read:

16           7.08 (8) (title) ELECTORS VOTING WITHOUT PROOF OF RESIDENCE OR IDENTIFICATION  
17 OR PURSUANT TO COURT ORDER.

18           **SECTION 82.** 7.08 (12) of the statutes is created to read:

19           7.08 (12) **ASSISTANCE IN OBTAINING LICENSES OR IDENTIFICATION CARDS.** Engage  
20 in outreach to identify and contact groups of electors who may need assistance in  
21 obtaining or renewing a license or identification card for voting under s. 6.79 (2) (a),  
22 6.86 (1) (ar), or 6.87 (4) (b), and provide assistance to the electors in obtaining or  
23 renewing a license or identification card.

24           **SECTION 83.** 7.08 (12) of the statutes, as created by 2009 Wisconsin Act .... (this  
25 act), is amended to read:

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1           7.08 (12) ASSISTANCE IN OBTAINING LICENSES OR IDENTIFICATION CARDS OR  
2           CERTIFICATES. Engage in outreach to identify and contact groups of electors who may  
3           need assistance in obtaining or renewing a license ~~or~~, identification card, or  
4           identification certificate for voting under s. 6.79 (2) (a), 6.86 (1) (ar), or 6.87 (4) (b),  
5           and provide assistance to the electors in obtaining or renewing a license ~~or~~,  
6           identification card, or identification certificate.

7           **SECTION 84.** 7.52 (3) (a) of the statutes is amended to read:

8           7.52 (3) (a) The board of absentee ballot canvassers shall first open the carrier  
9           envelope only, and, in such a manner that a member of the public, if he or she desired,  
10          could hear, announce the name of the absent elector or the identification serial  
11          number of the absent elector if the elector has a confidential listing under s. 6.47 (2).  
12          When the board of absentee ballot canvassers finds that the certification has been  
13          properly executed and the applicant is a qualified elector of the ward or election  
14          district, the board of absentee ballot canvassers shall enter an indication on the poll  
15          list next to the applicant's name indicating an absentee ballot is cast by the elector.  
16          The board of absentee ballot canvassers shall then open the envelope containing the  
17          ballot in a manner so as not to deface or destroy the certification thereon. The board  
18          of absentee ballot canvassers shall take out the ballot without unfolding it or  
19          permitting it to be unfolded or examined. Unless the ballot is cast under s. 6.95, the  
20          board of absentee ballot canvassers shall verify that the ballot has been endorsed by  
21          the issuing clerk. If the poll list indicates that proof of residence is required and no  
22          proof of residence is enclosed or the name or address on the document that is provided  
23          is not the same as the name and address shown on the poll list, or if the elector is not  
24          a military elector or an overseas elector, as defined in s. 6.34 (1), and the elector is  
25          required to provide, or to provide a copy of, a license or identification card required

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1 under s. 6.86 (1) (ar) or 6.87 (4) (b) 1. and no copy of the license or identification card  
2 is enclosed or the name on the document cannot be verified by the canvassers, the  
3 board of absentee ballot canvassers shall proceed as provided under s. 6.97 (2). The  
4 board of absentee ballot canvassers shall mark the poll list number of each elector  
5 who casts an absentee ballot on the back of the elector's ballot. The board of absentee  
6 ballot canvassers shall then deposit the ballot into the proper ballot box and enter  
7 the absent elector's name or poll list number after his or her name on the poll list.

8 **SECTION 85.** 7.52 (3) (a) of the statutes, as affected by 2009 Wisconsin Act ....  
9 (this act), is amended to read:

10 7.52 (3) (a) The board of absentee ballot canvassers shall first open the carrier  
11 envelope only, and, in such a manner that a member of the public, if he or she desired,  
12 could hear, announce the name of the absent elector or the identification serial  
13 number of the absent elector if the elector has a confidential listing under s. 6.47 (2).  
14 When the board of absentee ballot canvassers finds that the certification has been  
15 properly executed and the applicant is a qualified elector of the ward or election  
16 district, the board of absentee ballot canvassers shall enter an indication on the poll  
17 list next to the applicant's name indicating an absentee ballot is cast by the elector.  
18 The board of absentee ballot canvassers shall then open the envelope containing the  
19 ballot in a manner so as not to deface or destroy the certification thereon. The board  
20 of absentee ballot canvassers shall take out the ballot without unfolding it or  
21 permitting it to be unfolded or examined. Unless the ballot is cast under s. 6.95, the  
22 board of absentee ballot canvassers shall verify that the ballot has been endorsed by  
23 the issuing clerk. If the poll list indicates that proof of residence is required and no  
24 proof of residence is enclosed or the name or address on the document that is provided  
25 is not the same as the name and address shown on the poll list, or if the elector is not

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1 a military elector or an overseas elector, as defined in s. 6.34 (1), and the elector is  
2 required to provide, or to provide a copy of, a license ~~or~~ identification card, or  
3 identification certificate required under s. 6.86 (1) (ar) or 6.87 (4) (b) 1. and no copy  
4 of the license ~~or~~ identification card, or identification certificate is enclosed or the  
5 name on the document cannot be verified by the canvassers, the board of absentee  
6 ballot canvassers shall proceed as provided under s. 6.97 (2). The board of absentee  
7 ballot canvassers shall mark the poll list number of each elector who casts an  
8 absentee ballot on the back of the elector's ballot. The board of absentee ballot  
9 canvassers shall then deposit the ballot into the proper ballot box and enter the  
10 absent elector's name or poll list number after his or her name on the poll list.

11 **SECTION 86.** 10.02 (3) (form) (a) of the statutes is amended to read:

12 10.02 (3) (form) (a) Upon entering the polling place and before being permitted  
13 to vote, an elector shall state his or her name and address. If an elector is not  
14 registered to vote, an elector may register to vote at the polling place serving his or  
15 her residence if the elector ~~provides proof of residence or the elector's registration is~~  
16 ~~verified by another elector of the same municipality where the elector resides~~  
17 presents a valid Wisconsin operator's license, a valid, current identification card  
18 issued to the elector by a U.S. uniformed service, or a valid Wisconsin identification  
19 card unless the elector is exempted from this requirement, and, if the document  
20 presented does not constitute proof of residence, if the elector provides proof of  
21 residence. Where ballots are distributed to electors, the initials of 2 inspectors must  
22 appear on the ballot. Upon being permitted to vote, the elector shall retire alone to  
23 a voting booth or machine and cast his or her ballot, except that an elector who is a  
24 parent or guardian may be accompanied by the elector's minor child or minor ward.

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1 An election official may inform the elector of the proper manner for casting a vote,  
2 but the official may not in any manner advise or indicate a particular voting choice.

3 **SECTION 87.** 10.02 (3) (form) (a) of the statutes, as affected by 2009 Wisconsin  
4 Act .... (this act), is amended to read:

5 10.02 (3) (form) (a) Upon entering the polling place and before being permitted  
6 to vote, an elector shall state his or her name and address. If an elector is not  
7 registered to vote, an elector may register to vote at the polling place serving his or  
8 her residence if the elector presents a valid Wisconsin operator's license, a valid,  
9 current identification card issued to the elector by a U.S. uniformed service, ~~or~~ a valid  
10 Wisconsin identification card, or a valid Wisconsin identification certificate unless  
11 the elector is exempted from this requirement, and, if the document presented does  
12 not constitute proof of residence, if the elector provides proof of residence. Where  
13 ballots are distributed to electors, the initials of 2 inspectors must appear on the  
14 ballot. Upon being permitted to vote, the elector shall retire alone to a voting booth  
15 or machine and cast his or her ballot, except that an elector who is a parent or  
16 guardian may be accompanied by the elector's minor child or minor ward. An  
17 election official may inform the elector of the proper manner for casting a vote, but  
18 the official may not in any manner advise or indicate a particular voting choice.

19 **SECTION 88.** 12.03 (2) (b) 3. of the statutes is amended to read:

20 12.03 (2) (b) 3. No person may engage in electioneering within 100 feet of an  
21 entrance to or within a nursing home ~~or~~, qualified retirement home ~~or~~, qualified  
22 community-based residential facility, qualified residential care apartment complex,  
23 or qualified adult family home while special voting deputies are present at the home  
24 or facility.

25 **SECTION 89.** 12.13 (2) (b) 6m. of the statutes is amended to read:

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1           12.13 (2) (b) 6m. Obtain an absentee ballot for voting in a nursing home or  
2 qualified retirement home ~~or~~, qualified community-based residential facility,  
3 qualified residential care apartment complex, or qualified adult family home under  
4 s. 6.875 (6) and fail to return the ballot to the issuing officer.

5           **SECTION 90.** 12.13 (3) (v) of the statutes is repealed.

6           **SECTION 91.** 85.103 (2) of the statutes is amended to read:

7           85.103 (2) The department shall include on any form for application for original  
8 registration under s. 341.08, for application for renewal of registration under s.  
9 341.08, for application for a certificate of title under s. 342.06, for application for a  
10 license or identification card or renewal of a license or identification card under s.  
11 343.14, for application for an identification certificate or renewal of an identification  
12 certificate under s. 343.505 (2), and for application for a special identification card  
13 under s. 343.51, a place for the individual to designate that the individual's personal  
14 identifiers may not be disclosed in information compiled or maintained by the  
15 department that contains the personal identifiers of 10 or more individuals, a  
16 statement indicating the effect of making such a designation and a place for an  
17 applicant or registrant who has made a designation under this subsection or sub. (3)  
18 to reverse the designation.

19           **SECTION 92.** 125.085 (1) (f) of the statutes is created to read:

20           125.085 (1) (f) An identification certificate issued under s. 343.505.

21           **SECTION 93.** 134.71 (8) (a) 2. of the statutes is amended to read:

22           134.71 (8) (a) 2. A state identification card or identification certificate.

23           **SECTION 94.** 139.30 (4n) of the statutes is amended to read:

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1           139.30 (4n) "Government issued identification" includes a valid driver's  
2 license, state identification card or identification certificate, passport, or military  
3 identification.

4           **SECTION 95.** 343.19 (title) of the statutes is amended to read:

5           **343.19 (title) Duplicate licenses or identification cards or certificates.**

6           **SECTION 96.** 343.19 (1) of the statutes, as affected by 2007 Wisconsin Act 20,  
7 is repealed and recreated to read:

8           343.19 (1) If a license issued under this chapter, an identification card issued  
9 under s. 343.50, or an identification certificate issued under s. 343.505 is lost or  
10 destroyed or the name or address named in the license, identification card, or  
11 identification certificate is changed or the condition specified in s. 343.17 (3) (a) 12.  
12 or 13. or s. 343.505 (3) (b) 9. no longer applies, the person to whom the license,  
13 identification card, or identification certificate was issued may obtain a duplicate  
14 thereof or substitute therefor upon furnishing proof satisfactory to the department  
15 of full legal name and date of birth and that the license, identification card, or  
16 identification certificate has been lost or destroyed or that application for a duplicate  
17 license, identification card, or identification certificate is being made for a change of  
18 address or name or because the condition specified in s. 343.17 (3) (a) 12. or 13. or s.  
19 343.505 (3) (b) 9. no longer applies. If the applicant is a male who is at least 18 years  
20 of age but less than 26 years of age and is applying for a duplicate license or  
21 identification card, the application shall include the information required under s.  
22 343.14 (2) (em). If the original license, identification card, or identification certificate  
23 is found it shall immediately be transmitted to the department.

24           **SECTION 97.** 343.19 (2) (intro.) of the statutes is amended to read:

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1           343.19 (2) (intro.) No person may knowingly make a false statement or fail to  
2 return the original license or, identification card, or identification certificate to the  
3 department upon finding it or fail to comply with any other requirement of this  
4 section relating to an application for any of the following:

5           **SECTION 98.** 343.19 (2) (c) of the statutes is created to read:

6           343.19 (2) (c) A duplicate identification certificate.

7           **SECTION 99.** 343.22 (2) of the statutes, as affected by 2007 Wisconsin Act 20,  
8 is repealed and recreated to read:

9           343.22 (2) Whenever any person, after applying for or receiving a license under  
10 this chapter, an identification card under s. 343.50, or an identification certificate  
11 under s. 343.505, moves from the address named in the application or in the license,  
12 identification card, or identification certificate issued to him or her or is notified by  
13 the local authorities or by the postal authorities that the address so named has been  
14 changed, the person shall, within 30 days thereafter, do one of the following:

15           (a) Apply for a duplicate license, identification card, or identification certificate  
16 showing on the application the correct full legal name and address. The licensee,  
17 identification card holder, or identification certificate holder shall return the current  
18 license, identification card, or identification certificate to the department along with  
19 the application for duplicate.

20           (b) In lieu of applying for a duplicate license, identification card, or  
21 identification certificate, notify the department in writing of his or her change of  
22 address. This paragraph does not apply to persons issued a commercial driver  
23 license.

24           **SECTION 100.** 343.22 (2m) of the statutes, as affected by 2007 Wisconsin Act 20,  
25 section 3274, is repealed and recreated to read:

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1           343.22 (2m) Whenever any person, after applying for or receiving a license  
2 under this chapter, an identification card under s. 343.50, or an identification  
3 certificate under s. 343.505, is notified by the local authorities or by the postal  
4 authorities that the address named in the application or in the license, identification  
5 card, or identification certificate issued to him or her has been changed and the  
6 person applies for a duplicate license, identification card, or identification certificate  
7 under sub. (2), no fees shall be charged under s. 343.21 (1) (L) and (n), 343.50 (5m)  
8 and (7), or s. 343.505 (4) (a) 2. for the duplicate license, identification card, or  
9 identification certificate.

10           **SECTION 101.** 343.22 (3) of the statutes, as affected by 2007 Wisconsin Act 20,  
11 section 3276, is repealed and recreated to read:

12           343.22 (3) When the name of a licensee, identification card holder, or  
13 identification certificate holder is changed, such person shall, within 30 days  
14 thereafter, apply for a duplicate license, identification card, or identification  
15 certificate showing the correct full legal name and address. The licensee,  
16 identification card holder, or identification certificate holder shall return the current  
17 license, identification card, or identification certificate to the department along with  
18 the application for a duplicate. If the licensee holds more than one type of license  
19 under this chapter, the licensee shall return all such licenses to the department along  
20 with one application and fees for a duplicate license for which the licensee may be  
21 issued a duplicate of each such license.

22           **SECTION 102.** 343.235 (title) of the statutes is amended to read:

23           **343.235 (title) Access to license and identification card and certificate**  
24 **records.**

25           **SECTION 103.** 343.237 (title) of the statutes is amended to read:

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1           **343.237 (title) Access to license and identification card and certificate**  
2 **photographs and fingerprints.**

3           **SECTION 104.** 343.237 (2) of the statutes, as affected by 2009 Wisconsin Act 167,  
4 section 3, is repealed and recreated to read:

5           343.237 (2) Any photograph taken of an applicant under s. 343.14 (3), 343.50  
6 (4), or 343.505 (2) (b), and any fingerprint taken of an applicant under s. 343.12 (6)  
7 (b), may be maintained by the department and, except as provided in this section and  
8 s. 165.8287, shall be kept confidential. Except as provided in this section and s.  
9 165.8287, the department may release a photograph or fingerprint only to the person  
10 whose photograph or fingerprint was taken or to the driver licensing agency of  
11 another jurisdiction.

12           **SECTION 105.** 343.237 (3) (intro.) of the statutes, as affected by 2007 Wisconsin  
13 Act 20, is repealed and recreated to read:

14           343.237 (3) (intro.) The department shall provide a Wisconsin law enforcement  
15 agency or a federal law enforcement agency with a print or electronic copy of a  
16 photograph taken on or after September 1, 1997, of an applicant under s. 343.14 (3),  
17 343.50 (4), or 343.505 (2) (b), or a printed or electronic copy of a fingerprint taken of  
18 an applicant under s. 343.12 (6) (b), if the department receives a written request on  
19 the law enforcement agency's letterhead that contains all of the following:

20           **SECTION 106.** 343.237 (6) of the statutes is amended to read:

21           343.237 (6) For each copy of a photograph or fingerprint provided under sub.  
22 (3) or (4), the department shall record and maintain the written request for the copy  
23 of the photograph or fingerprint and may not disclose any record or other information  
24 concerning or relating to the written request to any person other than a court, district  
25 attorney, county corporation counsel, city, village, or town attorney, law enforcement

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1 agency, driver licensing agency of another jurisdiction, the applicant or identification  
2 card or identification certificate holder or, if the applicant or identification card  
3 holder is under 18 years of age, his or her parent or guardian.

4 **SECTION 107.** 343.43 (2) of the statutes is amended to read:

5 343.43 (2) Whenever a license ~~or~~, identification card ~~which~~, or identification  
6 certificate that appears to be altered is displayed to a law enforcement officer, agent  
7 of the secretary or the court, that person shall take possession of the license ~~or~~,  
8 identification card, or identification certificate and return it to the department for  
9 cancellation. A notation of change of address properly endorsed on the license under  
10 s. 343.22 shall not of itself be reason to consider the license altered.

11 **SECTION 108.** 343.50 (3) of the statutes is amended to read:

12 343.50 (3) DESIGN AND CONTENTS OF CARD. The card shall be the same size as  
13 an operator's license but shall be of a design which is readily distinguishable from  
14 the design of an operator's license and bear upon it the words "IDENTIFICATION  
15 CARD ONLY". The information on the card shall be the same as specified under s.  
16 343.17 (3). The card may serve as a record of gift under s. 157.06 (2) (t) and the holder  
17 may affix a sticker thereto as provided in s. 343.175 (3). The card may also serve as  
18 a record of refusal under s. 157.06 (2) (u). ~~The~~ Except as provided in sub. (4g), the  
19 card shall contain the holder's photograph and, if applicable, shall be of the design  
20 specified under s. 343.17 (3) (a) 12.

21 **SECTION 109.** 343.50 (3) of the statutes, as affected by 2007 Wisconsin Act 20  
22 and 2009 Wisconsin Act .... (this act), is repealed and recreated to read:

23 343.50 (3) DESIGN AND CONTENTS OF CARD. The card shall be the same size as  
24 an operator's license but shall be of a design which is readily distinguishable from  
25 the design of an operator's license and bear upon it the words "IDENTIFICATION

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1 CARD ONLY.” The information on the card shall be the same as specified under s.  
2 343.17 (3). If the issuance of the card requires the applicant to present any  
3 documentary proof specified in s. 343.14 (2) (es) 4. to 7., the card shall display, on the  
4 front side of the card, a legend identifying the card as temporary. The card shall  
5 contain physical security features consistent with any requirement under federal  
6 law. The card may serve as a record of gift under s. 157.06 (2) (t) and the holder may  
7 affix a sticker thereto as provided in s. 343.175 (3). The card may also serve as a  
8 record of refusal under s. 157.06 (2) (u). The card shall contain the holder’s  
9 photograph and, if applicable, shall be of the design specified under s. 343.17 (3) (a)  
10 12.

11 **SECTION 110.** 343.50 (4) of the statutes is amended to read:

12 343.50 (4) APPLICATION. The application for an identification card shall include  
13 any information required under ss. 85.103 (2) and 343.14 (2) (a), (b), (bm), (br), (em),  
14 and (er), and such further information as the department may reasonably require to  
15 enable it to determine whether the applicant is entitled by law to an identification  
16 card. The Except as provided in sub. (4g), the department shall, as part of the  
17 application process, take a photograph of the applicant to comply with sub. (3). No  
18 Except as provided in sub. (4g), no application may be processed without the  
19 photograph being taken. Misrepresentations in violation of s. 343.14 (5) are  
20 punishable as provided in s. 343.14 (9).

21 **SECTION 111.** 343.50 (4) of the statutes, as affected by 2007 Wisconsin Act 20  
22 and 2009 Wisconsin Act .... (this act), is repealed and recreated to read:

23 343.50 (4) APPLICATION. The application for an identification card shall include  
24 any information required under ss. 85.103 (2) and 343.14 (2) (a), (b), (bm), (br), (em),  
25 and (es), and such further information as the department may reasonably require to

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1 enable it to determine whether the applicant is entitled by law to an identification  
2 card. Except with respect to renewals described in s. 343.165 (4) (d), the department  
3 shall, as part of the application process, take a digital photograph including facial  
4 image capture of the applicant to comply with sub. (3). Except with respect to  
5 renewals described in s. 343.165 (4) (d), no application may be processed without the  
6 photograph being taken. Misrepresentations in violation of s. 343.14 (5) are  
7 punishable as provided in s. 343.14 (9).

8 **SECTION 112.** 343.50 (4g) of the statutes is created to read:

9 343.50 (4g) PHOTOGRAPH REQUIREMENT; EXCEPTION. An application may be  
10 processed and an original or renewal identification card issued under this section  
11 without a photograph being taken to comply with subs. (3) and (4) to an applicant  
12 who requests the identification card without charge under sub. (5) or (6) and who  
13 provides to the department an affidavit stating that the applicant has a sincerely  
14 held religious belief against being photographed; identifying the religion to which he  
15 or she belongs or the tenets of which he or she adheres to; stating that the tenets of  
16 the religion prohibit him or her from being photographed; and stating that he or she  
17 requests the identification card for the purpose of voting.

18 **SECTION 113.** 343.50 (4g) of the statutes, as created by 2009 Wisconsin Act ....  
19 (this act), is repealed.

20 **SECTION 114.** 343.50 (5) (a) 1. of the statutes, as affected by 2009 Wisconsin Act  
21 28, section 2957, is amended to read:

22 343.50 (5) (a) 1. Except as provided in subd. 2., the fee for an original card and  
23 for the reinstatement of an identification card after cancellation under sub. (10) shall  
24 be \$18 or, upon request of the applicant, without charge.

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1           **SECTION 115.** 343.50 (5) (a) 1. of the statutes, as affected by 2009 Wisconsin Act  
2 28, section 2958, and 2009 Wisconsin Act .... (this act), is repealed and recreated to  
3 read:

4           343.50 (5) (a) 1. Except as provided in subd. 2., the fee for an original card, for  
5 renewal of a card, and for the reinstatement of an identification card after  
6 cancellation under sub. (10) shall be \$18.

7           **SECTION 116.** 343.50 (6) of the statutes is amended to read:

8           343.50 (6) RENEWAL. At least 30 days prior to the expiration of the card, the  
9 department shall mail a renewal application to the last-known address of each  
10 identification card holder. The department shall include with the application  
11 information, as developed by all organ procurement organizations in cooperation  
12 with the department, that promotes anatomical donations and which relates to the  
13 anatomical donation opportunity available under s. 343.175. The fee for a renewal  
14 identification card shall be \$18, which or, upon request of the identification card  
15 holder, without charge. The renewal identification card shall be valid for 8 years,  
16 except that a card that is issued to a person who is not a United States citizen and  
17 who provides documentary proof of legal status as provided under s. 343.14 (2) (er)  
18 shall expire on the date that the person's legal presence in the United States is no  
19 longer authorized. If the documentary proof as provided under s. 343.14 (2) (er) does  
20 not state the date that the person's legal presence in the United States is no longer  
21 authorized, then the card shall be valid for 8 years.

22           **SECTION 117.** 343.50 (6) of the statutes, as affected by 2007 Wisconsin Act 20,  
23 section 3383, and 2009 Wisconsin Act .... (this act), is repealed and recreated to read:

24           343.50 (6) RENEWAL NOTICE. At least 30 days prior to the expiration of an  
25 identification card, the department shall mail a renewal application to the

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1 last-known address of the card holder. If the card was issued or last renewed based  
2 upon the person's presenting of any documentary proof specified in s. 343.14 (2) (es)  
3 4. to 7., the notice shall inform the card holder of the requirement under s. 343.165  
4 (4) (c). The department shall include with the application information, as developed  
5 by all organ procurement organizations in cooperation with the department, that  
6 promotes anatomical donations and which relates to the anatomical donation  
7 opportunity available under s. 343.175.

8 **SECTION 118.** 343.505 of the statutes is created to read:

9 **343.505 Identification certificates. (1) ISSUANCE.** (a) The department shall  
10 issue, as provided in this section, identification certificates to eligible applicants  
11 upon proper application and payment of all required fees.

12 (b) A person is eligible for an identification certificate under this section if the  
13 person ~~is at least 18 years of age, a resident of this state, and a citizen of the United~~  
14 ~~States~~ *provides the information that is required to be provided*  
*by an elector under s. 6.33 (1) and signs a statement*  
*affirming that the information is correct.*

15 (2) APPLICATION. (a) Every application to the department for an identification  
16 certificate or for renewal of an identification certificate shall be made upon the  
17 appropriate form furnished by the department and shall be accompanied by all  
18 required fees. The application for an identification certificate shall include all of the  
19 following: *information required to be provided under sub. (1)(b), with a*  
*signed statement affirming that the information is correct*

- 20 1. The ~~full legal name and residence address of the applicant.~~  
21 2. The applicant's ~~sex, color of eyes, color of hair, sex, height, weight~~  
22 and race.

23 3. a. Except as provided in subd. 3. b., the applicant's social security number.

24 b. If the applicant does not have a social security number, a statement made  
25 or subscribed under oath or affirmation, on a form prescribed by the department,

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1 that the applicant does not have a social security number. An identification  
2 certificate issued or renewed in reliance on a statement submitted under this subd.  
3 3. b. is invalid if the statement is false.

4 4. A statement as to whether the applicant holds any valid operator's license  
5 or identification card issued by this state or any other jurisdiction.

6 5. A designation or reversal of a designation under s. 85.103 (2), if the applicant  
7 chooses to make such designation or reversal.

8 6. Satisfactory proof of the applicant's name and date of birth.

9 7. Documentary proof that the applicant is a citizen of the United States.

10 8. Such further information as the department may reasonably require to  
11 enable it to identify the applicant and to determine whether the applicant is entitled  
12 by law to an identification certificate.

13 (b) 1. Except as provided in subd 2., the department shall, as part of the  
14 application process, take a photograph of the applicant, which shall appear on the  
15 identification certificate as provided in sub. (3). Except as provided in subd. 2., no  
16 application may be processed without the photograph being taken.

17 2. An application for an identification certificate may be processed and an  
18 original or renewal identification certificate issued under this section without a  
19 photograph being taken if the applicant requests an identification certificate without  
20 charge and provides to the department an affidavit stating that the applicant has a  
21 sincerely held religious belief against being photographed; identifying the religion  
22 to which he or she belongs or the tenets of which he or she adheres to; stating that  
23 the tenets of the religion prohibit him or her from being photographed; and stating  
24 that he or she requests the identification certificate for the purpose of voting.

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1 (c) Names, addresses, and social security numbers obtained by the department  
2 under this subsection shall be provided to the department of revenue for the purpose  
3 of administering ss. 71.93 and 71.935 and state taxes.

4 (3) DESIGN AND CONTENTS OF IDENTIFICATION CERTIFICATES. (a) Identification  
5 certificates shall be the same size as an operator's license but shall be of a design that  
6 is readily distinguishable from the design of operator's licenses and identification  
7 cards. Each identification certificate shall bear upon it the words  
8 "IDENTIFICATION CERTIFICATE." Identification certificates shall clearly state  
9 on their face that they may not be accepted by any federal agency for federal  
10 identification or any other official purpose and shall use a unique design or color  
11 indicator to alert federal agency and other law enforcement personnel that they may  
12 not be accepted for any such purpose.

13 (b) The front side of the identification certificate shall include all of the  
14 following:

- 15 1. The ~~full legal~~ name, date of birth, and residence address of the person.
- 16 2. Except as provided in sub. (2) (b) 2., a color photograph of the person.
- 17 3. A physical description of the person, including sex, height, weight and hair  
18 and eye color, but excluding any mention of race.
- 19 4. The person's signature.
- 20 5. The name of this state.
- 21 6. A unique identifying identification certificate number assigned by the  
22 department.
- 23 7. The date of issuance of the identification certificate.
- 24 8. The date of expiration of the identification certificate.

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1           9. If the person has not attained the legal drinking age, as defined in s. 125.02  
2 (8m), at the time of issuance of the identification certificate, a distinctive appearance  
3 specified by the department that clearly identifies to the public that the person had  
4 not attained the legal drinking age at the time of issuance of the identification  
5 certificate.

6           (4) VALID PERIOD; FEES. (a) 1. Except as provided in subd. 3., the fee for an  
7 original identification certificate, for renewal of an identification certificate, and for  
8 reinstatement of an identification certificate after cancellation is \$18.

9           2. Except as provided in subd. 3., the fee for a duplicate identification certificate  
10 is \$6.

11           3. If the applicant requests that the identification certificate be issued,  
12 renewed, or reinstated, or a duplicate identification certificate be issued, without  
13 charge, the department may not charge any fee for the identification certificate.

14           (b) An original or reinstated identification certificate shall be valid for the  
15 succeeding period of 8 years from the applicant's next birthday after the date of  
16 issuance, and a renewed identification certificate shall be valid for the succeeding  
17 period of 8 years from the certificate's last expiration date.

18           (c) At least 30 days prior to the expiration of an identification certificate, the  
19 department shall mail a renewal application to the last-known address of the  
20 certificate holder.

21           (5) RECORDS AND OTHER INFORMATION. (a) The department shall maintain  
22 records of all identification certificate holders under this section in a manner  
23 prescribed by the department by rule.

24           (b) The department may not disclose any record or other information  
25 concerning or relating to an applicant or identification certificate holder to any

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1 person other than a court, district attorney, county corporation counsel, city, village  
2 or town attorney, law enforcement agency, driver licensing agency of another  
3 jurisdiction, or the applicant or identification certificate holder. Except for  
4 photographs for which disclosure is authorized under s. 343.237, persons entitled to  
5 receive any record or other information under this paragraph shall not disclose the  
6 record or other information to other persons or agencies. This paragraph does not  
7 prohibit the disclosure of a person's name or address, of the name or address of a  
8 person's employer, or of financial information that relates to a person when  
9 requested under s. 49.22 (2m) by the department of children and families or a county  
10 child support agency under s. 59.53 (5).

11 **(6) CANCELLATION.** (a) The department shall cancel an identification certificate  
12 under any of the following circumstances:

13 1. Whenever the department determines that the identification certificate was  
14 issued upon an application that contains a false statement as to any material matter.

15 2. Whenever the department determines that an identification certificate has  
16 been altered and returned for cancellation under s. 343.43 (2).

17 (b) The department may order any person whose identification certificate has  
18 been canceled to surrender the certificate to the department. The department may  
19 take possession of any identification certificate required to be canceled or may direct  
20 any traffic officer to take possession of the identification certificate and return it to  
21 the department.

22 **(7) UNLAWFUL USE.** No person may do any of the following:

23 (a) Represent as valid any canceled, fictitious, or fraudulently altered  
24 identification certificate.

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1 (b) Sell or lend his or her identification certificate to any other person or  
2 knowingly permit the use of his or her identification certificate by another.

3 (c) Represent as one's own, any identification certificate not issued to him or  
4 her.

5 (d) Permit any unlawful use of an identification certificate issued to him or her.

6 (e) Reproduce by any means whatever an identification certificate.

7 (f) Deface or alter an identification certificate.

8 **(8) PENALTY.** Any person who fails to comply with an order under sub. (6) (b)  
9 or who violates sub. (7) may be required to forfeit not more than \$1,000.

10 **(9) RULES.** The department shall promulgate rules to administer and enforce  
11 this section. Subject to subs. (2) and (3), these rules shall prescribe the form of the  
12 application for an identification certificate and specify the form and contents of the  
13 identification certificate. These rules shall also provide a procedure under which  
14 identification certificates are generally issued over the counter to an applicant on the  
15 same day that the department receives an application. The rules shall require the  
16 design of identification certificates to be resistant to tampering and forgery. The  
17 rules shall also incorporate the requirements under sub. (5) (a). The department  
18 shall attempt to ensure that these rules become effective at the same time as the  
19 provisions of this section other than this subsection.

20 **SECTION 119. Nonstatutory provisions.**

21 (1) In conjunction with the first regularly scheduled primary and election at  
22 which the voter identification requirements of this act initially apply, the  
23 government accountability board shall conduct a public informational campaign for  
24 the purpose of informing prospective voters of the voter identification requirements  
25 of this act.

**BILL****SECTION 120. Initial applicability.**

(1) IDENTIFICATION REQUIRED FOR VOTING. This act first applies with respect to voting at the first spring or September primary election that follows the effective date of this act by at least 60 days.

**SECTION 121. Effective dates.** This act takes effect on the day after publication, except as follows:

(1) The treatment of sections 5.35 (6) (a) 4a. (by SECTION 3), 6.15 (2) (bm) (by SECTION 5), and (d) 1g. (by SECTION 7) and (3) (by SECTION 10), 6.55 (2) (b) (by SECTION 17) and (c) 1. (by SECTION 19), 6.79 (2) (a) (by SECTION 23) and (d) (by SECTION 25), (3) (title) (by SECTION 27) and (b) (by SECTION 30), and (6) (by SECTION 33), 6.82 (1) (a) (by SECTION 36), 6.86 (1) (ar) (by SECTION 39) and (3) (a) 1. (by SECTION 41), 6.869 (by SECTION 44), 6.87 (4) (b) 1. (by SECTION 48), 2. (by SECTION 50), 3. (by SECTION 52), and 5. (by SECTION 55), 6.875 (6) (c) 1. (by SECTION 63), 6.88 (3) (a) (by SECTION 68), 6.97 (1) (by SECTION 72), (2) (by SECTION 74), and (3) (a) (by SECTION 77), (b) (by SECTION 78), and (c) (by SECTION 80), 7.08 (12) (by SECTION 83), 7.52 (3) (a) (by SECTION 85), 10.02 (3) (form) (a) (by SECTION 87), 85.103 (2), 125.085 (1) (f), 134.71 (8) (a) 2., 139.30 (4n), 343.19 (title) and (2) (intro.), 343.235 (title), 343.237 (title) and (6), 343.43 (2), and 343.50 (5) (a) 1. (by SECTION 115) of the statutes, the repeal of section 343.50 (4g) of the statutes, the repeal and recreation of sections 343.19 (1), 343.22 (2), (2m), and (3), 343.237 (2) and (3) (intro.), and 343.50 (3), (4), and (6) of the statutes, and the creation of sections 343.19 (2) (c) and 343.505 (1) to (8) of the statutes take effect on the day after publication or on the date on which the creation of section 343.165 of the statutes by 2007 Wisconsin Act 20 takes effect, whichever is later.

(END)

**Basford, Sarah**

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**From:** Pyritz, Michael  
**Sent:** Monday, March 29, 2010 1:48 PM  
**To:** LRB.Legal  
**Subject:** Draft Review: LRB 09-4502/1 Topic: First consideration for photo ID for voting

Please Jacket LRB 09-4502/1 for the ASSEMBLY.