2009 DRAFTING REQUEST

Senate Substitute Amendment (SSA-SB640)

Received: **04/06/2010**

Received By: **jkuesel**

Wanted: **Soon**

Companion to LRB:

For: **Spencer Coggs (608) 266-2500**

By/Representing: **Adam Plotkin**

May Contact:

Drafter: **jkuesel**

Subject: **Elections - miscellaneous**

Addl. Drafters: **agary**

Extra Copies:

Submit via email: **YES**

Requester's email: **Sen.Coggs@legis.wisconsin.gov**

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

SSA to SB-640

Instructions:

Per LRBs0392/1 with permission of Rep. Smith (p/c, Andrea Wahl, 4/6/10).

Drafting History:

Vers.	Drafted	Reviewed	Typed	Proofed	Submitted	Jacketed	Required
/?	jkuesel 04/06/2010	jdyer 04/06/2010		_____ _____			
/1			phenry 04/06/2010	_____ _____	lparisi 04/06/2010	lparisi 04/06/2010	

FE Sent For:

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/? /1	jkuesel 4/6/10	4/6 jld	4/6 ph	4/6 ph			

FE Sent For:

<END>

State of Wisconsin
2009 – 2010 LEGISLATURE

LRBs~~0392/1~~ 50400/1
JTK&ARG:cjs/kjf/bjk/nwn/jld:rs

TUE 4/6 3:15 PM

Keep

~~ASSEMBLY~~ SENATE SUBSTITUTE AMENDMENT ,
TO 2009 ~~ASSEMBLY~~ SENATE BILL ~~895~~ 640

Regen

AN ACT ***to repeal*** 6.86 (2), 6.865 (3) and 6.865 (3m) (c); ***to renumber*** 5.07; ***to renumber and amend*** 6.86 (2m), 7.52 (5), 7.52 (6) (a) and 7.52 (6) (b); ***to consolidate, renumber and amend*** 6.25 (4) (intro.), (a) and (b); ***to amend*** 5.05 (1) (e), 5.05 (1) (f), 5.05 (13) (title), 5.056, 5.06 (2), 5.25 (4) (b), 5.35 (6) (a) (intro.), 5.35 (6) (a) 5., 5.35 (6) (b), 5.35 (6) (c), 5.84 (1), 6.22 (4) (a), 6.22 (4) (e), 6.22 (6), 6.221 (1), 6.221 (3) (b), 6.24 (3), 6.24 (4) (c), 6.25 (1), 6.275 (1) (b), 6.275 (1) (c), 6.275 (1) (d), 6.28 (1), 6.28 (4), 6.29 (1), 6.29 (2) (a), 6.29 (2) (b), 6.29 (2) (d), 6.30 (1), 6.32 (1), 6.33 (1), 6.33 (2) (a), 6.33 (5) (a), 6.34 (2), 6.34 (3) (a) 7., 6.34 (3) (b) (intro.), 6.35 (1) (intro.), 6.36 (1) (a), 6.36 (1) (b) 1. a., 6.36 (2) (a), 6.36 (2) (c), 6.40 (1) (a) 1., 6.40 (1) (c), 6.50 (10), 6.54, 6.55 (title), 6.55 (2) (a) 1., 6.55 (2) (b), 6.55 (2) (c) 1. and 2., 6.55 (2) (cs), 6.55 (5), 6.79 (4), 6.855 (title), 6.855 (1), 6.855 (2), 6.86 (1) (a) (intro.), 6.86 (1) (a) 3., 6.86 (1) (ac), 6.86 (1) (b), 6.86 (1) (b), 6.86 (1) (c), 6.86 (3) (a), 6.86 (3) (c), 6.865 (title), 6.865 (3m) (a), 6.865 (3m) (b),

6.869, 6.87 (2) (intro.), 6.87 (3) (d), 6.87 (4), 6.87 (9), 6.875 (3), 6.875 (4) (a), 6.875 (4) (b), 6.875 (6) (c) 1., 6.88 (3) (b), 6.88 (3) (c), 6.925, 6.93, 7.08 (1) (c), 7.15 (1) (cm), 7.15 (1) (j), 7.15 (2m), 7.15 (4), 7.30 (2) (a), 7.30 (2) (am), 7.30 (2) (b), 7.41 (4), 7.51 (3) (d), 7.52 (1) (b), 7.52 (3) (b), 7.52 (4) (i), 9.01 (1) (b) 2., 10.01 (2) (e), 12.09 (1) and (3), 12.13 (1) (b), 12.13 (1) (c), 12.13 (1) (d), 12.13 (2) (b) 3., 12.60 (1) (a), 12.60 (4), 20.511 (1) (b), 85.61 (1), 939.50 (3) (d) and 939.50 (3) (e); ***to repeal and recreate*** 6.86 (1) (a) 3.; and ***to create*** 5.05 (13) (c) and (d), 5.05 (16), 5.05 (17), 5.07 (2), 5.25 (4) (c), 5.34, 5.35 (6) (a) 4c., 5.35 (6) (d), 5.68 (8), 6.22 (2) (e), 6.24 (4) (e), 6.256, 6.29 (2) (e), 6.30 (5), 6.34 (2m), 6.34 (2n), 6.34 (3) (d), 6.34 (4), 6.35 (2), 6.36 (1) (bm), 6.86 (1) (ab), 6.86 (1) (ad), 6.86 (3) (d), 6.868, 6.87 (2m), 7.08 (1) (cm), 7.08 (3) (d) to (g), 7.08 (12), 7.08 (13), 7.10 (11), 7.15 (15), 12.17, 12.19, 12.60 (1) (am), 12.60 (1) (an), 12.60 (1) (ap), 12.60 (1) (bn), 19.685 and 343.14 (2p) of the statutes; **relating to:** voter registration; transfer of voter registration information to certain state and private entities; absentee voting; residency of election officials; testing of automatic tabulating equipment; use of powers of attorney by electors; deceptive election practices; voter intimidation, suppression, and protection; election information provided to electors at polling places; prosecution of civil prohibited election practice offenses; challenging the ballots of electors at polling places; proof of residence for registration and voting purposes; public access to certain information voluntarily provided by electors; review of certain expenditures of the Government Accountability Board by the Joint Committee on Finance;

granting rule–making authority; providing penalties; and making an appropriation.

Analysis by the Legislative Reference Bureau

This substitute amendment makes various changes in laws relating to elections and voting. Significant provisions include:

Voter registration

Currently, with the exception of individuals who are defined as "military electors" under state law and new or former residents voting for president and vice president, all eligible electors of this state must register in order to vote in an election in this state. The registration period for each election ends on the 20th day before that election, but an eligible elector may register to vote in an election after that date at the office of the municipal clerk or board of election commissioners of the municipality where he or she resides or at the polling place serving his or her residence by providing specified proof of residence. In order to register, an individual must provide his or her name, residence location, citizenship, date of birth, age, and the number of a valid Wisconsin driver's license or the last four digits of his or her social security number. An individual must also affirm that he or she: 1) has resided in his or her ward (or municipality if not divided into wards) for at least ten days; 2) has not been convicted of a felony for which he or she has not been pardoned and has not completed his or her sentence; 3) is not disqualified on any other ground from voting; and 4) is not registered to vote at any other location. The burden is on the elector to initiate registration and, if the elector's name, address, or eligibility changes, to initiate any change in registration required to maintain a valid registration.

This substitute amendment makes it the responsibility of the Government Accountability Board (GAB) to use all feasible means to facilitate the registration of all eligible electors of this state who are subject to a registration requirement and the maintenance of the registration of all eligible electors for so long as they remain eligible, except as the law specifically requires electors to take some action to confirm or continue their registrations. Under the substitute amendment, GAB must attempt to facilitate the initial registration of all eligible electors in accordance with the substitute amendment's requirements and procedures no later than July 1, 2015. To assist with its responsibility, the substitute amendment directs GAB and the Department of Transportation (DOT) to enter into an agreement for the purpose of transferring specified personally identifiable information in DOT's records to GAB. The substitute amendment requires GAB to maintain the confidentiality of any information that GAB obtains under the agreement and allows a driver's license or identification card applicant to "opt out" of DOT's transfer of this information to GAB. Under the substitute amendment, once GAB obtains all the information required under current law to complete an elector's registration, GAB adds the elector's name to the statewide registration list. The information then becomes accessible on the Internet. No registration of an elector that is added to the list by

GAB is valid until the elector confirms with GAB, on a form prescribed by GAB, that all the information pertaining to his or her registration is correct and accurate as of the date of the confirmation. The substitute amendment permits an elector to confirm a registration by any of the following means: 1) by electronic means on the Internet using a secure procedure prescribed by GAB; 2) by mail; or 3) by appearing in person at the office of the municipal clerk or board of election commissioners where the elector resides or at the polling place serving the elector's residence. Under the substitute amendment, if an elector does not confirm a registration that has been entered on his or her behalf by GAB, GAB may contact the elector in the manner determined by GAB to obtain confirmation or any necessary correction to the elector's registration. If the elector does not confirm a registration within 60 days of the date that it is entered on the registration list by GAB, GAB must contact the elector to obtain confirmation or any necessary correction. The substitute amendment also permits an individual whose name is added to the registration list by GAB or who wishes to permanently exclude his or her name from the list to file a request to have his or her name deleted or excluded from the list or to revoke a deletion or exclusion request previously made. A deletion or exclusion request or revocation of a deletion or exclusion request may be made in the manner prescribed by GAB. In addition, the substitute amendment directs GAB to notify an individual by first class postcard whenever GAB removes his or her name from the registration list or changes his or her status on the list from eligible to ineligible, other than by request of the elector, except when GAB removes a duplicate entry from the list or changes the name of a deceased person from eligible to ineligible status.

Currently, if an elector is eligible to vote and is not registered to vote, the elector may register to vote and vote at the polling place serving his or her residence on election day by providing proof of residence or by having another elector of the municipality where the polling place is located corroborate his or her registration information. This substitute amendment permits an elector whose registration has been entered on the registration list by GAB to confirm his or her registration and vote on election day at the same polling place in the same manner as currently provided for original registration.

Currently, a qualified elector may register to vote at any election by mail or by completing a registration form with a special registration deputy no later than the 20th day before the election. A qualified elector may also register to vote at an election in person at the office of the municipal clerk or board of election commissioners for the municipality where the elector resides no later than 5 p.m. on the day before the election. In order to register, an elector must provide his or her name and address and certain other information required to ascertain his or her eligibility and must sign the form. With certain exceptions, an elector who registers after the 20th day before an election or an elector who registers by mail and who has not voted before in an election in this state must provide proof of residence prior to voting.

This substitute amendment permits a qualified elector who has a current and valid driver's license or identification card issued by DOT to register to vote at an election electronically on a secure Internet site maintained by GAB. The substitute

amendment requires an electronic registration to be completed no later than the 20th day before an election in order to be valid for that election. Under the substitute amendment, GAB prescribes, by rule, the manner and method of electronic application, together with requirements for affirmation and verification of elector information and the method for receipt of electronic application forms. There is no requirement for a signature. The substitute amendment also permits an elector who is currently registered to vote and who has a current and valid driver's license or identification card to electronically enter a change of name or address using a similar procedure. Under the substitute amendment, an electronic registration is treated the same as a mail registration. The clerk or board of election commissioners of the elector's municipality of residence must verify the registration by sending a first–class letter or postcard to the registrant at the registrant's address and, if the registrant is voting for the first time in an election in this state, the registrant must provide proof of residence before voting in the election. However, the substitute amendment also provides that if an elector who registers electronically provides his or her Wisconsin driver's license number, together with his or her name and date of birth, and GAB is able to instantly verify the information electronically by electronically accessing records of DOT, the elector need not provide proof of residence prior to voting. The substitute amendment directs GAB and DOT to enter into an agreement that permits GAB to verify the necessary information instantly by accessing DOT's electronic files.

Currently, each municipal clerk and board of election commissioners must maintain a file of voter registration forms for the electors of the municipality. This substitute amendment provides that the clerk or board must maintain registrations that are entered electronically in the manner prescribed by GAB, by rule.

Currently, with certain exceptions, if an elector registers to vote by mail and has not voted in an election in this state, the elector must provide proof of residence prior to voting. This substitute amendment extends this requirement to apply to an elector whose registration is initiated by GAB but who has not confirmed his or her registration and has not voted in an election in this state. The substitute amendment also provides that if such an elector provides his or her Wisconsin driver's license number or the last four digits of his or her social security number, together with his or her name and date of birth, and GAB is able to instantly verify the information electronically by electronically accessing records of DOT, the elector need not provide proof of residence before voting.

Currently, in order to register to vote, an elector must provide his or her date of birth. This information becomes a part of the statewide voter registration list. Information on the registration list concerning the date of birth of an elector is not open to public inspection. This substitute amendment limits this restriction only to information concerning the birthday of an elector, thus permitting public access to information concerning an elector's year of birth.

The substitute amendment directs GAB to report to the appropriate standing committees of the legislature, no later than July 1, 2011, concerning its progress in initially implementing the registration system created by the substitute amendment. The report must contain an assessment of the feasibility and

desirability or integration of registration information with information maintained by the departments of Health Services, Children and Families, Workforce Development, Revenue, Regulation and Licensing, and Natural Resources, the University of Wisconsin System and the State Technical College System Board as well as with the the technical colleges in each technical college district.

The substitute amendment also permits GAB to enter into an agreement with any state agency to enable matching of publicly available information in the records of the agency with records of the board to facilitate administration of voter registration by GAB. In addition, the substitute amendment permits GAB to enter into an agreement with any nationally focused nonprofit organization to enable matching of information in the records of that organization with publicly available information in the records of GAB, as well as nonpublic information in the records of GAB obtained from DOT, to facilitate administration of voter registration by GAB. The agreement must require nondisclosure of any information obtained by GAB from DOT.

Currently, information on the statewide voter registration list relating to the date of birth, operator's license number, or social security number of an elector, the confidential address of an elector who is subject to domestic abuse, sexual assault, or stalking, or an accommodation required to assist a disabled elector is open to inspection only by election officials and administrators. This substitute amendment permits GAB to transfer any of this information to another state agency or authority or to a subunit of the state government of another state except information obtained from DOT. However, information obtained from DOT can be shared with a nationally focused nonprofit organization if GAB enters into an agreement with such an organization as described above. The substitute amendment also prohibits a state agency or authority or officer or employee thereof from providing access to any transferred information to a third party. Violators are subject to a forfeiture (civil penalty) of not more than $500 for each violation.

Currently, municipal clerks and boards of election commissioners must update changes in the voter registration list received on election day no later than 30 days after the date of the election. This substitute amendment permits these changes to be updated within 45 days after a general (November) election, and further permits the legal counsel of GAB to permit a municipal clerk or board of election commissioners, upon application, to update the registration list with changes received on the date of the general election within 60 days after the date of the election.

Currently, when an elector registers to vote in person at the office of the municipal clerk or board of election commissioners after the close of registration for an election, the clerk or board issues a registration certificate to the elector. This substitute amendment provides that the clerk or board shall issue a registration certificate only if the elector does not wish to cast an absentee ballot when registering.

Absentee voting

This substitute amendment makes various changes in the laws pertaining to absentee voting. Most of the changes relate to absentee voting by military and

overseas electors of this state. State law contains different definitions of the terms "military elector" and "overseas elector." One set of definitions mirrors the definitions found in federal law. Under federal law, a "military elector" includes 1) a member of a uniformed service on active duty who, by reason of that duty, is absent from the residence where the member is otherwise qualified to vote; 2) a member of the merchant marine who, by reason of service in the merchant marine, is absent from the residence where the member is otherwise qualified to vote; and 3) the spouse or dependent of any such member who, by reason of the duty or service of the member, is absent from the residence where the person is otherwise qualified to vote. The federal definition of "overseas elector" includes an elector who resides outside the United States and who is qualified under federal law to vote in elections for national office in this state because the elector last resided in this state immediately prior to the elector's departure from the United States. The other set of definitions applies for certain state purposes and includes all the persons who are included in the federal definitions but also includes other persons. The state definition of the term "military elector" includes 1) members of a uniformed service who are not on active duty or who are not absent from their residences by reason of their service or both; 2) members of the merchant marine who are not absent from their residences; 3) civilian employees of the United States and civilians officially attached to a uniformed service who are serving outside the United States; 4) Peace Corps volunteers; and 5) spouses and dependents of these persons who are residing with or accompanying them. The state definition of "overseas elector" includes children of persons who qualify as overseas electors under federal law who are U.S. citizens at least 18 years of age, who are not disqualified from voting in this state, and who are not residents of this state. Significant provisions relating to absentee voting include:

1. Currently, an individual who is a qualified elector of a municipality, other than a "military elector" or an "overseas elector" as defined by state law, may file an application with the municipal clerk or board of election commissioners of the municipality where the individual resides requiring the clerk or board to send an absentee ballot to the individual without further request for every succeeding election held in the same calendar year in which the request is made, or until the individual is no longer a qualified elector of the municipality or the individual otherwise requests. Currently, an elector who is indefinitely confined may file a single request to receive absentee ballots automatically for each election. If a confined elector fails to cast an absentee ballot, the municipal clerk or board of election commissioners notifies the elector that he or she will not receive absentee ballots for subsequent elections unless the elector reapplies to receive ballots within 30 days of receiving the notice. Currently, an overseas elector, as defined by state law, who requests an absentee ballot is sent an absentee ballot for all federal elections that occur in the same calendar year as the year in which the request is made, unless the elector otherwise requests. Current law directs municipal clerks and boards of election commissioners to send military electors, as defined by state law, absentee ballots for every election if they request a ballot for one election and to verify their military status without the necessity of making additional application. The clerk or board must discontinue sending absentee ballots to a military elector if the elector

so requests, the elector no longer qualifies as a military elector of the municipality, or the elector fails to return at least one of the ballots sent to the elector within a period that encompasses three successive general elections.

This substitute amendment directs a municipal clerk or board of election commissioners to send an absentee ballot to an individual who is a qualified elector of the municipality, other than a military elector or an overseas elector, as defined by state law, and who files a valid application to receive an absentee ballot for every election following receipt of the application until the individual no longer qualifies to receive a ballot, the individual requests not to receive ballots, or the individual fails to return absentee ballots that are mailed to the individual for two consecutive elections. Under the substitute amendment, a municipal clerk or board of election commissioners must attempt to notify any individual whose name is removed from the list of electors who automatically receive absentee ballots unless the individual requests that his or her name be removed. The individual may then request to continue to receive absentee ballots if he or she is qualified to do so. The substitute amendment also provides that an overseas elector, as defined by state law, who requests an absentee ballot shall be sent an absentee ballot for all federal elections that occur within the same year in which the ballot is requested or the subsequent year. These changes do not affect the current procedure for sending absentee ballots to military electors, as defined by state law.

2. Currently, all electors who cast an absentee ballot, whether by mail or in person at the office of the municipal clerk or board of election commissioners, must sign a certificate that is printed on the envelope into which they deposit their ballots. The certificate certifies, subject to criminal penalties, that the elector meets specific voting qualifications and personally voted the ballot secretly unless the elector required assistance. The certificate must be witnessed by one adult U.S. citizen who also signs the certificate and certifies subject to the same penalties that the elector's statements are true, the ballot was voted as stated, and the witness did not solicit or advise the elector in casting his or her votes. This substitute amendment provides that for an elector voting an absentee ballot in person at the office of the municipal clerk or board of election commissioners or an alternate site designated by a municipality, GAB may prescribe an envelope to be used in place of the statutory certificate envelope. No witness is required on such envelopes. The substitute amendment requires GAB's envelope to include the words "Official Absentee Ballot," the name of the municipality, and a space for the issuing clerk or deputy clerk to initial the envelope.

3. Currently, the governing body of a municipality may designate a single alternate site for absentee voting in person by electors of the municipality. If designated, this site serves in lieu of the office of the municipal clerk or board of election commissioners as the site where absentee voting is conducted for the election at which the designation is made.

This substitute amendment permits the governing body of a municipality to designate more than one alternate site for absentee voting in person by electors of the municipality. Under the substitute amendment, an alternate site may be used for absentee voting in addition to or in lieu of use of the office of the municipal clerk

or board of election commissioners. The substitute amendment also directs a municipality that designates an alternate site for absentee voting at an election to notify GAB in writing of its designation.

4. Currently, an elector who wishes to cast an absentee ballot must file a written, signed application, but the form of the application is not specified. This substitute amendment provides that an elector who wishes to cast an absentee ballot in person at the office of the municipal clerk or board of election commissioners or at an alternate site must apply on a form prescribed by GAB.

5. Currently, the municipal clerk or board of election commissioners of a municipality must begin distributing absentee ballots to electors who have requested them no later than the 30th day before each September primary and general election and no later than the 21st day before each other primary or election. This substitute amendment retains this requirement but provides that the period for absentee voting in person at the office of the clerk or board or an alternate site begins on the 21st day before each election and ends on the day before each election.

6. Currently, an elector who requests an absentee ballot in person or by mail must make written application and must sign the application. However, if an elector requests an absentee ballot by electronic mail or facsimile transmission, the elector need not file a written application but must enclose with his or her returned ballot a copy of a request for an absentee ballot together with his or her original signature. This substitute amendment deletes the requirement for electors who apply for an absentee ballot by electronic mail or facsimile transmission to provide a request and original signature when returning their ballots.

7. Under current law, any qualified absentee elector may request an absentee ballot by means of electronic mail or facsimile transmission. If an elector so requests, the elector must mail with his or her voted absentee ballot a copy of an absentee ballot application containing his or her original signature. In addition, an absentee elector may request that his or her absentee ballot be transmitted to him or her by electronic mail or facsimile transmission and a municipal clerk or board of election commissioners may transmit the ballot as requested. This substitute amendment provides that the municipal clerk or board of election commissioners must transmit the ballot if the clerk or board receives a valid request.

8. Current law permits a military or overseas elector, as defined in state law, to cast a vote in any general election in which a federal office is to be filled by writing in the name of a candidate on a blank absentee ballot form prescribed by the U.S. government and returning the ballot to the appropriate municipal clerk or board of election commissioners. This substitute amendment permits such a ballot to be cast at any election, including any primary election, at which a federal office is to be filled.

9. This substitute amendment directs GAB, with the assistance of county and municipal clerks and boards of election commissioners, to designate at least one freely accessible means of electronic communication which shall be used to: 1) permit a military or overseas elector, as defined by federal law, to request a voter registration or absentee ballot application and to indicate whether he or she wishes to receive the application electronically or by mail; and 2) permit a municipal clerk or board of election commissioners to transmit an application to a military or overseas elector,

as defined by federal law, electronically or by mail, as requested by the elector, together with related voting, balloting and election information. The substitute amendment also directs GAB, with the assistance of county and municipal clerks and boards of elections commissioners, to maintain a freely accessible system whereby a military or overseas elector who casts an absentee ballot may ascertain whether the ballot has been received by the appropriate municipal clerk or board. No similar provisions exist currently.

10. Under current federal law, states are required to transmit absentee ballots to military and overseas electors no later than 45 days before each federal election at which the electors are entitled to vote, if the electors have requested their ballots by that time. However, a state may request a hardship waiver from the federal government, for a single election only, if the state's primary election date does not permit compliance with this requirement and the state takes other actions to ensure expeditious delivery of absentee ballots to military and overseas electors. This substitute amendment directs GAB to report to the appropriate standing committees of the legislature no later than January 1, 2011, concerning GAB's recommended method for compliance with the federal timeline for the absentee voting process. To achieve compliance, this state will likely need to advance the date of the September primary, beginning in 2012.

11. Currently, an absentee ballot cast by an elector is void unless it is received at the polling place for the elector's residence by 8 p.m. on election night. However, state law provides that if an elector is a military elector, as defined by federal law, the elector has an additional ten days after the general election and 7 days after the September primary for the elector's ballot to be received by his or her municipality if the ballot is postmarked by election day. This substitute amendment extends a similar ten–day dispensation to military electors voting in the presidential preference primary or a special federal election.

12. Currently, an elector who is a military elector, as defined by state law, or an overseas elector, as defined by state law, and who applies for an absentee ballot no later than 30 days before an election may cast a blank write–in ballot at that election in lieu of the official printed ballot, for any candidates for federal office whose offices are contested at that election. The ballot is valid only if it is submitted from a location outside the United States. This substitute amendment permits such an elector to cast a blank write–in absentee ballot after official printed ballots become available if he or she applies for an absentee ballot no later than the latest time permitted for application for an absentee ballot under state law. The substitute amendment also permits a military elector to cast such a ballot even if the ballot is submitted from a location inside the United States, including the elector's permanent residence.

13. Currently, GAB must prescribe uniform instructions for absentee voters. This substitute amendment provides that the instructions must include the specific means of electronic communication that absentee voters may use to file an application for an absentee ballot, to request a voter registration form, or to change their registrations.

14. Currently, an individual may grant the power of attorney to another individual to act on his or her behalf under certain conditions specified by the grantor. This substitute amendment specifically permits an individual who has been granted the power of attorney to act on behalf of another individual and who has authority to act on the grantor's behalf to apply for an absentee ballot on behalf of the grantor if the grantor is unable to sign an application. The substitute amendment also permits such an individual to apply for an absentee ballot on behalf of a hospitalized elector and, if the elector is not registered, to sign the elector's voter registration form on his or her behalf. In addition, the substitute amendment provides that an individual who has been granted a power of attorney to act as the agent of an elector is not permitted to cast a ballot on behalf of the elector, but if the elector has difficulty reading, writing, or understanding English or due to disability is unable to mark a ballot, the elector may request assistance in marking his or her ballot from the agent or, with certain exceptions, from another individual.

15. Currently, the costs incurred by municipalities for mailing absentee ballots to electors and for return of the voted ballots to the municipalities is generally borne by the municipalities in which the electors reside. Postal regulations permit municipalities to use the postal system without charge for mailing and return of absentee ballots for armed forces members and certain other electors. This substitute amendment provides that if a municipality incurs costs for mailing and return of absentee ballots for electors, other than military or overseas electors, as defined by state law, who request that they be sent absentee ballots for multiple elections, the municipality may file a claim for reimbursement of those expenses with GAB and if GAB finds that the claim is substantiated, GAB must pay the claim from state general purpose revenue.

16. Current law permits a qualified elector to apply for an absentee ballot by mail, facsimile transmission, or electronic mail. The law also specifies deadlines for receipt of applications by mail. This substitute amendment provides that the deadlines for receipt of applications by facsimile transmission or electronic mail are the same as those for receipt of applications by mail.

17. This substitute amendment directs GAB to report to the appropriate standing committees of the legislature no later than March 1, 2011, concerning methods by which this state may be able to meet requirements for mailing and return of absentee ballots in a manner that will most effectively take advantage of potential savings that may be available to this state under applicable postal regulations.

Deceptive election practices

Currently, the statutes provide that no person may knowingly make or publish, or cause to be made or published, a false representation pertaining to a candidate or referendum that is intended to affect voting at an election. Violators may be fined not more than $1,000 or imprisoned for not more than six months, or both.

This substitute amendment prohibits any person, whether acting in an official capacity or otherwise, from intentionally deceiving any other person regarding the date, time, place, or manner of conducting an election; the qualifications for voting or restrictions on the eligibility of electors to vote in an election; or the endorsement of candidates by specified persons. Any person who violates the prohibition with

intent to prevent any person from exercising the right to vote in an election may be fined not more than $100,000 or imprisoned for not more than five years, or both.

The substitute amendment permits any person who is aggrieved by an alleged violation to obtain a court order restraining the violation. The substitute amendment also permits any person to file a sworn complaint with GAB alleging that a violation has occurred or is occurring. If GAB finds that the facts alleged in the complaint, if true, would constitute a violation, it must promptly investigate the complaint. If GAB finds that a violation has occurred or is occurring, GAB must take all measures necessary to provide correct information to electors who may have been deceived by the actions of the alleged violator and must refer the matter to the appropriate authority for prosecution.

The substitute amendment also directs GAB to promulgate rules concerning corrective measures that may be appropriate whenever violations occur. In addition, the substitute amendment directs GAB to report biennially to the appropriate standing committees of the legislature with regard to violations and actions taken in response to violations.

Voter intimidation, suppression, and protection

Currently, no person may make use of or threaten to make use of force, violence, or restraint in order to compel any person to vote or refrain from voting at an election, and no person may, by any act compel, induce, or prevail upon an elector to either vote or refrain from voting at any election for or against a particular candidate or question. Violators may be fined not more than $10,000 or imprisoned for not more than three years and six months, or both.

This substitute amendment provides that no person may make use of or threaten to make use of force, violence, restraint, or any tactic of coercion or intimidation in order to induce or compel any person to vote or refrain from voting or to refrain from registering to vote at an election, and no person may use or threaten to use force or violence or by use of any threat of any act of coercion or intimidation compel, induce, or prevail upon an elector either to vote or refrain from voting at any election for or against a candidate or question. Violators may be fined not more than $100,000 or imprisoned for not more than three years, or both.

The substitute amendment also provides that no person may knowingly attempt to prevent or deter another person from voting or registering to vote based upon fraudulent, deceptive, or spurious grounds or information. Violators may be fined not more than $50,000 or imprisoned for not more than two years, or both.

Currently, municipal clerks and boards of election commissioners are directed by law to post specified materials at each polling place. GAB is directed to publish a manual that may be easily understood by the general public explaining the duties of election officials. Currently, GAB is also directed to ensure that in any jurisdiction in this state that is required under federal law to provide voting materials in a language other than English, the voting system used in that jurisdiction is in compliance with federal law. There is no specific penalty for violations, but the requirements are enforceable administratively and through the court system.

This substitute amendment creates a voter's bill of rights and directs municipal clerks and boards of election commissioners to post a copy of the bill of rights at each

polling place unless otherwise permitted by GAB. The substitute amendment directs GAB to include a number of specific items in its manual. The substitute amendment also requires that at each polling place located in a jurisdiction that is required under federal law to provide voting materials in a language other than English, all required postings must be made in that language as well as in English unless otherwise permitted by GAB. See *Polling place posting requirements*, below. In addition, the substitute amendment directs the municipal clerk or board of election commissioners of any such jurisdiction to contact and coordinate with organizations that advocate for the rights of individuals who speak that language to ensure that each polling place in the jurisdiction adequately serves the needs of these individuals, and to endeavor to ensure that at least one of the election officials who serves at each polling place in the jurisdiction speaks that language. Violators are subject to a forfeiture (civil penalty) of not more than $500 for each violation.

The substitute amendment also permits, with limited exceptions, any elector of this state to sue for injunctive relief, a court order requiring or prohibiting certain action, or any other appropriate relief, to compel compliance with the substitute amendment's prohibitions and requirements relating to voter intimidation, suppression, and protection. Currently, an elector may be required to pursue administrative relief before filing suit, and in some cases must petition a district attorney or the attorney general to file suit on his or her behalf.

Residency of election officials

Currently, with certain exceptions, an election official who serves at a polling place must be an elector of the ward or election district served by the polling place. A special registration deputy who serves at a polling place may be an elector of another ward or election district within the municipality where the deputy serves. With certain limitations, a pupil who is 16 or 17 years of age may serve as an election official at the polling place serving his or her residence. A special voting deputy who supervises voting at a nursing home, retirement home, or community–based residential facility must be an elector of the municipality where the home or facility is located. An official who serves at a polling place may be replaced in case of a temporary vacancy by an individual who is an elector of a ward or election district other than a ward or election district that is served by the polling place where the individual serves. With certain limitations, a municipal clerk or deputy clerk who resides outside of a municipality may also serve as an election official in that municipality when required to fill a temporary vacancy.

This substitute amendment provides that an election official must be an elector of the county, or one of the counties, where the municipality where the official serves is located. Under the substitute amendment, a municipal clerk or deputy clerk who is an elector of this state may continue to serve as an election official in case of a temporary vacancy without regard to county residence. The substitute amendment permits a special voting deputy to be an elector of the county, or one of the counties, where the municipality in which the deputy serves is located. The substitute amendment also permits a pupil who is 16 or 17 years of age to serve as an election official at a polling place serving any municipality located wholly or partly within the county within which the pupil resides.

Polling place posting requirements

Currently, the law requires a number of notices to be posted at each polling place on election day. The notices include the date and hours of the election, sample ballots, local area maps, voting instructions, election fraud laws, warnings about mismarking ballots in ways that will void them, and other information prescribed by GAB. This substitute amendment adds two new posting requirements (see *Voter intimidation, suppression, and protection*, above). The substitute amendment also permits GAB, directly or by delegation to its legal counsel, to authorize another means of providing notice to affected electors of the information required to be posted, including the new information specified in the substitute amendment, if GAB determines that the alternative means of providing notice is at least as effective as posting.

Prosecution of civil prohibited practice offenses

Currently, with limited exceptions, prosecutions of prohibited election practice offenses are conducted by the appropriate district attorney, or in certain cases, by the attorney general. Most of these offenses are criminal, but a few of them are civil offenses. This substitute amendment provides that, with limited exceptions, prosecutions of civil prohibited election practice offenses, including the one created by this substitute amendment (see *Voter intimidation, suppression, and protection*, above), may be prosecuted either by GAB or by the appropriate district attorney.

Challenging the ballots of electors at polling places

Currently, any elector may challenge for cause the right of any other elector to vote at a polling place if the challenger knows or suspects that the challenged elector is not a qualified elector. The inspectors of election (poll workers) must then administer oaths to both the challenger and the challenged elector concerning the challenged elector's qualifications. If the inspectors receive the ballot of any elector who has been challenged, they must mark the ballot with the elector's serial number. If canvassing an election, a board of canvassers may review and decide any challenge and may count or reject a challenged ballot accordingly. If a petition for a recount is filed, the board of canvassers may again review and decide whether a challenged ballot is cast by a qualified elector and may count or reject the ballot accordingly. An elector may also challenge the ballot of an absent elector before the inspectors at a polling place or before a board of absentee ballot canvassers in municipalities where absentee ballots are not canvassed at polling places. The challenged elector need not be present when the challenge is made.

This substitute amendment provides that only an elector who resides in the same county as the one in which a challenged elector resides may challenge the ballot of that elector and, if the challenged elector is an elector of a first class city, only an elector who resides in the same aldermanic district as the one in which the challenged elector resides may challenge the ballot of that elector. The substitute amendment, however, permits a district attorney to challenge the ballot of any elector within the prosecutorial district served by the district attorney. The substitute amendment directs the inspectors or board of absentee ballot canvassers to require the challenging elector to provide proof of residence, as defined by law, when making a challenge.

Withholding of voluntarily provided elector information

Currently, GAB and municipal clerks must provide public access to information in their records unless otherwise provided by law or unless the custodian demonstrates that the public interest in withholding public access outweighs the strong public interest in providing that access. This substitute amendment provides that whenever GAB or a county or municipal clerk or board of election commissioners has the telephone number, facsimile transmission number, or electronic mail address of an elector that is voluntarily provided by the elector to GAB or to the clerk or board, GAB and the clerk and board are prohibited from providing access to that information except to election officials and employees to be used for the administration of elections.

Automatic tabulating equipment testing

Currently, if a municipality uses an electronic voting system at an election that employs automatic tabulating equipment, the municipal clerk or board of election commissioners must conduct a public test not more 10 days before the election to ensure that the equipment correctly counts votes. This substitute amendment permits the test to be conducted at any time after ballots become available prior to the date of the election.

Proof of residence

Currently, an elector must provide proof of residence in a form specified by law for various registration and voting purposes. The purposes include voter registration after the close of registration for an election (5 p.m. on the 20th day before the election) and voting for the first time in this state after registering by mail. In order for a specified form of proof to be valid, the proof must contain the current and complete name of the elector and the elector's current and complete address. However, if a student at a university, college, or technical college presents a fee or identification card, and the university, college, or technical college provides a current list of students residing in housing sponsored by the university, college, or technical college to a municipal clerk, and the municipal clerk, special registration deputy, or inspector (poll worker) verifies that the name of the student presenting a card appears on the list, the card need not contain the required information in order to be valid.

This substitute amendment provides that if an elector registers to vote at the office of the municipal clerk or board of election commissioners or an alternate absentee voting site when voting an absentee ballot in person (beginning on the 21st day before an election), the elector must provide proof of residence even if registration for that election has not closed when the elector registers to vote.

The substitute amendment also provides that a municipal clerk, special registration deputy, or inspector must accept a university, college, or technical college fee or identification card presented by a student as proof of residence for registration or voting at an election if the student's university, college, or technical college has provided to the municipal clerk a current list of students residing in housing sponsored by the university, college, or technical college and the student's name appears on the list.

Review of encumbrances and expenditures by Joint Committee on Finance

Currently, the the legislature has made appropriations to the GAB for the operation of the board in the current fiscal biennium. This substitute amendment does not change these appropriations. However, the substitute amendment provides that before GAB may encumber or expend any amount of money to implement or administer any provision of the act resulting from enactment of this substitute amendment, GAB's legal counsel must first notify the cochairpersons of the Joint Committee on Finance of the proposed encumbrance or expenditure. The proposed encumbrance or expenditure is then subject to approval of or modification by the committee, but the committee may waive its right to review any proposed encumbrance or expenditure.

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

SECTION 1. 5.05 (1) (e) of the statutes is amended to read:

5.05 **(1)** (e) Delegate to its legal counsel the authority to intervene in a civil action or proceeding under sub. (9), issue an order under s. 5.06, exempt a polling place from accessibility requirements under s. 5.25 (4) (a), permit a municipality to provide notices required at polling places by alternative means under s. 5.35 (6) (d), exempt a municipality from the requirement to use voting machines or an electronic voting system under s. 5.40 (5m), approve an electronic data recording system for maintaining poll lists under s. 6.79, ~~or~~ authorize nonappointment of an individual who is nominated to serve as an election official under s. 7.30 (4) (e), or review and investigate complaints received under s. 12.17 (4) and order corrective measures under s. 12.17 (5), subject to such limitations as the board deems appropriate.

SECTION 2. 5.05 (1) (f) of the statutes is amended to read:

5.05 **(1)** (f) Promulgate rules under ch. 227 applicable to all jurisdictions for the purpose of interpreting or implementing the laws regulating the conduct of elections or election campaigns or ensuring their proper administration, and shall promulgate rules to enforce ss. 5.25 (4) (b), 5.34, 5.35 (6) (a) 4c., 12.09, and 12.19 and rules

concerning the methods and means of providing corrective information to electors under s. 12.17 (5).

SECTION 3. 5.05 (13) (title) of the statutes is amended to read:

5.05 **(13)** (title) TOLL–FREE ELECTION INFORMATION ~~EXCHANGE~~ AND REQUESTS.

SECTION 4. 5.05 (13) (c) and (d) of the statutes are created to read:

5.05 **(13)** (c) The board shall maintain a freely accessible system under which a military elector or an overseas elector, as defined in s. 6.34 (1), who casts an absentee ballot may ascertain whether the ballot has been received by the appropriate municipal clerk.

(d) The board shall designate and maintain at least one freely accessible means of electronic communication which shall be used for the following purposes:

1. To permit a military elector or an overseas elector, as defined in s. 6.34 (1), to request a voter registration application or an application for an absentee ballot at any election at which the elector is qualified to vote in this state.

2. To permit a military elector or an overseas elector under subd. 1. to designate whether the elector wishes to receive the applications under subd. 1. electronically or by mail.

3. To permit a municipal clerk to transmit to a military elector or an overseas elector under subd. 1. a registration application or absentee ballot application electronically or by mail, as directed by the elector under subd. 2., together with related voting, balloting, and election information.

SECTION 5. 5.05 (16) of the statutes is created to read:

5.05 **(16)** INTERAGENCY AGREEMENTS. The board may enter into an agreement with any agency, as defined in s. 16.70 (1e), to enable electronic matching of publicly

available information in the records of the agency with records of the board to facilitate administration of elector registration by the board under s. 6.256 (1).

SECTION 6. 5.05 (17) of the statutes is created to read:

5.05 **(17)** AGREEMENTS WITH CERTAIN NONPROFIT ORGANIZATIONS. The board may enter into an agreement with any nationally focused nonprofit organization to enable matching of information in the records of that organization with with publicly available information in the records of the board to facilitate administration of elector registration by the board under s. 6.256 (1). Notwithstanding ss. 6.256 (12) and 6.36 (1) (b) 1. a., the agreement may also enable matching of information in the records of the board that the board obtained from the department of transportation. The agreement shall require nondisclosure of any information obtained by the board from the department of transportation.

SECTION 7. 5.056 of the statutes is amended to read:

5.056 Matching program with secretary of transportation. The administrator of the elections division of the board shall enter into the agreement with the secretary of transportation specified under s. 85.61 (1) to match personally identifiable information on the official registration list maintained by the board under s. 6.36 (1), the information specified in s. 6.34 (2m) and (2n), and other information specified in s. 6.256 (2) with personally identifiable information maintained by the department of transportation. Subject to s. 343.14 (2p) (b), the agreement shall provide for the electronic transfer of information under s. 6.256 (2) to the board on a continuous basis, no less often than monthly.

SECTION 8. 5.06 (2) of the statutes is amended to read:

5.06 **(2)** ~~No~~ Except as authorized in ss. 5.07 (2) and 12.17 (3), no person who is authorized to file a complaint under sub. (1), other than the attorney general or

a district attorney, may commence an action or proceeding to test the validity of any decision, action or failure to act on the part of any election official with respect to any matter specified in sub. (1) without first filing a complaint under sub. (1), nor prior to disposition of the complaint by the board. A complaint is deemed disposed of if the board fails to transmit an acknowledgment of receipt of the complaint within 5 business days from the date of its receipt or if the board concludes its investigation without a formal decision.

SECTION 9. 5.07 of the statutes is renumbered 5.07 (1).

SECTION 10. 5.07 (2) of the statutes is created to read:

5.07 **(2)** Whenever a violation of s. 5.25 (4) (b), 5.34 (1) to (6), 5.35 (6) (a) 4c., 7.08 (3), 12.09, or 12.19 occurs or is proposed to occur, any elector of this state may sue for injunctive relief, a writ of mandamus or prohibition, or such other legal or equitable relief as may be appropriate to compel compliance with the law. The action shall be filed in circuit court for the county where the violation occurs or is proposed to occur. In such actions, the court shall award costs and reasonable actual attorney fees to the plaintiff if the plaintiff prevails in the action.

SECTION 11. 5.25 (4) (b) of the statutes is amended to read:

5.25 **(4)** (b) In any jurisdiction that is subject to the requirement under 42 USC 1973aa–1a to provide voting materials in ~~any~~ a language other than English, the board shall, for each such language, ensure that the notices specified in s. 5.35 (6) are given in that language and the voting system used at each polling place in that jurisdiction is in compliance with 42 USC 1973aa–1a.

SECTION 12. 5.25 (4) (c) of the statutes is created to read:

5.25 **(4)** (c) In any jurisdiction that is subject to the requirement under 42 USC 1973aa–1a to provide voting materials in a language other than English, the

municipal clerk or board of election commissioners shall, for each such language, contact and coordinate with organizations that advocate for the rights of individuals who speak that language to ensure that each polling place in the jurisdiction adequately serves the needs of those individuals and shall endeavor to ensure that at least one of the election officials who serves at each polling place in the jurisdiction speaks that language.

SECTION 13. 5.34 of the statutes is created to read:

5.34 Voter's bill of rights. Every qualified elector has the right to:

(1) Inspect a sample ballot before voting.

(2) Cast a ballot if he or she is in line when his or her polling place closes.

(3) Ask for and receive assistance in voting, including assistance in a language other than English if the elector resides in a jurisdiction where voting materials must be provided in that language under 42 USC 1073aa–1a.

(4) Receive a replacement ballot, up to 3 ballots in all, if he or she spoils a ballot before casting that ballot.

(5) Cast a provisional ballot whenever permitted under s. 6.96 or 6.97.

(6) Vote free from coercion or intimidation by any election official or other person.

(7) Cast a ballot using voting materials or equipment that enables the elector's ballot to be counted accurately.

SECTION 14. 5.35 (6) (a) (intro.) of the statutes is amended to read:

5.35 **(6)** (a) (intro.) ~~At~~ Except as authorized under par. (d), at each polling place in the state, the municipal clerk or board of election commissioners shall post the following materials, positioned so that they may be readily observed by electors entering the polling place or waiting in line to vote:

SECTION 15. 5.35 (6) (a) 4c. of the statutes is created to read:

5.35 **(6)** (a) 4c. A copy of the voter's bill of rights under s. 5.34.

SECTION 16. 5.35 (6) (a) 5. of the statutes is amended to read:

5.35 **(6)** (a) 5. Any other voting information directed ~~to be posted~~ by the board to be posted, or noticed under par. (d).

SECTION 17. 5.35 (6) (b) of the statutes is amended to read:

5.35 **(6)** (b) ~~At~~ Except as authorized under par. (d), at each polling place in the state where a consolidated ballot under s. 5.655 is used or an electronic voting system is utilized at a partisan primary election incorporating a ballot upon which electors may mark votes for candidates of more than one recognized political party or for candidates of a recognized political party and independent candidates, the municipal clerk or board of election commissioners shall prominently post a sign in the form prescribed by the board warning electors in substance that on any ballot with votes cast for candidates of more than one recognized political party or any ballot with votes cast for candidates of a recognized political party and independent candidates, no votes cast for any candidates for partisan office will be counted unless a preference for a party or for the independent candidates is made. If the elector designates a preference, only votes cast for candidates of that preference will be counted.

SECTION 18. 5.35 (6) (c) of the statutes is amended to read:

5.35 **(6)** (c) ~~At~~ Except as authorized in par. (d), at each polling place located in a municipality that is served by more than one polling place for an election, the municipal clerk or board of election commissioners shall prominently post a map of the geographic area served by the polling place for that election. The posting shall clearly show the boundaries of the ward or wards served by the polling place for that election.

SECTION 19. 5.35 (6) (d) of the statutes is created to read:

5.35 **(6)** (d) As an alternative to any posting requirement under this subsection, the board may authorize another means of providing notice to affected electors of the information specified in this subsection if the board determines that an alternative means of providing the information will provide notice to affected electors of that information that is at least as effective as posting. Any authorization under this paragraph shall be in writing and shall specify the particular alternative means of notification of electors that may be used by a municipality.

SECTION 20. 5.68 (8) of the statutes is created to read:

5.68 **(8)** Any municipality that incurs postage costs for mailing and return of absentee ballots for electors who request under s. 6.86 (2m) that they be sent absentee ballots for multiple elections may file a claim with the board for reimbursement of those costs. The claim shall be accompanied by appropriate substantiation of all postage costs incurred. The board shall audit the claim and, if the board finds that the costs have been incurred by the municipality, and the costs would not have been incurred but for the requirement under s. 6.86 (2m) for municipalities to pay for the mailing and return of absentee ballots for electors who request that they be sent absentee ballots for multiple elections, the board shall reimburse the municipality for those postal costs. No claim is payable under this subsection unless the claim is filed with the board, together with appropriate substantiation, within 60 days following the date of the election at which the costs were incurred.

SECTION 21. 5.84 (1) of the statutes is amended to read:

5.84 **(1)** Where any municipality employs an electronic voting system which utilizes automatic tabulating equipment, either at the polling place or at a central

counting location, the municipal clerk shall, on any day ~~not more than 10 days~~ after ballots become available prior to the date of the election ~~day on~~ at which the equipment is to be utilized, have the equipment tested to ascertain that it will correctly count the votes cast for all offices and on all measures. Public notice of the time and place of the test shall be given by the clerk at least 48 hours prior to the test by publication of a class 1 notice under ch. 985 in one or more newspapers published within the municipality if a newspaper is published therein, otherwise in a newspaper of general circulation therein. The test shall be open to the public. The test shall be conducted by processing a preaudited group of ballots so marked as to record a predetermined number of valid votes for each candidate and on each referendum. The test shall include for each office one or more ballots which have votes in excess of the number allowed by law and, for a partisan primary election, one or more ballots which have votes cast for candidates of more than one recognized political party, in order to test the ability of the automatic tabulating equipment to reject such votes. If any error is detected, the municipal clerk shall ascertain the cause and correct the error. The clerk shall make an errorless count before the automatic tabulating equipment is approved by the clerk for use in the election.

SECTION 22. 6.22 (2) (e) of the statutes is created to read:

6.22 **(2)** (e) A military elector may file an application for an absentee ballot by means of electronic mail or facsimile transmission in the manner prescribed in s. 6.86 (1) (ac). Upon receipt of a valid application, the municipal clerk shall send the elector an absentee ballot or, if the elector so requests, shall transmit an absentee ballot to the elector by means of electronic mail or facsimile transmission in the manner prescribed in s. 6.87 (3) (d).

SECTION 23. 6.22 (4) (a) of the statutes is amended to read:

6.22 **(4)** (a) A request for an absentee ballot by an individual who qualifies as a military elector shall be treated as a request for an absentee ballot for all elections unless the individual otherwise requests. Upon receiving a timely request for an absentee ballot under par. (b) by an individual who qualifies as a military elector, the municipal clerk shall send or transmit to the elector an absentee ballot for all elections that occur in the municipality or portion thereof where the elector resides beginning on the date that the clerk receives the request.

SECTION 24. 6.22 (4) (e) of the statutes is amended to read:

6.22 **(4)** (e) Whenever the material is mailed, the material shall be prepared and mailed to make use of the federal free postage laws. If the material does not qualify for mailing without postage under federal free postage laws, the municipal clerk shall pay the postage required for mailing to the military elector. If the return envelope qualifies for mailing free of postage under federal free postage laws, the clerk shall affix the appropriate legend required by U.S. postal regulations. Otherwise the municipal clerk shall pay the postage required for return when the ballot is mailed from within the United States. If the ballot is not mailed by the military elector from within the United States the military elector shall provide return postage. ~~The mailing list established under this subsection shall be kept current in the same manner as provided in s. 6.86 (2) (b).~~

SECTION 25. 6.22 (6) of the statutes is amended to read:

6.22 **(6)** MILITARY ELECTOR LIST. Each municipal clerk shall keep an up–to–date list of all eligible military electors who reside in the municipality~~; city clerks shall keep the lists by wards~~ in the format prescribed by the board. The list shall contain the name, latest–known military residence and military mailing address of each military elector. The list shall indicate whether each elector whose name appears on

the list is a military elector, as defined in s. ~~6.36 (2) (c)~~ 6.34 (1), and has so certified under s. 6.865 (3m). All persons over 18 years of age or who will be 18 years old prior to an election shall be listed and remain on the list for the duration of their tour of duty. The list shall be kept current through all possible means. Each clerk shall exercise reasonable care to avoid duplication of names or listing anyone who is not eligible to vote. Each clerk shall distribute ~~2 copies of~~ one copy of the list to the ~~appropriate ward~~ each polling place in the municipality for use on election day.

SECTION 26. 6.221 (1) of the statutes is amended to read:

6.221 **(1)** In this section, "military elector" has the meaning given in s. ~~6.36 (2) (c)~~ 6.34 (1) and active duty status for any election is determined as of election day.

SECTION 27. 6.221 (3) (b) of the statutes is amended to read:

6.221 **(3)** (b) At the general election, the presidential preference primary, or a special election for national office, a ballot that is cast under s. 6.22 by an elector who is a military elector, that is received by mail from the U.S. postal service, and that is postmarked no later than election day shall be counted as provided in this section if it is received by a municipal clerk no later than 5 p.m. on the 10th day after the election.

SECTION 28. 6.24 (3) of the statutes is amended to read:

6.24 **(3)** REGISTRATION. The overseas elector shall register in the municipality where he or she was last domiciled or where the overseas elector's parent was last domiciled on a form prescribed by the board designed to ascertain the elector's qualifications under this section. The form shall be substantially similar to the original form under s. 6.33 (1), insofar as applicable. Registration shall be accomplished in accordance with s. 6.30 (4) or (5).

SECTION 29. 6.24 (4) (c) of the statutes is amended to read:

6.24 **(4)** (c) Upon receipt of a timely application from an individual who qualifies as an overseas elector and who has registered to vote in a municipality under sub. (3), the municipal clerk of the municipality shall send an absentee ballot to the individual for all subsequent elections for national office to be held during the year in which the ballot is requested and the subsequent calendar year except as otherwise provided in this paragraph, unless the individual otherwise requests or until the individual no longer qualifies as an overseas elector. of the municipality. The clerk shall not send an absentee ballot for an election if the overseas elector's name appeared on the registration list in eligible status for a previous election following the date of the application but no longer appears on the list in eligible status. The municipal clerk shall ensure that the envelope containing the absentee ballot is clearly marked as not forwardable. If an overseas elector who files an application under this subsection no longer resides at the same address that is indicated on the application form, the elector shall so notify the municipal clerk. The municipal clerk shall discontinue mailing absentee ballots to an overseas elector under this subsection if the elector fails to return any absentee ballot mailed to the elector. The municipal clerk shall notify the elector of any such action not taken at the elector's request within 5 days, if possible. An overseas elector who fails to cast an absentee ballot but who remains qualified to receive absentee ballots under this subsection may then receive absentee ballots for subsequent elections by notifying the municipal clerk that the elector wishes to continue receiving absentee ballots for subsequent elections.

SECTION 30. 6.24 (4) (e) of the statutes is created to read:

6.24 **(4)** (e) An overseas elector may file an application for an absentee ballot by means of electronic mail or facsimile transmission in the manner prescribed in s.

6.86 (1) (ac). Upon receipt of a valid application, the municipal clerk shall send the elector an absentee ballot or, if the elector so requests, shall transmit an absentee ballot to the elector by means of electronic mail or facsimile transmission in the manner prescribed in s. 6.87 (3) (d).

SECTION 31. 6.25 (1) of the statutes is amended to read:

6.25 **(1)** Any individual who qualifies as a military elector under s. 6.22 (1) (b) or an overseas elector under s. 6.24 (1) and who transmits an application for an official absentee ballot for ~~a general election~~ an election for national office, including a primary election, no later than ~~30 days before election day~~ the latest time specified for the elector in s. 6.86 (1) (b) may, in lieu of the official ballot, cast a federal write–in absentee ballot prescribed under 42 USC 1973ff–2 for any candidate or for all of the candidates of any recognized political party for national office listed on the official ballot at ~~the general~~ that election if the federal write–in absentee ballot is received by the appropriate municipal clerk no later than the applicable time prescribed in s. 6.221 (3) or 6.87 (6).

SECTION 32. 6.25 (4) (intro.), (a) and (b) of the statutes are consolidated, renumbered 6.25 (4) and amended to read:

6.25 **(4)** A write–in absentee ballot issued under sub. (1), (2) or (3) is valid only if ~~all of the following apply: (a) The ballot is submitted from a location outside the United States. (b) The~~ the elector submitting the ballot does not submit an official ballot within the time prescribed in s. 6.87 (6) and, if the elector is an overseas elector, the ballot is submitted from a location outside the United States.

SECTION 33. 6.256 of the statutes is created to read:

6.256 Board shall facilitate registration of electors. (1) Except as provided for electors specified in sub. (9) and as otherwise expressly provided, the

board shall use all feasible means to facilitate the registration of all eligible electors of this state who are subject to a registration requirement and the maintenance of the registration of all eligible electors for so long as they remain eligible.

(2) Subject to s. 343.14 (2p) (b), for the purpose of carrying out its functions under sub. (1), the board shall obtain the following information from the department of transportation, to the extent that the department has the information:

(a) The full name of each individual who holds a current operator's license issued to the individual under ch. 343 or a current identification card issued to the individual under s. 343.50, together with the following information pertaining to that individual:

1. The current address of the individual together with any address history and any name history maintained by the department of transportation.

2. The date of birth of the individual.

3. The number of the license or identification card issued to the individual.

4. The individual's citizenship and any information pertaining to that citizenship and whether the individual provided proof of citizenship or other attestation of citizenship to the department of transportation.

(b) For each item of information specified in this subsection, the most recent date that the item of information was provided or obtained by the department of transportation.

(3) The board shall compare the information obtained under sub. (2) with the information in the registration list under s. 6.36 (1) (a) and shall update that information, correct inaccuracies in that information, and eliminate duplications in the list.

(4) Except as provided in sub. (9) and this subsection, if the board concludes that an individual appears eligible to vote in this state but is not registered, and the board has obtained from reliable sources all the information required under s. 6.33 (1) to complete the individual's registration, the board shall enter the individual's name on the registration list. If the board has not obtained from reliable sources all the information pertaining to an individual that is required under s. 6.33 (1), the board shall attempt to obtain from reliable sources the necessary information under s. 6.33 (1) that is required to complete the individual's registration. If a municipality has changed the status of an elector from eligible to ineligible under s. 6.50 (1) and the elector's eligibility, name, or residence have not changed, the board shall not change the individual's name to eligible status unless the board first verifies that the individual is eligible and wishes to change his or her status to eligible.

(5) The board shall attempt to contact individuals described in sub. (4) if necessary to obtain all the information specified in s. 6.33 (1) pertaining to the individual that is required to complete the individual's registration.

(6) If the board is able to obtain all the required information specified in s. 6.33 (1) pertaining to an individual, the board shall enter the name of the individual on the registration list maintained under s. 6.36 (1) (a).

(7) If an individual's name is entered on the registration list by initiative of the board, the individual's registration is not valid until the individual confirms the registration under this subsection on a form prescribed by the board. If any information obtained by the board is not correct or accurate as of the confirmation date, the individual shall correct the information before confirming his or her registration. The confirmation shall affirm that all information is correct and

accurate as of the date of confirmation, subject to all penalties prescribed by law for falsifying information or registration. An individual may confirm his or her registration by any of the following means:

(a) By electronic means on the Internet using a secure procedure prescribed by the board.

(b) By mail.

(c) By appearing in person at the office of the municipal clerk serving the municipality where the elector resides or at the polling place serving his or her residence.

(8) If an elector does not confirm a registration that has been entered by the board under sub. (6), the board may contact the elector in the manner determined by the board to obtain confirmation of or any necessary correction to the elector's registration. If an elector does not confirm a registration that has been entered by the board within 60 days after the board enters the elector's registration under sub. (6), the board shall promptly contact the elector to obtain confirmation of or any necessary correction to the elector's registration.

(9) Any individual may file a request with the board to exclude his or her name from the registration list. Any individual whose name is added to the registration list by the board may file a request with the board or a municipal clerk to have his or her name deleted from the list. A request for exclusion or deletion shall be filed in the manner prescribed by the board. An individual who files an exclusion or deletion request under this subsection may revoke his or her request by the same means that an individual may request an exclusion or deletion. The board shall ensure that the name of any individual who has filed an exclusion or deletion request under this subsection is excluded from the registration list or if the individual's name

appears on the list, is removed from the registration list and is not added to the list at any subsequent time unless the individual files a revocation of his or her request under this subsection.

(10) If the board removes from the registration list the name of an elector who does not request that his or her name be deleted, other than to correct an entry that the board positively determines to be a duplication or to change the name of an individual who is verified to be deceased to ineligible status, the board shall mail the individual a notice of the removal or change in status by 1st class postcard at the individual's last–known address. The notice shall provide that the individual may apply to have his or her status changed to eligible if he or she is a qualified elector.

(11) The board shall attempt to facilitate the initial registration of all eligible electors, except as otherwise provided in this section, no later than July 1, 2015.

(12) The board shall maintain the confidentiality of all information obtained from the department of transportation under sub. (2) and may use this information only for the purpose of carrying out its functions under sub. (1) and s. 6.34 (2m) and (2n) and in accordance with the agreement under s. 85.61 (1).

SECTION 34. 6.275 (1) (b) of the statutes is amended to read:

6.275 **(1)** (b) The total number of electors of the municipality residing in that county who were ~~preregistered~~ registered or who confirmed their registrations on the deadline specified in s. 6.28 (1), including valid mail registrations which are postmarked by that day and valid electronic registrations entered under s. 6.30 (5).

SECTION 35. 6.275 (1) (c) of the statutes is amended to read:

6.275 **(1)** (c) The total number of electors of the municipality residing in that county who registered or confirmed their registrations after the close of registration and prior to the day of the primary or election under ss. 6.29 and 6.86 (3) (a) 2.

SECTION 36. 6.275 (1) (d) of the statutes is amended to read:

6.275 **(1)** (d) The total number of electors of the municipality residing in that county who registered or confirmed their registrations on the day of the primary or election under ss. 6.55 and 6.86 (3) (a) 2.

SECTION 37. 6.28 (1) of the statutes is amended to read:

6.28 **(1)** REGISTRATION LOCATIONS; DEADLINE. Except as authorized in ss. 6.29, 6.55 (2), and 6.86 (3) (a) 2., registration in person for any election shall close at 5 p.m. on the 3rd Wednesday preceding the election. Registrations made by mail under s. 6.30 (4) must be delivered to the office of the municipal clerk or postmarked no later than the 3rd Wednesday preceding the election. Electronic registrations for an election under s. 6.30 (5) shall close at midnight on the 3rd Wednesday preceding the election. All applications for registration corrections and additions and registration confirmations may be made throughout the year at the office of the city board of election commissioners, at the office of the municipal clerk, at the office of the county clerk, or at other locations provided by the board of election commissioners or the common council in cities over 500,000 population or by either or both the municipal clerk, or the common council, village or town board in all other municipalities and may also be made during the school year at any high school by qualified persons under sub. (2) (a). Other registration locations may include but are not limited to fire houses, police stations, public libraries, institutions of higher education, supermarkets, community centers, plants and factories, banks, savings and loan associations and savings banks. Special registration deputies shall be appointed for each location unless the location can be sufficiently staffed by the board of election commissioners or the municipal clerk or his or her deputies. An elector who wishes

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

SECTION 38. 6.28 (4) of the statutes is amended to read:

6.28 **(4)** AT THE OFFICE OF THE COUNTY CLERK. Any person shall be given an opportunity to register to vote or to file a registration confirmation form under s. 6.256 (7) at the office of the county clerk for the county in which the person's residence is located. An applicant for registration may complete the required registration form under s. 6.33. Unless the county clerk performs registration functions for the municipality where the elector resides under s. 6.33 (5) (b), the county clerk shall forward ~~the~~ each form submitted by an elector to the appropriate municipal clerk, or to the board of election commissioners in cities over 500,000 population within 5 days of receipt. The clerk shall forward the form immediately whenever registration closes within 5 days of receipt.

SECTION 39. 6.29 (1) of the statutes is amended to read:

6.29 **(1)** No names may be added to a registration list for any election after the close of registration, except as authorized under this section or s. 6.55 (2) or 6.86 (3) (a) 2. Any person whose name is not on the registration list but who is otherwise a qualified elector and any elector whose name appears on the registration list but whose registration has not been confirmed is entitled to vote at the election upon compliance with this section.

SECTION 40. 6.29 (2) (a) of the statutes is amended to read:

6.29 **(2)** (a) Any qualified elector of a municipality who has not previously filed a registration form or whose name does not appear on the registration list of the municipality may register and any elector whose name appears on the registration list but whose registration has not been confirmed may confirm his or her

registration after the close of registration but not later than 5 p.m. or the close of business, whichever is later, on the day before an election at the office of the municipal clerk and at the office of the clerk's agent if the clerk delegates responsibility for electronic maintenance of the registration list to an agent under s. 6.33 (5) (b). ~~The~~ An elector whose name does not appear on the registration list shall complete, in the manner provided under s. 6.33 (2), a registration form containing all information required under s. 6.33 (1). The registration form shall also contain the following certification: "I, ..., hereby certify that, to the best of my knowledge, I am a qualified elector, having resided at ... for at least 10 days immediately preceding this election, and I have not voted at this election". ~~The~~ An elector who registers or confirms his or her registration shall also provide proof of residence under s. 6.34. Alternatively, if the elector is unable to provide proof of residence under s. 6.34, the information contained in the registration form shall be corroborated in a statement that is signed by any other elector of the municipality and that contains the current street address of the corroborating elector. The corroborating elector shall then provide proof of residence under s. 6.34. If the elector is registering or confirming his or her registration after the close of registration for the general election and the elector presents a valid driver's license issued by another state, the municipal clerk or agent shall record on a separate list the name and address of the elector, the name of the state, and the license number and expiration date of the license.

SECTION 41. 6.29 (2) (b) of the statutes is amended to read:

6.29 **(2)** (b) Upon the filing of the registration form or confirmation form required by this section, the municipal clerk or clerk's agent under s. 6.33 (5) (b) shall offer to provide the elector with an absentee ballot. If the elector does not cast an

absentee ballot at the office of the municipal clerk or agent, the clerk or agent shall issue a certificate containing the name and address of the elector addressed to the inspectors of the proper ward or election district directing that the elector be permitted to cast his or her vote if the elector complies with all requirements for voting at the polling place. The certificate shall be numbered serially, prepared in duplicate and one copy preserved in the office of the municipal clerk.

SECTION 42. 6.29 (2) (d) of the statutes is amended to read:

6.29 **(2)** (d) The inspectors shall record the names of electors who present certificates in person ~~or for whom certificates are presented with absentee ballots~~ under this section on the list maintained under s. 6.56 (1). ~~These names shall then be added to the registration list if the electors are qualified.~~

SECTION 43. 6.29 (2) (e) of the statutes is created to read:

6.29 **(2)** (e) The municipal clerk or clerk's agent shall promptly add the names of qualified electors who register and vote under this section to the registration list. The clerk or clerk's agent shall add the names of qualified electors who vote at their polling places in the manner prescribed in s. 6.33 (5) (a).

SECTION 44. 6.30 (1) of the statutes is amended to read:

6.30 **(1)** IN PERSON. An elector shall apply for registration in person, except as provided under ~~sub.~~ subs. (4) and (5) and s. 6.86 (3) (a) 2.

SECTION 45. 6.30 (5) of the statutes is created to read:

6.30 **(5)** BY ELECTRONIC APPLICATION. Any eligible elector who holds a current and valid operator's license issued under ch. 343 or a current and valid identification card issued under s. 343.50 may register electronically in the manner prescribed by the board. The board shall maintain on the Internet a secure registration form that enables the elector to enter all required information electronically. The board shall

prescribe, by rule, the manner and method of electronic application under this subsection, together with requirements for affirmation and verification of elector information and the method for receipt of electronic registration forms. The elector information shall include all information specified for the electronic registration form under s. 6.33 (1). The board shall also permit an elector who has a current and valid operator's license issued to the elector under ch. 343 or a current and valid identification card issued under s. 343.50 to make changes in his or her registration authorized under s. 6.40 (1) at the same Internet site that is used for original registration.

SECTION 46. 6.32 (1) of the statutes is amended to read:

6.32 **(1)** Upon receipt of a registration form that is submitted by mail under s. 6.30 (4) or by electronic application under s. 6.30 (5) or that is submitted by a special registration deputy appointed under s. 6.26, the board or municipal clerk shall examine the form for sufficiency.

SECTION 47. 6.33 (1) of the statutes is amended to read:

6.33 **(1)** The board shall prescribe the format, size, and shape of nonelectronic registration forms. All nonelectronic forms shall be printed on cards and each item of information shall be of uniform font size, as prescribed by the board. Except as provided in this subsection, electronic registration forms shall contain the same information as the nonelectronic forms, together with any additional information specified by the board under s. 6.30 (5). The municipal clerk shall supply sufficient nonelectronic forms to meet voter registration needs. ~~The~~ All registration forms shall be designed to obtain from each applicant information as to name; date; residence location; citizenship; date of birth; age; the number of a valid operator's license issued to the elector under ch. 343 or the last 4 digits of the elector's social

security account number; whether the applicant has resided within the ward or election district for at least 10 days; whether the applicant has been convicted of a felony for which he or she has not been pardoned, and if so, whether the applicant is incarcerated, or on parole, probation, or extended supervision; whether the applicant is disqualified on any other ground from voting; and whether the applicant is currently registered to vote at any other location. ~~The~~ Except as authorized by rule under s. 6.30 (5), the form shall include a space for the applicant's signature and the signature of any corroborating elector. The nonelectronic form shall include a space to enter the name of any special registration deputy under s. 6.26 or 6.55 (6) or inspector, municipal clerk, or deputy clerk under s. 6.55 (2) who obtains the form and a space for the deputy, inspector, clerk, or deputy clerk to sign his or her name, affirming that the deputy, inspector, clerk, or deputy clerk has accepted the form. The form shall include a space for entry of the ward and aldermanic district, if any, where the elector resides and any other information required to determine the offices and referenda for which the elector is certified to vote. The form shall also include a space where the clerk may record an indication of whether the form is received by mail or by electronic application, a space where the clerk may record an indication of the type of identifying document submitted by the elector as proof of residence under s. 6.34 or an indication that the elector's information in lieu of proof of residence was verified under s. 6.34 (2m), whenever required, and a space where the clerk, for any applicant who possesses a valid voting identification card issued to the person under s. 6.47 (3), may record the identification serial number appearing on the voting identification card. Each county clerk shall obtain sufficient registration forms for completion by an elector who desires to register to vote at the office of the county clerk under s. 6.28 (4).

SECTION 48. 6.33 (2) (a) of the statutes is amended to read:

6.33 **(2)** (a) All information may be recorded by any person, except that the ward and aldermanic district, if any, other geographic information under sub. (1), the indication of whether the registration is received by mail or by electronic application, the type of identifying document submitted by the elector as proof of residence under s. 6.34 or the indication of verification of information in lieu of proof of residence under s. 6.34 (2m), whenever required, and any information relating to an applicant's voting identification card shall be recorded by the clerk. ~~Each~~ Except as authorized under s. 6.30 (5), each applicant shall sign his or her own name unless the applicant is unable to sign his or her name due to physical disability. In such case, the applicant may authorize another elector to sign the form on his or her behalf. If the applicant so authorizes, the elector signing the form shall attest to a statement that the application is made upon request and by authorization of a named elector who is unable to sign the form due to physical disability.

SECTION 49. 6.33 (5) (a) of the statutes is amended to read:

6.33 **(5)** (a) Except as provided in par. (b), whenever a municipal clerk receives a valid registration or valid change of a name or address under an existing registration or a change of information when a registration is confirmed under s. 6.256 (7) and whenever a municipal clerk changes a person's registration from eligible to ineligible status, the municipal clerk shall promptly enter electronically on the list maintained by the board under s. 6.36 (1) the information required under that subsection, except ~~that the~~ as provided in this paragraph. The municipal clerk may update any entries that change on the date of an election ~~in the municipality~~ other than a general election within 30 days after ~~that~~ the date~~, and the~~ of that election, and shall update any entries that change on the date of a general election

within 45 days after the date of that election, except that the legal counsel of the board may, upon application of a municipal clerk, permit the clerk to update entries that change on the date of a general election within 60 days after that election. The municipal clerk shall provide to the board information that is confidential under s. 6.47 (2) in such manner as the board prescribes.

SECTION 50. 6.34 (2) of the statutes is amended to read:

6.34 **(2)** Except as authorized in ss. 6.29 (2) (a) and 6.86 (3) (a) 2., upon completion of a registration form prescribed under s. 6.33 or registration confirmation form under s. 6.256 (7), each elector who is required to register under s. 6.27, who is not a military elector or an overseas elector and who registers or confirms his or her registration after the close of registration under s. 6.29 or 6.86 (3) (a) 2. or who registers at the office of the municipal clerk when voting an absentee ballot in person, shall provide an identifying document that establishes proof of residence under sub. (3). ~~Each~~ Except as authorized in subs. (2m) and (2n), each elector other than a military elector or an overseas elector who is required to register under s. 6.27 ~~who is not a military elector or an overseas elector,~~ who registers by mail or by electronic application or confirms a registration entered by the board, and who has not voted in an election in this state shall, if voting in person, provide an identifying document that establishes proof of residence under sub. (3) or, if voting by absentee ballot, provide a copy of an identifying document that establishes proof of residence under sub. (3). If the elector registered by mail or by electronic application or the elector is confirming a registration entered by the board, the identifying document may not be a residential lease.

SECTION 51. 6.34 (2m) of the statutes is created to read:

6.34 **(2m)** If an elector who registers by electronic application under s. 6.30 (5) would otherwise be required to provide proof of residence under sub. (2) but provides, in lieu of proof of residence, the number of a current and valid operator's license issued under ch. 343 together with the elector's name and date of birth, and if the board is able to verify the information provided by the elector electronically at the time of registration or voting, the elector is not required to provide proof of residence.

SECTION 52. 6.34 (2n) of the statutes is created to read:

6.34 **(2n)** If an elector who confirms a registration that has been entered by the board under s. 6.256 (7) would otherwise be required to provide proof of residence under sub. (2) but provides, in lieu of proof of residence, the number of a current and valid operator's license issued under ch. 343 or the last 4 digits of the elector's social security account number together with the elector's name and date of birth, and the board is able to verify the information electronically at the time of confirmation or voting, the elector is not required to provide proof of residence.

SECTION 53. 6.34 (3) (a) 7. of the statutes is amended to read:

6.34 **(3)** (a) 7. A university, college, or technical college fee or identification card that contains a photograph of the cardholder. ~~A card under this subdivision that does not contain the information specified in par. (b) shall be considered proof of residence if the university, college, or technical college that issued the card provides a certified and current list of students who reside in housing sponsored by the university, college, or technical college to the municipal clerk prior to the election showing the current address of the students and if the municipal clerk, special registration deputy, or inspector verifies that the student presenting the card is included on the list.~~

SECTION 54. 6.34 (3) (b) (intro.) of the statutes is amended to read:

6.34 **(3)** (b) (intro.) ~~The~~ Except as provided in par. (d), identifying documents prescribed in par. (a) shall contain all of the following in order to be considered proof of residence:

SECTION 55. 6.34 (3) (d) of the statutes is created to read:

6.34 **(3)** (d) The municipal clerk and the inspectors of election shall accept a university, college, or technical college fee or identification card that contains a photograph of the cardholder as proof of residence at any election regardless of whether the card contains the information specified in par. (b) if the university, college, or technical college that issued the card provides to the municipal clerk, for use at the election, a certified copy of a current list of students who reside in housing sponsored by the university, college, or technical college showing the names and current addresses of the students. Upon presentation of such a card, the municipal clerk, special registration deputy, or inspector shall verify that the name of the student presenting the card is included on the list.

SECTION 56. 6.34 (4) of the statutes is created to read:

6.34 **(4)** The board shall maintain a system that electronically verifies, on an instant basis, the validity of the information specified in sub. (2m) and (2n) submitted by an elector who confirms a registration or who registers electronically with the information maintained by the department of transportation pursuant to the board's agreement with the secretary of transportation under s. 5.056.

SECTION 57. 6.35 (1) (intro.) of the statutes is amended to read:

6.35 **(1)** (intro.) Under the direction of the municipal clerk or board of election commissioners, the original registration forms shall be filed in one of the following ways, except as provided in ~~sub.~~ subs. (1m) and (2):

SECTION 58. 6.35 (2) of the statutes is created to read:

6.35 **(2)** The board shall prescribe, by rule, the procedure and methods by which municipal clerks and boards of election commissioners shall maintain records of registrations that are entered electronically under s. 6.30 (5).

SECTION 59. 6.36 (1) (a) of the statutes is amended to read:

6.36 **(1)** (a) The board shall compile and maintain electronically an official registration list. The list shall contain the name and address of each registered elector in the state, the date of birth of the elector, the ward and aldermanic district of the elector, if any, and, for each elector, a unique registration identification number assigned by the board, the number of a valid operator's license issued to the elector under ch. 343, if any, or the last 4 digits of the elector's social security account number, if any, any identification serial number issued to the elector under s. 6.47 (3), the date of any election in which the elector votes, an indication of whether the elector is a military elector, as defined in ~~sub. (2) (c)~~ s. 6.34 (1), who has so certified under s. 6.865 (3m), an indication of whether the elector is an overseas elector, as defined in s. 6.24 (1), any information relating to the elector that appears on the current list transmitted to the board by the department of corrections under s. 301.03 (20m), an indication of any accommodation required under s. 5.25 (4) (a) to permit voting by the elector, an indication of the method by which the elector's registration form was received, if any information in the elector's registration was obtained by initiative of the board, whether the registration of the individual has been confirmed under s. 6.256 (7), and such other information as may be determined by the board to facilitate administration of elector registration requirements.

SECTION 60. 6.36 (1) (b) 1. a. of the statutes is amended to read:

6.36 **(1)** (b) 1. a. ~~No~~ Except as provided in par. (bm), no person other than an employee of the board, a county clerk, a deputy county clerk, an executive director

of a county board of election commissioners, a deputy designated by the executive director, a municipal clerk, a deputy municipal clerk, an executive director of a city board of election commissioners, or a deputy designated by the executive director may view the ~~date of birth~~ birthday, operator's license number, or social security account number of an elector, the address of an elector to whom an identification serial number is issued under s. 6.47 (3), or any indication of an accommodation required under s. 5.25 (4) (a) to permit voting by an elector.

SECTION 61. 6.36 (1) (bm) of the statutes is created to read:

6.36 **(1)** (bm) 1. In this paragraph, "state authority" has the meaning given in s. 19.62 (8).

2. Except as provided in s. 6.256 (12), the board may transfer any information in the official registration list to which access is restricted under par. (b) 1. a. to any state authority or to a subunit of the state government of another state.

SECTION 62. 6.36 (2) (a) of the statutes is amended to read:

6.36 **(2)** (a) Except as provided in par. (b), each registration list prepared for use as a poll list at a polling place or for purposes of canvassing absentee ballots at an election shall contain the full name and address of each registered elector; a blank column for the entry of the serial number of the electors when they vote or the poll list number used by the municipal board of absentee ballot canvassers in canvassing absentee ballots; an indication whether the registration of an elector has been confirmed under s. 6.256 (7), if confirmation is required; an indication next to the name of each elector for whom proof of residence under s. 6.34 is required; and a form of certificate bearing the certification of the administrator of the elections division of the board stating that the list is a true and complete registration list of the municipality or the ward or wards for which the list is prepared.