

AB 7  
enrolling  
cont.

1 by the elector and returned to the municipal clerk either by mail or by personal  
2 delivery of the agent; but if the ballot is returned on the day of the election, the agent  
3 shall make personal delivery to the polling place serving the hospitalized elector's  
4 residence before the closing hour or, in municipalities where absentee ballots are  
5 canvassed under s. 7.52, to the municipal clerk no later than 8 p.m. on election day.

6 **SECTION 62.** 6.869 of the statutes is amended to read:

7 **6.869 Uniform instructions.** The board shall prescribe uniform instructions  
8 for municipalities to provide to absentee voters. electors. The instructions shall  
9 include information concerning whether proof of identification is required to be  
10 presented or enclosed under s. 6.86 (1) (ar) or 6.87 (4) (b) 1. The instructions also shall  
11 include information concerning the procedure for correcting errors in marking a  
12 ballot and obtaining a replacement for a spoiled ballot. The procedure shall, to the  
13 extent possible, respect the privacy of each elector and preserve the confidentiality  
14 of each elector's vote.

15 **SECTION 63.** 6.87 (1) of the statutes is amended to read:

16 6.87 (1) Upon proper request made within the period prescribed in s. 6.86, the  
17 municipal clerk or a deputy clerk authorized by the municipal clerk shall write on  
18 the official ballot, in the space for official endorsement, the clerk's initials and official  
19 title. Unless application is made under s. 6.86 (1) (ac) or in person under s. 6.86 (1)  
20 (ar), the absent elector is exempted from providing proof of identification under sub.  
21 (4) (b) 2. or 3., or the applicant is a military or overseas elector, the absent elector shall  
22 enclose a copy of his or her proof of identification or any authorized substitute  
23 document with his or her application. The municipal clerk shall verify that the name  
24 on the proof of identification conforms to the name on the application. The clerk shall  
25 not issue an absentee ballot to an elector who is required to enclose a copy of proof

1 of identification or an authorized substitute document with his or her application  
2 unless the copy is enclosed and the proof is verified by the clerk.

3 **SECTION 64.** 6.87 (2) of the statutes is amended to read:

4 6.87 (2) Except as authorized under sub. (3) (d), the municipal clerk shall place  
5 the ballot in an unsealed envelope furnished by the clerk. The envelope shall have  
6 the name, official title and post-office address of the clerk upon its face. The other  
7 side of the envelope shall have a printed certificate which shall include a space for  
8 the municipal clerk or deputy clerk to enter his or her initials indicating that if the  
9 absentee elector voted in person under s. 6.86 (1) (ar), the elector presented proof of  
10 identification to the clerk and the clerk verified the proof presented. The certificate  
11 shall also include a space for the municipal clerk or deputy clerk to enter his or her  
12 initials indicating that the elector is exempt from providing proof of identification  
13 because the individual is a military or overseas elector or is exempted from providing  
14 proof of identification under sub. (4) (b) 2. or 3. The certificate shall be in  
15 substantially the following form:

16 [STATE OF ....

17 County of ....]

18 or

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

20 I, ....., certify subject to the penalties of s. 12.60 (1) (b), Wis. Stats., for false  
21 statements, that I am a resident of the [... ward of the] (town) (village) of ....., or of  
22 the .... aldermanic district in the city of ....., residing at ....\* in said city, the county  
23 of ....., state of Wisconsin, and am entitled to vote in the (ward) (election district) at  
24 the election to be held on ....; that I am not voting at any other location in this election;  
25 that I am unable or unwilling to appear at the polling place in the (ward) (election

1 district) on election day or have changed my residence within the state from one ward  
2 or election district to another ~~within 10~~ later than 28 days before the election. I certify  
3 that I exhibited the enclosed ballot unmarked to the witness, that I then in (his) (her)  
4 presence and in the presence of no other person marked the ballot and enclosed and  
5 sealed the same in this envelope in such a manner that no one but myself and any  
6 person rendering assistance under s. 6.87 (5), Wis. Stats., if I requested assistance,  
7 could know how I voted.

8 Signed ....

9 Identification serial number, if any: ....

10 The witness shall execute the following:

11 I, the undersigned witness, subject to the penalties of s. 12.60 (1) (b), Wis.  
12 Stats., for false statements, certify that I am an adult U.S. citizen and that the above  
13 statements are true and the voting procedure was executed as there stated. I am not  
14 a candidate for any office on the enclosed ballot (except in the case of an incumbent  
15 municipal clerk). I did not solicit or advise the elector to vote for or against any  
16 candidate or measure.

17 ....(Name)

18 ....(Address)\*\*

19 \* — An elector who provides an identification serial number issued under s.  
20 6.47 (3), Wis. Stats., need not provide a street address.

21 \*\* — If this form is executed before 2 special voting deputies under s. 6.875 (6),  
22 Wis. Stats., both deputies shall witness and sign.

23 **SECTION 65.** 6.87 (3) (d) of the statutes is amended to read:

24 6.87 (3) (d) A municipal clerk ~~may~~ shall, if the clerk is reliably informed by an  
25 absent elector of a facsimile transmission number or electronic mail address where

1 the elector can receive an absentee ballot, transmit a facsimile or electronic copy of  
2 the absent elector's ballot to that elector in lieu of mailing under this subsection if,  
3 ~~in the judgment of the clerk, the time required to send the ballot through the mail~~  
4 ~~may not be sufficient to enable return of the ballot by the time provided under sub-~~  
5 ~~(6).~~ An elector may receive an absentee ballot ~~under this subsection~~ only if the elector  
6 has filed a valid application for the ballot under s. 6.86 (1). If the clerk transmits an  
7 absentee ballot ~~under this paragraph~~ to an absent elector electronically, the clerk  
8 shall also transmit a facsimile or electronic copy of the text of the material that  
9 appears on the certificate envelope prescribed in sub. (2), together with instructions  
10 prescribed by the board. The instructions shall require the absent elector to make  
11 and subscribe to the certification as required under sub. (4) ~~(b)~~ and to enclose the  
12 absentee ballot in a separate envelope contained within a larger envelope, that shall  
13 include the completed certificate. The elector shall then affix sufficient postage  
14 unless the absentee ballot qualifies for mailing free of postage under federal free  
15 postage laws and shall mail the absentee ballot to the municipal clerk. Except as  
16 authorized in s. 6.97 (2), an absentee ballot received ~~under this paragraph~~ from an  
17 elector who receives the ballot electronically shall not be counted unless it is cast in  
18 the manner prescribed in this paragraph and sub. (4) and in accordance with the  
19 instructions provided by the board.

20 **SECTION 66.** 6.87 (4) of the statutes is renumbered 6.87 (4) (b) 1. and amended  
21 to read:

22 6.87 (4) (b) 1. Except as otherwise provided in s. 6.875, the elector voting  
23 absentee shall make and subscribe to the certification before one witness who is an  
24 adult U.S. citizen. The absent elector, in the presence of the witness, shall mark the  
25 ballot in a manner that will not disclose how the elector's vote is cast. The elector

1 shall then, still in the presence of the witness, fold the ballots so each is separate and  
2 so that the elector conceals the markings thereon and deposit them in the proper  
3 envelope. If a consolidated ballot under s. 5.655 is used, the elector shall fold the  
4 ballot so that the elector conceals the markings thereon and deposit the ballot in the  
5 proper envelope. ~~If proof of residence is required~~ Except as authorized in subs. 2,  
6 to 5, and s. 6.875 (6) and notwithstanding s. 343.43 (1) (f), if the elector has not  
7 enclosed a copy of his or her proof of identification with his or her application, the  
8 elector shall enclose a copy of the proof of identification in the manner provided in  
9 sub. (1) in the envelope, unless the elector is a military elector or an overseas elector  
10 or the elector has a confidential listing under s. 6.47 (2). If proof of residence under  
11 s. 6.34 is required and the document enclosed by the elector under this subdivision  
12 does not constitute proof of residence under s. 6.34, the elector shall also enclose proof  
13 of residence under s. 6.34 in the envelope. Proof of residence is required if the elector  
14 is not a military elector or an overseas elector, ~~as defined in s. 6.34 (1)~~, and the elector  
15 registered by mail and has not voted in an election in this state. If the elector  
16 requested a ballot by means of facsimile transmission or electronic mail under s. 6.86  
17 (1) (ac), the elector shall enclose in the envelope a copy of the request which bears an  
18 original signature of the elector. The elector may receive assistance under sub. (5).  
19 The return envelope shall then be sealed. The witness may not be a candidate. The  
20 envelope shall be mailed by the elector, or delivered in person, to the municipal clerk  
21 issuing the ballot or ballots. If the envelope is mailed from a location outside the  
22 United States, the elector shall affix sufficient postage unless the ballot qualifies for  
23 delivery free of postage under federal law. Failure to return an unused ballot in a  
24 primary does not invalidate the ballot on which the elector's votes are cast. Return  
25 of more than one marked ballot in a primary or return of a ballot prepared under s.

1 5.655 or a ballot used with an electronic voting system in a primary which is marked  
2 for candidates of more than one party invalidates all votes cast by the elector for  
3 candidates in the primary.

4 **SECTION 67.** 6.87 (4) (a) of the statutes is created to read:

5 6.87 (4) (a) In this subsection:

6 1. “Military elector” has the meaning given in s. 6.34 (1) (a).

7 2. “Overseas elector” has the meaning given in s. 6.34 (1) (b).

8 **SECTION 68.** 6.87 (4) (b) 2. of the statutes is created to read:

9 6.87 (4) (b) 2. Unless subd. 3. applies, if the absentee elector has applied for and  
10 qualified to receive absentee ballots automatically under s. 6.86 (2) (a), the elector  
11 may, in lieu of providing a copy of proof of identification as required under subd. 1.,  
12 submit with his or her absentee ballot a statement signed by the same individual who  
13 witnesses voting of the ballot which contains the name and address of the elector and  
14 verifies that the name and address are correct.

15 **SECTION 69.** 6.87 (4) (b) 3. of the statutes is created to read:

16 6.87 (4) (b) 3. If the absentee elector has received an absentee ballot from the  
17 municipal clerk by mail for a previous election, has provided a copy of proof of  
18 identification as required under subd. 1. with that ballot, and has not changed his  
19 or her name or address since providing that proof of identification, the elector is not  
20 required to provide a copy of the proof of identification required under subd. 1.

21 **SECTION 70.** 6.87 (4) (b) 4. of the statutes is created to read:

22 6.87 (4) (b) 4. If the absentee elector has received a citation or notice of intent  
23 to revoke or suspend an operator’s license from a law enforcement officer in any  
24 jurisdiction that is dated within 60 days of the date of the election and is required  
25 to surrender his or her operator’s license or driving receipt issued to the elector under

1 ch. 343 at the time the citation or notice is issued, the elector may enclose a copy of  
2 the citation or notice in lieu of a copy of an operator's license or driving receipt issued  
3 under ch. 343 if the elector is voting by mail, or may present an original copy of the  
4 citation or notice in lieu of an operator's license or driving receipt under ch. 343 if the  
5 elector is voting at the office of the municipal clerk.

6 **SECTION 71.** 6.87 (4) (b) 5. of the statutes is created to read:

7 6.87 (4) (b) 5. Unless subd. 3. or 4. applies, if the absentee elector resides in a  
8 qualified retirement home, as defined in s. 6.875 (1) (at), a qualified  
9 community-based residential facility, as defined in s. 6.875 (1) (as), a residential care  
10 apartment complex that is certified or registered under s. 50.034 (1), or an adult  
11 family home that is certified under s. 50.032 or licensed under s. 50.033 and the  
12 municipal clerk or board of election commissioners of the municipality where the  
13 complex, facility, or home is located does not send special voting deputies to visit the  
14 complex, facility, or home at the election under s. 6.875, the elector may, in lieu of  
15 providing proof of identification required under subd. 1., submit with his or her  
16 absentee ballot a statement signed by the same individual who witnesses voting of  
17 the ballot that contains the certification of an authorized representative of the  
18 complex, facility, or home that the elector resides in the complex, facility, or home and  
19 the complex, facility, or home is certified or registered as required by law, that  
20 contains the name and address of the elector, and that verifies that the name and  
21 address are correct.

22 **SECTION 72.** 6.87 (6) of the statutes is amended to read:

23 6.87 (6) Except as provided in s. 6.221 (3), the ballot shall be returned so it is  
24 received by the municipal clerk no later than 8 p.m. on election day. Except in  
25 municipalities where absentee ballots are canvassed under s. 7.52, if the municipal

1 clerk receives an absentee ballot on election day, the clerk shall secure the ballot and  
2 cause the ballot to be delivered to the polling place serving the elector’s residence  
3 before the closing hour. Except as provided in s. 6.221 (3), ~~the~~ any ballot not mailed  
4 or delivered as provided in this subsection may not be counted.

5 **SECTION 73.** 6.875 (title) of the statutes is amended to read:

6 **6.875 (title)** ~~Absentee voting in nursing and retirement~~ certain homes  
7 ~~and certain community-based residential, facilities, and complexes.~~

8 **SECTION 74.** 6.875 (1) (ap) and (asm) of the statutes are created to read:

9 6.875 (1) (ap) “Qualified adult family home” means a facility that is certified  
10 or licensed to operate as an adult family home under s. 50.032 or 50.033 that qualifies  
11 under sub. (2) (d) to utilize the procedures under this section.

12 (asm) “Qualified residential care apartment complex” means a facility that is  
13 certified or registered to operate as a residential care apartment complex under s.  
14 50.034 (1) that qualifies under sub. (2) (d) to utilize the procedures under this section.

15 **SECTION 75.** 6.875 (2) (a) of the statutes is amended to read:

16 6.875 (2) (a) The procedures prescribed in this section are the exclusive means  
17 of absentee voting for electors who are occupants of nursing homes, qualified  
18 community-based residential facilities ~~or~~, qualified retirement homes, qualified  
19 residential care apartment complexes, and qualified adult family homes.

20 **SECTION 76.** 6.875 (2) (d) of the statutes is created to read:

21 6.875 (2) (d) The municipal clerk or board of election commissioners of any  
22 municipality where a residential care apartment complex certified or registered  
23 under s. 50.034 (1) or an adult family home certified under s. 50.032 or licensed under  
24 s. 50.033 is located may adopt the procedures under this section for absentee voting  
25 in any such residential care apartment complex or adult family home located in the



1 municipality if the municipal clerk or board of election commissioners finds that  
2 there are a significant number of the occupants of the complex or home who lack  
3 adequate transportation to the appropriate polling place, a significant number of the  
4 occupants of the complex or home may need assistance in voting, there are a  
5 significant number of the occupants of the complex or home aged 60 or over, or there  
6 are a significant number of indefinitely confined electors who are occupants of the  
7 complex or home.

8 **SECTION 77.** 6.875 (3) and (4) of the statutes are amended to read:

9 6.875 (3) An occupant of a nursing home or qualified retirement home ~~or,~~  
10 qualified community-based residential facility, qualified residential care apartment  
11 complex, or qualified adult family home who qualifies as an absent elector and  
12 desires to receive an absentee ballot shall make application under s. 6.86 (1), (2), or  
13 (2m) with the municipal clerk or board of election commissioners of the municipality  
14 in which the elector is a resident. The clerk or board of election commissioners of a  
15 municipality receiving an application from an elector who is an occupant of a nursing  
16 home or qualified retirement home ~~or,~~ qualified community-based residential  
17 facility, qualified residential care apartment complex, or qualified adult family home  
18 located in a different municipality shall, as soon as possible, notify and transmit an  
19 absentee ballot for the elector to the clerk or board of election commissioners of the  
20 municipality in which the home ~~or qualified community-based residential,~~ facility  
21 or complex is located. The clerk or board of election commissioners of a municipality  
22 receiving an application from an elector who is an occupant of a nursing home or  
23 qualified retirement home ~~or,~~ qualified community-based residential facility,  
24 qualified residential care apartment complex, or qualified adult family home located  
25 in the municipality but who is a resident of a different municipality shall, as soon as

1 possible, notify and request transmission of an absentee ballot from the clerk or  
2 board of election commissioners of the municipality in which the elector is a resident.  
3 The clerk or board of election commissioners shall make a record of all absentee  
4 ballots to be transmitted, delivered, and voted under this section.

5 (4) (a) For the purpose of absentee voting in nursing homes ~~and~~, qualified  
6 retirement homes ~~and~~, qualified community-based residential facilities, qualified  
7 residential care apartment complexes, and qualified adult family homes, the  
8 municipal clerk or board of election commissioners of each municipality in which one  
9 or more nursing homes ~~or~~, qualified retirement homes ~~or~~, qualified  
10 community-based residential facilities, qualified residential care apartment  
11 complexes, or qualified adult family homes are located shall appoint at least 2 special  
12 voting deputies for the municipality. Upon application under s. 6.86 (1), (2), or (2m)  
13 by one or more qualified electors who are occupants of a ~~nursing home or qualified~~  
14 ~~retirement home or qualified community-based residential~~, facility, or complex, the  
15 municipal clerk or board of election commissioners of the municipality in which the  
16 home ~~or~~, facility, or complex is located shall dispatch 2 special voting deputies to visit  
17 the home ~~or qualified community-based residential~~, facility, or complex for the  
18 purpose of supervising absentee voting procedure by occupants of the home ~~or~~  
19 ~~qualified community-based residential~~, facility, or complex. The clerk shall  
20 maintain a list, available to the public upon request, of each ~~nursing home or~~  
21 ~~qualified retirement home or qualified community-based residential~~, facility, or  
22 complex where an elector has requested an absentee ballot. The list shall include the  
23 date and time the deputies intend to visit each home ~~or~~, facility, or complex. The 2  
24 deputies designated to visit each nursing home ~~or~~, qualified retirement home ~~or~~,  
25 qualified community-based residential facility, qualified residential care apartment

1 complex, and qualified adult family home shall be affiliated with different political  
2 parties whenever deputies representing different parties are available.

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

14 **SECTION 78.** 6.875 (6) (a) and (b) of the statutes are amended to read:

15 6.875 (6) (a) Special voting deputies in each municipality shall, not later than  
16 5 p.m. on the Friday preceding an election, arrange one or more convenient times  
17 with the administrator of each nursing home, qualified retirement home, ~~and~~  
18 qualified community-based residential facility, qualified residential care apartment  
19 complex, and qualified adult family home in the municipality from which one or more  
20 occupants have filed an application under s. 6.86 to conduct absentee voting for the  
21 election. The time may be no earlier than the 4th Monday preceding the election and  
22 no later than 5 p.m. on the Monday preceding the election. The municipal clerk shall  
23 post a notice at the home ~~or~~, facility, or complex indicating the date and time that  
24 absentee voting will take place at that home ~~or~~, facility, or complex. The notice shall  
25 be posted as soon as practicable after arranging the visit but in no case less than 24

1 hours before the visit. At the designated time, 2 deputies appointed under sub. (4)  
2 shall visit the home ~~or~~ facility, or complex.

3 (b) The municipal clerk or executive director of the board of election  
4 commissioners shall issue a supply of absentee ballots to the deputies sufficient to  
5 provide for the number of valid applications for an absentee ballot received by the  
6 clerk, and a reasonable additional number of ballots. The deputies may exercise the  
7 authority granted to the chief inspector under s. 7.41 to regulate the conduct of  
8 observers. For purposes of the application of s. 7.41, the home ~~or~~ facility, or complex  
9 shall be treated as a polling place. The municipal clerk or executive director shall  
10 keep a careful record of all ballots issued to the deputies and shall require the  
11 deputies to return every ballot issued to them.

12 **SECTION 79.** 6.875 (6) (c) 1. of the statutes is amended to read:

13 6.875 (6) (c) 1. Upon their visit to the home ~~or~~ facility, or complex under par.  
14 (a), the deputies shall personally offer each elector who has filed a proper application  
15 for an absentee ballot the opportunity to cast his or her absentee ballot. In lieu of  
16 providing a copy of proof of identification under s. 6.87 (4) (b) 1. with his or her  
17 absentee ballot, the elector may submit with his or her ballot a statement signed by  
18 both deputies that contains the name and address of the elector and verifies that the  
19 name and address are correct. The deputies shall enclose the statement in the  
20 certificate envelope. If an elector presents proof of identification under s. 6.87 (4) (b)  
21 1., the deputies shall make a copy of the document presented by the elector and shall  
22 enclose the copy in the certificate envelope. If an elector is present who has not filed  
23 a proper application for an absentee ballot, the 2 deputies may accept an application  
24 from the elector and shall issue a ballot to the elector if the elector is qualified, the  
25 elector presents proof of identification, whenever required, or submits a statement

1 containing his or her name and address under this subdivision, and the application  
2 is proper. The deputies shall each witness the certification and may, upon request  
3 of the elector, assist the elector in marking the elector's ballot. All voting shall be  
4 conducted in the presence of the deputies. Upon request of the elector, a relative of  
5 the elector who is present in the room may assist the elector in marking the elector's  
6 ballot. No individual other than a deputy may witness the certification and no  
7 individual other than a deputy or relative of an elector may render voting assistance  
8 to the elector.

9 **SECTION 80.** 6.875 (6) (c) 2. of the statutes is amended to read:

10 6.875 **(6)** (c) 2. Upon the request of a relative of an occupant of a nursing home  
11 ~~or~~, qualified retirement home ~~or~~, qualified community-based residential facility,  
12 qualified residential care apartment complex, or qualified adult family home, the  
13 administrator of the home ~~or~~, facility, or complex may notify the relative of the time  
14 or times at which special voting deputies will conduct absentee voting at the home  
15 ~~or~~, facility, or complex and permit the relative to be present in the room where the  
16 voting is conducted.

17 **SECTION 81.** 6.875 (6) (e) of the statutes is amended to read:

18 6.875 **(6)** (e) If a qualified elector is not able to cast his or her ballot on 2 separate  
19 visits by the deputies to the home ~~or~~, facility, or complex, the deputies shall so inform  
20 the municipal clerk or executive director of the board of election commissioners, who  
21 may then send the ballot to the elector no later than 5 p.m. on the Friday preceding  
22 the election.

23 **SECTION 82.** 6.875 (7) of the statutes is amended to read:

24 6.875 **(7)** One observer from each of the 2 recognized political parties whose  
25 candidate for governor or president received the greatest number of votes in the

1 municipality at the most recent general election may accompany the deputies to each  
2 home ~~or~~, facility, or complex where absentee voting will take place under this section.  
3 The observers may observe the process of absentee ballot distribution in the common  
4 areas of the home ~~or~~, facility, or complex. Each party wishing to have an observer  
5 present shall submit the name of the observer to the clerk or board of election  
6 commissioners no later than the close of business on the last business day prior to  
7 the visit.

8 **SECTION 83.** 6.88 (3) (a) of the statutes is amended to read:

9 6.88 (3) (a) Except in municipalities where absentee ballots are canvassed  
10 under s. 7.52, at any time between the opening and closing of the polls on election day,  
11 the inspectors shall, in the same room where votes are being cast, in such a manner  
12 that members of the public can hear and see the procedures, open the carrier  
13 envelope only, and announce the name of the absent elector or the identification  
14 serial number of the absent elector if the elector has a confidential listing under s.  
15 6.47 (2). When the inspectors find that the certification has been properly executed,  
16 the applicant is a qualified elector of the ward or election district, and the applicant  
17 has not voted in the election, they shall enter an indication on the poll list next to the  
18 applicant's name indicating an absentee ballot is cast by the elector. They shall then  
19 open the envelope containing the ballot in a manner so as not to deface or destroy the  
20 certification thereon. The inspectors shall take out the ballot without unfolding it  
21 or permitting it to be unfolded or examined. Unless the ballot is cast under s. 6.95,  
22 the inspectors shall verify that the ballot has been endorsed by the issuing clerk. If  
23 the poll list indicates that proof of residence under s. 6.34 is required and no proof  
24 of residence is enclosed or the name or address on the document that is provided is  
25 not the same as the name and address shown on the poll list, or if the elector is not

1 a military elector, as defined in s. 6.34 (1) (a), or an overseas elector, as defined in s.  
2 6.34 (1) (b), and the elector is required to provide a copy of proof of identification  
3 under s. 6.87 (4) (b) 1. and no copy of the proof of identification is enclosed or the name  
4 on the document cannot be verified by the inspectors, the inspectors shall proceed as  
5 provided under s. 6.97 (2). The inspectors shall then deposit the ballot into the proper  
6 ballot box and enter the absent elector's name or voting number after his or her name  
7 on the poll list in the same manner as if the elector had been present and voted in  
8 person.

9 **SECTION 84.** 6.92 (1) of the statutes is amended to read:

10 6.92 (1) Except as provided in sub. (2), each inspector shall challenge for cause  
11 any person offering to vote whom the inspector knows or suspects is not a qualified  
12 elector or who does not adhere to any voting requirement under this chapter. If a  
13 person is challenged as unqualified by an inspector, one of the inspectors shall  
14 administer the following oath or affirmation to the person: "You do solemnly swear  
15 (or affirm) that you will fully and truly answer all questions put to you regarding your  
16 place of residence and qualifications as an elector of this election"; and shall then ask  
17 questions which are appropriate as determined by the board, by rule, to test the  
18 person's qualifications.

19 **SECTION 85.** 6.94 of the statutes is amended to read:

20 **6.94 Challenged elector oath.** If the person challenged refuses to answer  
21 fully any relevant questions put to him or her by the inspector under s. 6.92, the  
22 inspectors shall reject the elector's vote. If the challenge is not withdrawn after the  
23 person offering to vote has answered the questions, one of the inspectors shall  
24 administer to the person the following oath or affirmation: "You do solemnly swear  
25 (or affirm) that: you are 18 years of age; you are a citizen of the United States; you

1 are now and for ~~40~~ 28 consecutive days have been a resident of this ward except under  
2 s. 6.02 (2); you have not voted at this election; you have not made any bet or wager  
3 or become directly or indirectly interested in any bet or wager depending upon the  
4 result of this election; you are not on any other ground disqualified to vote at this  
5 election”. If the person challenged refuses to take the oath or affirmation, the  
6 person’s vote shall be rejected. If the person challenged answers fully all relevant  
7 questions put to the elector by the inspector under s. 6.92, takes the oath or  
8 affirmation, and fulfills the applicable registration requirements, and if the answers  
9 to the questions given by the person indicate that the person meets the voting  
10 qualification requirements, the person’s vote shall be received.

11 **SECTION 86.** 6.965 of the statutes is created to read:

12 **6.965 Voting procedure for electors presenting citation or notice in**  
13 **lieu of license or receipt.** Whenever any elector is allowed to vote at a polling place  
14 under s. 6.79 (7) by presenting a citation or notice of intent to revoke or suspend an  
15 operator’s license in lieu of an operator’s license or driving receipt issued to the  
16 elector under ch. 343, the inspectors shall, before giving the elector a ballot, write on  
17 the back of the ballot the serial number of the elector corresponding to the number  
18 kept at the election on the poll list or other list maintained under s. 6.79 and the  
19 notation “s. 6.965.” If voting machines are used in the municipality where the elector  
20 is voting, the elector’s vote may be received only upon an absentee ballot furnished  
21 by the municipal clerk which shall have the notation “s. 6.965” written on the back  
22 of the ballot by the inspectors before the ballot is given to the elector. If the municipal  
23 clerk receives an absentee ballot from an elector who presents a citation or notice,  
24 or copy thereof, under s. 6.87 (4) (b) 4., the clerk shall enter a notation on the  
25 certificate envelope “Ballot under s. 6.965, stats.” Upon receiving the envelope, the



1 inspectors shall open and write on the back of the ballot the serial number of the  
2 elector corresponding to the number kept at the election on the poll list or other list  
3 maintained under s. 6.79 and the notation “s. 6.965.” The inspectors shall indicate  
4 on the poll list or other list maintained under s. 6.79 the fact that the elector is voting  
5 by using a citation or notice in lieu of a license or driving receipt. The inspectors shall  
6 then deposit the ballot. The ballot shall then be counted under s. 5.85, or under s.  
7 7.51 or 7.52.

8 **SECTION 87.** 6.97 (title) of the statutes is amended to read:

9 **6.97 (title) Voting procedure for individuals not providing required**  
10 **proof of residence or identification.**

11 **SECTION 88.** 6.97 (1) of the statutes is amended to read:

12 6.97 (1) Whenever any individual who is required to provide proof of residence  
13 under s. 6.34 in order to be permitted to vote appears to vote at a polling place and  
14 cannot provide the required proof of residence, the inspectors shall offer the  
15 opportunity for the individual to vote under this section. Whenever any individual,  
16 other than a military elector, as defined in s. 6.34 (1) (a), or an overseas elector, as  
17 defined in s. 6.34 (1) (b), or an elector who has a confidential listing under s. 6.47 (2),  
18 appears to vote at a polling place and does not present proof of identification under  
19 s. 6.79 (2), whenever required, the inspectors or the municipal clerk shall similarly  
20 offer the opportunity for the individual to vote under this section. If the individual  
21 wishes to vote, the inspectors shall provide the elector with an envelope marked  
22 “Ballot under s. 6.97, stats.” on which the serial number of the elector is entered and  
23 shall require the individual to execute on the envelope a written affirmation stating  
24 that the individual is a qualified elector of the ward or election district where he or  
25 she offers to vote and is eligible to vote in the election. The inspectors shall, before

1 giving the elector a ballot, write on the back of the ballot the serial number of the  
2 individual corresponding to the number kept at the election on the poll list or other  
3 list maintained under s. 6.79 and the notation “s. 6.97”. If voting machines are used  
4 in the municipality where the individual is voting, the individual’s vote may be  
5 received only upon an absentee ballot furnished by the municipal clerk which shall  
6 have the corresponding number from the poll list or other list maintained under s.  
7 6.79 and the notation “s. 6.97” written on the back of the ballot by the inspectors  
8 before the ballot is given to the elector. When receiving the individual’s ballot, the  
9 inspectors shall provide the individual with written voting information prescribed  
10 by the board under s. 7.08 (8). The inspectors shall indicate on the list the fact that  
11 the individual is required to provide proof of residence or proof of identification under  
12 s. 6.79 (2) but did not do so. The inspectors shall notify the individual that he or she  
13 may provide proof of residence or proof of identification to the municipal clerk or  
14 executive director of the municipal board of election commissioners. The inspectors  
15 shall also promptly notify the municipal clerk or executive director of the name,  
16 address, and serial number of the individual. The inspectors shall then place the  
17 ballot inside the envelope and place the envelope in a separate carrier envelope.

18 **SECTION 89.** 6.97 (2) of the statutes is amended to read:

19 6.97 (2) Whenever any individual who votes by absentee ballot is required to  
20 provide proof of residence in order to be permitted to vote and does not provide the  
21 required proof of residence under s. 6.34, the inspectors shall treat the ballot as a  
22 provisional ballot under this section. Whenever any individual, other than a military  
23 elector, as defined in s. 6.34 (1) (a), or an overseas elector, as defined in s. 6.34 (1) (b),  
24 an individual who has a confidential listing under s. 6.47 (2), or an individual who  
25 is exempted under s. 6.87 (4) or s. 6.875 (6), votes by absentee ballot and does not

1 enclose a copy of the proof of identification under s. 6.87 (4) (b) 1., the inspectors shall  
2 similarly treat the ballot as a provisional ballot under this section. Upon removing  
3 the ballot from the envelope, the inspectors shall write on the back of the absentee  
4 ballot the serial number of the individual corresponding to the number kept at the  
5 election on the poll list or other list maintained under s. 6.79 and the notation “s.  
6 6.97”. The inspectors shall indicate on the list the fact that the individual is required  
7 to provide proof of residence or to provide, or provide a copy of, proof of identification  
8 as required under s. 6.87 (4) (b) 1. but did not do so. The inspectors shall promptly  
9 notify the municipal clerk or executive director of the municipal board of election  
10 commissioners of the name, address, and serial number of the individual. The  
11 inspectors shall then place the ballot inside an envelope on which the name and  
12 serial number of the elector is entered and shall place the envelope in a separate  
13 carrier envelope.

14 **SECTION 90.** 6.97 (3) of the statutes is renumbered 6.97 (3) (b) and amended to  
15 read:

16 6.97 (3) (b) Whenever the municipal clerk or executive director of the municipal  
17 board of election commissioners is informed by the inspectors that a ballot has been  
18 cast under this section, the clerk or executive director shall promptly provide written  
19 notice to the board of canvassers of each municipality, special purpose district, and  
20 county that is responsible for canvassing the election of the number of ballots cast  
21 under this section in each ward or election district. The municipal clerk or executive  
22 director then shall determine whether each individual voting under this section is  
23 qualified to vote in the ward or election district where the individual’s ballot is cast.  
24 If the elector is required to provide proof of identification or a copy thereof under s.  
25 6.79 (2), 6.86 (1) (ar), or 6.87 (4) (b) 1. and fails to do so, the elector bears the burden

1 of correcting the omission by providing the proof of identification or copy thereof at  
2 the polling place before the closing hour or at the office of the municipal clerk or board  
3 of election commissioners no later than 4 p.m. on the Friday after the election. The  
4 municipal clerk or executive director shall make a record of the procedure used to  
5 determine the validity of each ballot cast under this section. If, prior to 4 p.m. on the  
6 ~~day~~ Friday after the election, the municipal clerk or executive director determines  
7 that the individual is qualified to vote in the ward or election district where the  
8 individual's ballot is cast, the municipal clerk or executive director shall notify the  
9 board of canvassers for each municipality, special purpose district and county that  
10 is responsible for canvassing the election of that fact.

11 **SECTION 91.** 6.97 (3) (a) of the statutes is created to read:

12 6.97 (3) (a) Whenever an elector who votes by provisional ballot under sub. (1)  
13 or (2) because the elector does not provide proof of identification or a copy thereof  
14 under s. 6.79 (2), 6.86 (1) (ar), or 6.87 (4) (b) 1. later appears at the polling place where  
15 the ballot is cast before the closing hour and provides the proof of identification or  
16 a copy thereof, the inspectors shall remove the elector's ballot from the separate  
17 carrier envelope, shall note on the poll list that the elector's provisional ballot is  
18 withdrawn, and shall deposit the elector's ballot in the ballot box. If the inspectors  
19 have notified the municipal clerk or executive director of the board of election  
20 commissioners that the elector's ballot was cast under this section, the inspectors  
21 shall notify the clerk or executive director that the elector's provisional ballot is  
22 withdrawn.

23 **SECTION 92.** 6.97 (3) (c) of the statutes is created to read:

24 6.97 (3) (c) A ballot cast under this section by an elector for whom proof of  
25 identification or a copy thereof is required under s. 6.79 (2), 6.86 (1) (ar), or 6.87 (4)

1 (b) 1. shall not be counted unless the municipal clerk or executive director of the  
2 board of election commissioners provides timely notification that the elector has  
3 provided proof of identification or a copy thereof under this section.

4 **SECTION 93.** 7.08 (8) (title) of the statutes is amended to read:

5 7.08 (8) (title) ELECTORS VOTING WITHOUT PROOF OF RESIDENCE OR IDENTIFICATION  
6 OR PURSUANT TO COURT ORDER.

7 **SECTION 94.** 7.08 (9) of the statutes is repealed.

8 **SECTION 95.** 7.08 (12) of the statutes is created to read:

9 7.08 (12) ASSISTANCE IN OBTAINING PROOF OF IDENTIFICATION. Engage in outreach  
10 to identify and contact groups of electors who may need assistance in obtaining or  
11 renewing a document that constitutes proof of identification for voting under s. 6.79  
12 (2) (a), 6.86 (1) (ar), or 6.87 (4) (b) 1., and provide assistance to the electors in  
13 obtaining or renewing that document.

14 **SECTION 96.** 7.15 (1) (cm) of the statutes is amended to read:

15 7.15 (1) (cm) Prepare official absentee ballots for delivery to electors requesting  
16 them, and send or transmit an official absentee ballot to each elector who has  
17 requested ~~one~~ a ballot by mail, electronic mail, or facsimile transmission no later  
18 than the 30th day before each September primary and general election and no later  
19 than the 21st day before each other primary and election if the request is made before  
20 that day; otherwise, the municipal clerk shall send or transmit an official absentee  
21 ballot within one day of the time the elector's request for such a ballot is received.

22 **SECTION 97.** 7.15 (1) (j) of the statutes is amended to read:

23 7.15 (1) (j) Send or transmit an absentee ballot automatically to each person  
24 making an authorized request therefor in accordance with s. 6.22 (4) or 6.86 (2) or  
25 (2m).

1           **SECTION 98.** 7.15 (1) (L) of the statutes is repealed.

2           **SECTION 99.** 7.23 (1) (e) of the statutes is amended to read:

3           7.23 (1) (e) Poll lists created ~~at a nonpartisan primary or~~ for any election may  
4 be destroyed 2 years 22 months after the ~~primary or~~ election at which they were  
5 created ~~and poll lists created at a partisan primary or election may be destroyed 4~~  
6 ~~years after the primary or election at which they were created.~~

7           **SECTION 100.** 7.50 (2) (a) of the statutes is repealed.

8           **SECTION 101.** 7.52 (3) (a) of the statutes is amended to read:

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

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

9 **SECTION 102.** 7.52 (6) (b) of the statutes is amended to read:

10 7.52 (6) (b) Any elector may challenge for cause any absentee ballot. For the  
11 purpose of deciding upon ballots that are challenged for any reason, the board of  
12 absentee ballot canvassers may call before it any person whose absentee ballot is  
13 challenged if the person is available to be called. If the person challenged refuses to  
14 answer fully any relevant questions put to him or her by the board of absentee ballot  
15 canvassers under s. 6.92, the board of absentee ballot canvassers shall reject the  
16 person's vote. If the challenge is not withdrawn after the person offering to vote has  
17 answered the questions, one of the members of the board of absentee ballot  
18 canvassers shall administer to the person the following oath or affirmation: "You do  
19 solemnly swear (or affirm) that: you are 18 years of age; you are a citizen of the United  
20 States; you are now and for ~~10~~ 28 consecutive days have been a resident of this ward  
21 except under s. 6.02 (2), stats.; you have not voted at this election; you have not made  
22 any bet or wager or become directly or indirectly interested in any bet or wager  
23 depending upon the result of this election; you are not on any other ground  
24 disqualified to vote at this election." If the person challenged refuses to take the oath  
25 or affirmation, the person's vote shall be rejected. If the person challenged answers

1 fully all relevant questions put to the elector by the board of absentee ballot  
2 canvassers under s. 6.92, takes the oath or affirmation, and fulfills the applicable  
3 registration requirements, and if the answers to the questions given by the person  
4 indicate that the person meets the voting qualification requirements, the person's  
5 vote shall be received.

6 **SECTION 103.** 10.02 (3) (form) (a) of the statutes is amended to read:

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

21 **SECTION 104.** 10.02 (3) (b) 1. of the statutes is amended to read:

22 10.02 (3) (b) 1. ~~If an elector wishes to vote for all candidates nominated by any~~  
23 ~~party, the elector shall make a cross (X) or depress the lever or button next to the~~  
24 ~~party designation shown at the top of the ballot. Unless a name has been erased or~~  
25 ~~crossed out, another name written in, a cross made next to the name of a candidate~~



1 ~~for the same office in another column or a sticker applied, a cross next to a party~~  
2 ~~designation at the top of the column is a vote for all the party's candidates listed in~~  
3 ~~the column. If an elector does not wish to vote for all the candidates nominated by~~  
4 ~~one party, the The elector shall make a cross (X ) next to or separately depress the~~  
5 levers or buttons next to each candidate's name for whom he or she intends to vote,  
6 or shall insert or write in the name of a candidate.

7 **SECTION 105.** 10.02 (3) (c) of the statutes is amended to read:

8 10.02 (3) (c) In presidential elections, ~~unless the elector wishes to vote for all~~  
9 ~~candidates nominated by any party,~~ the elector shall make a cross (X ) next to or  
10 depress the button or lever next to the set of candidates for president and vice  
11 president for whom he or she intends to vote. A vote for candidates for president and  
12 vice president is a vote for the presidential electors of those candidates.

13 **SECTION 106.** 12.03 (2) (b) 3. of the statutes is amended to read:

14 12.03 (2) (b) 3. No person may engage in electioneering within 100 feet of an  
15 entrance to or within a nursing home ~~or,~~ qualified retirement home or, qualified  
16 community-based residential facility, qualified residential care apartment complex,  
17 or qualified adult family home while special voting deputies are present at the home  
18 or facility.

19 **SECTION 107.** 12.13 (2) (b) 6m. of the statutes is amended to read:

20 12.13 (2) (b) 6m. Obtain an absentee ballot for voting in a nursing home or  
21 qualified retirement home ~~or,~~ qualified community-based residential facility,  
22 qualified residential care apartment complex, or qualified adult family home under  
23 s. 6.875 (6) and fail to return the ballot to the issuing officer.

24 **SECTION 108.** 12.13 (3) (v) of the statutes is repealed.

25 **SECTION 109.** 343.03 (3r) of the statutes is created to read:

1           343.03 **(3r)** REAL ID NONCOMPLIANT LICENSE. If any license described under sub.  
2 (3) is issued based upon the exception specified in s. 343.165 (7), the license shall, in  
3 addition to any legend or label described in sub. (3), be marked in a manner  
4 consistent with requirements under applicable federal law and regulations to  
5 indicate that the license is issued in accordance with P.L. 109–13, section 202 (d) (11),  
6 and is not intended to be accepted by any federal agency for federal identification or  
7 any other official purpose.

8           **SECTION 110.** 343.06 (1) (L) of the statutes, as affected by 2007 Wisconsin Act  
9 20, is amended to read:

10           343.06 (1) (L) To any person who does not satisfy the requirements under s.  
11 343.165 (1).

12           **SECTION 111.** 343.10 (7) (d) of the statutes, as affected by 2007 Wisconsin Act  
13 20, is amended to read:

14           343.10 (7) (d) An occupational license issued by the department under this  
15 subsection shall be in the form of a license that includes a photograph described in  
16 s. 343.14 (3), unless the exception under s. 343.14 (3m) applies, and any special  
17 restrictions cards under s. 343.17 (4). The license shall clearly indicate that  
18 restrictions on a special restrictions card apply and that the special restrictions card  
19 is part of the person's license.

20           **SECTION 112.** 343.11 (1) of the statutes is amended to read:

21           343.11 (1) The department shall not issue a license to a person previously  
22 licensed in another jurisdiction unless such person surrenders to the department all  
23 valid operator's licenses possessed by the person issued by any other jurisdiction,  
24 which surrender operates as a cancellation of the surrendered licenses insofar as the  
25 person's privilege to operate a motor vehicle in this state is concerned. When such

1 applicant surrenders the license to the department, the department shall issue a  
2 receipt therefor, which receipt shall constitute a temporary license to operate a motor  
3 vehicle for a period not to exceed 60 days if the applicant meets the standard required  
4 for eyesight and, in the opinion of the examiner, is not a dangerous hazard to the  
5 applicant and other users of the highways. ~~Except as provided in s. 343.055, the~~  
6 ~~temporary license shall not be valid authorization for the operation of commercial~~  
7 ~~motor vehicles.~~ The temporary license shall be surrendered to the examiner for  
8 cancellation by the department if the 3rd attempt at the driving test is failed and the  
9 applicant shall be required to secure a temporary instruction permit for further  
10 practice driving.

11 **SECTION 113.** 343.11 (3) of the statutes is amended to read:

12 343.11 (3) Except as provided in sub. (1), the department may issue a receipt  
13 to any applicant for a license, which receipt shall constitute a temporary license to  
14 operate a motor vehicle while the application for license is being processed. Such  
15 temporary license shall be valid for a period not to exceed ~~30~~ 60 days.

16 **SECTION 114.** 343.11 (3) of the statutes, as affected by 2011 Wisconsin Act ....  
17 (this act), is amended to read:

18 343.11 (3) Except as provided in sub. (1), the department may issue a receipt  
19 to any applicant for a license, which receipt shall constitute a temporary license to  
20 operate a motor vehicle while the application for license is being processed. Such  
21 temporary license shall be valid for a period not to exceed 60 days. If the application  
22 for a license is processed under the exception specified in s. 343.165 (7), the receipt  
23 shall include the marking specified in s. 343.03 (3r).

24 **SECTION 115.** 343.14 (3) of the statutes, as affected by 2007 Wisconsin Act 20,  
25 is amended to read:

1           343.14 (3) ~~The Except as provided in sub. (3m)~~, the department shall, as part  
2 of the application process, take a digital photograph including facial image capture  
3 of the applicant to comply with s. 343.17 (3) (a) 2. ~~No Except as provided in sub. (3m)~~  
4 ~~no~~ application may be processed without the photograph being taken. Except as  
5 provided in ~~sub. (3m) and~~ s. 343.165 (4) (d), in the case of renewal licenses, the  
6 photograph shall be taken once every 8 years, and shall coincide with the appearance  
7 for examination which is required under s. 343.16 (3).

8           **SECTION 116.** 343.14 (3m) of the statutes is created to read:

9           343.14 (3m) If the application for a license is processed under the exception  
10 specified in s. 343.165 (7), the application may be processed and the license issued  
11 or renewed without a photograph being taken of the applicant if the applicant  
12 provides to the department an affidavit stating that the applicant has a sincerely  
13 held religious belief against being photographed; identifying the religion to which he  
14 or she belongs or the tenets of which he or she adheres to; and stating that the tenets  
15 of the religion prohibit him or her from being photographed.

16           **SECTION 117.** 343.165 (1) (intro.) of the statutes, as created by 2007 Wisconsin  
17 Act 20, is amended to read:

18           343.165 (1) (intro.) ~~The Subject to ss. 343.14 (3m) and 343.50 (4g)~~, the  
19 department may not complete the processing of an application for initial issuance or  
20 renewal of an operator's license or identification card received by the department  
21 after ~~May 10, 2008~~ the effective date of this subsection ... [LRB inserts date], and no  
22 such license or identification card may be issued or renewed, unless the applicant  
23 presents or provides, and, subject to sub. (7), the department verifies under sub. (3),  
24 all of the following information:

1           **SECTION 118.** 343.165 (2) of the statutes, as created by 2007 Wisconsin Act 20,  
2 is amended to read:

3           343.165 (2) (a) ~~The Subject to sub. (7),~~ the department shall, in processing any  
4 application for an operator's license or identification card under sub. (1), capture a  
5 digital image of each document presented or provided to the department by an  
6 applicant. Images captured under this paragraph shall be maintained, in electronic  
7 storage and in a transferable format, in the applicant's file or record as provided  
8 under ss. 343.23 (2) (a) and 343.50 (8) (a).

9           (b) ~~The Subject to sub. (7),~~ the department shall record in the applicant's file  
10 under s. 343.23 (2) (a) or record under s. 343.50 (8) (a) the date on which verification  
11 under subs. (1) and (3) is completed.

12           **SECTION 119.** 343.165 (3) (a) of the statutes, as created by 2007 Wisconsin Act  
13 20, is amended to read:

14           343.165 (3) (a) Except as provided in pars. (b) and (c) and subject to sub. (7),  
15 the department shall verify, in the manner and to the extent required under federal  
16 law, each document presented or provided to the department that is required to be  
17 presented or provided to the department by an applicant under sub. (1).

18           **SECTION 120.** 343.165 (4) (a) of the statutes, as created by 2007 Wisconsin Act  
19 20, is amended to read:

20           343.165 (4) (a) Subsection (1) does not apply to an application for renewal of  
21 an operator's license or identification card received by the department after ~~May 10,~~  
22 ~~2008~~ the effective date of this paragraph .... [LRB inserts date], if in connection with  
23 a prior application after ~~May 10, 2008~~ the effective date of this paragraph .... [LRB  
24 inserts date], the applicant previously presented or provided, and the department  
25 verified under sub. (3) or (7), the information specified in sub. (1) and, if verified

1 under sub. (3), the department recorded the date on which the verification  
2 procedures were completed as described in sub. (2) (b).

3 **SECTION 121.** 343.165 (4) (c) of the statutes, as created by 2007 Wisconsin Act  
4 20, is amended to read:

5 343.165 (4) (c) Notwithstanding pars. (a) and (b), no operator's license  
6 displaying the legend required under s. 343.03 (3m) or identification card displaying  
7 the legend required under s. 343.50 (3) (a) may be renewed unless the applicant  
8 presents or provides valid documentary proof under sub. (1) (e) and this proof shows  
9 that the status by which the applicant qualified for the license or identification card  
10 has been extended by the secretary of the federal department of homeland security.

11 **SECTION 122.** 343.165 (4) (d) of the statutes, as created by 2007 Wisconsin Act  
12 20, is amended to read:

13 343.165 (4) (d) With any license or identification card renewal following a  
14 license or identification card expiration established under s. 343.20 (1m) or 343.50  
15 (5) (c) at other than an 8-year interval, the department may determine whether the  
16 applicant's photograph is to be taken, or if the renewal is for a license the applicant  
17 is to be examined, or both, at the time of such renewal, so long as the applicant's  
18 photograph is taken, and if the renewal is for a license the applicant is examined,  
19 with a license or card renewal at least once every 8 years and the applicant's license  
20 or identification card at all times includes a photograph unless an exception under  
21 s. 343.14 (3m) or 343.50 (4g) applies.

22 **SECTION 123.** 343.165 (5) of the statutes, as created by 2007 Wisconsin Act 20,  
23 is amended to read:

24 343.165 (5) The department may, by rule, require that applications for  
25 reinstatement of operator's licenses or identification cards, issuance of occupational

1 licenses, reissuance of operator's licenses, or issuance of duplicate operator's licenses  
2 or identification cards, received by the department after ~~May 10, 2008~~ the effective  
3 date of this subsection .... [LRB inserts date], be processed in a manner consistent  
4 with the requirements established under this section for applications for initial  
5 issuance or renewal of operator's licenses and identification cards.

6 **SECTION 124.** 343.165 (7) of the statutes is created to read:

7 343.165 (7) (a) The department may process an application for, and issue or  
8 renew, an operator's license or identification card without meeting the requirements  
9 under subs. (2) and (3) if all of the following apply:

10 1. The operator's license contains the marking specified in s. 343.03 (3r) or the  
11 identification card contains the marking specified in s. 343.50 (3) (b).

12 2. The operator's license or identification card is processed and issued or  
13 renewed in compliance with applicable department practices and procedures that  
14 were in effect immediately prior to the effective date of this subdivision .... [LRB  
15 inserts date].

16 (b) In addition to other instances of original issuance or renewal, this  
17 subsection specifically applies to renewals occurring after the effective date of this  
18 paragraph .... [LRB inserts date], of operator's licenses or identification cards  
19 originally issued prior to the effective date of this paragraph .... [LRB inserts date].

20 **SECTION 125.** 343.17 (3) (a) 2. of the statutes is amended to read:

21 343.17 (3) (a) 2. A color photograph of the person, unless the exception under  
22 s. 343.14 (3m) applies.

23 **SECTION 126.** 343.17 (3) (a) 14. of the statutes is created to read:

24 343.17 (3) (a) 14. If the license contains the marking specified in s. 343.03 (3r),  
25 a distinctive appearance specified by the department that clearly distinguishes the

1 license from other operator's licenses or identification cards issued by the  
2 department and that alerts federal agency and other law enforcement personnel that  
3 the license may not be accepted for federal identification or any other official  
4 purpose.

5 **SECTION 127.** 343.17 (5) of the statutes is amended to read:

6 343.17 (5) NO PHOTOS ON TEMPORARY LICENSES. The temporary licenses issued  
7 under ss. 343.10, 343.11 (1) and (3), 343.16 (6) (b), and 343.305 (8) (a) shall be on  
8 forms provided by the department and shall contain the information required by sub.  
9 (3), except the license is that temporary licenses under ss. 343.16 (6) (b) and 343.305  
10 (8) (a), and temporary licenses subject to any photograph exception under s. 343.14  
11 (3), are not required to include a photograph of the licensee.

12 **SECTION 128.** 343.17 (5) of the statutes, as affected by 2007 Wisconsin Act 20  
13 and 2011 Wisconsin Act .... (this act), is repealed and recreated to read:

14 343.17 (5) NO PHOTOS ON TEMPORARY LICENSES. The temporary licenses issued  
15 under ss. 343.10, 343.11 (1) and (3), 343.16 (6) (b), and 343.305 (8) (a) shall be on  
16 forms provided by the department and shall contain the information required by sub.  
17 (3), except that temporary licenses under ss. 343.16 (6) (b) and 343.305 (8) (a) are not  
18 required to include a photograph of the licensee. This subsection does not apply to  
19 a noncitizen temporary license, as described in s. 343.03 (3m).

20 **SECTION 129.** 343.50 (1) of the statutes is renumbered 343.50 (1) (a).

21 **SECTION 130.** 343.50 (1) of the statutes, as affected by 2007 Wisconsin Act 20  
22 and 2011 Wisconsin Act .... (this act), is repealed and recreated to read:

23 343.50 (1) (a) Subject to par. (b) and s. 343.165, the department shall issue to  
24 every qualified applicant, who has paid all required fees, an identification card as  
25 provided in this section.



1 (b) The department may not issue an identification card to a person previously  
2 issued an operator's license in another jurisdiction unless the person surrenders to  
3 the department any valid operator's license possessed by the person issued by  
4 another jurisdiction, which surrender operates as a cancellation of the license insofar  
5 as the person's privilege to operate a motor vehicle in this state is concerned. Within  
6 30 days following issuance of the identification card under this section, the  
7 department shall destroy any operator's license surrendered under this paragraph  
8 and report to the jurisdiction that issued the surrendered operator's license that the  
9 license has been destroyed and the person has been issued an identification card in  
10 this state.

11 (c) The department may issue a receipt to any applicant for an identification  
12 card, which receipt shall constitute a temporary identification card while the  
13 application is being processed and shall be valid for a period not to exceed 60 days.  
14 If the application for an identification card is processed under the exception specified  
15 in s. 343.165 (7), the receipt shall include the marking specified in sub. (3) (b).

16 **SECTION 131.** 343.50 (1) (c) of the statutes is created to read:

17 343.50 (1) (c) The department may issue a receipt to any applicant for an  
18 identification card, which receipt shall constitute a temporary identification card  
19 while the application is being processed and shall be valid for a period not to exceed  
20 60 days.

21 **SECTION 132.** 343.50 (3) of the statutes is amended to read:

22 343.50 (3) DESIGN AND CONTENTS OF CARD. The card shall be the same size as  
23 an operator's license but shall be of a design which is readily distinguishable from  
24 the design of an operator's license and bear upon it the words "IDENTIFICATION  
25 CARD ONLY". The information on the card shall be the same as specified under s.

1 343.17 (3). The card may serve as a record of gift under s. 157.06 (2) (t) and the holder  
2 may affix a sticker thereto as provided in s. 343.175 (3). The card may also serve as  
3 a record of refusal under s. 157.06 (2) (u). ~~The~~ Except as provided in sub. (4g), the  
4 card shall contain the holder's photograph and, if applicable, shall be of the design  
5 specified under s. 343.17 (3) (a) 12.

6 **SECTION 133.** 343.50 (3) of the statutes, as affected by 2007 Wisconsin Act 20  
7 and 2011 Wisconsin Act .... (this act), is repealed and recreated to read:

8 343.50 (3) DESIGN AND CONTENTS OF CARD. (a) The card shall be the same size as  
9 an operator's license but shall be of a design which is readily distinguishable from  
10 the design of an operator's license and bear upon it the words "IDENTIFICATION  
11 CARD ONLY." The information on the card shall be the same as specified under s.  
12 343.17 (3). If the issuance of the card requires the applicant to present any  
13 documentary proof specified in s. 343.14 (2) (es) 4. to 7., the card shall display, on the  
14 front side of the card, a legend identifying the card as temporary. The card shall  
15 contain physical security features consistent with any requirement under federal  
16 law. The card may serve as a record of gift under s. 157.06 (2) (t) and the holder may  
17 affix a sticker thereto as provided in s. 343.175 (3). The card may also serve as a  
18 record of refusal under s. 157.06 (2) (u). Except as provided in sub. (4g), the card shall  
19 contain the holder's photograph and, if applicable, shall be of the design specified  
20 under s. 343.17 (3) (a) 12.

21 (b) If an identification card is issued based upon the exception specified in s.  
22 343.165 (7), the card shall, in addition to any other required legend or design, be of  
23 the design specified under s. 343.17 (3) (a) 14. and include a marking similar or  
24 identical to the marking described in s. 343.03 (3r).

25 **SECTION 134.** 343.50 (4) of the statutes is amended to read:

1           343.50 (4) APPLICATION. The application for an identification card shall include  
2 any information required under ss. 85.103 (2) and 343.14 (2) (a), (b), (bm), (br), (em),  
3 and (er), and such further information as the department may reasonably require to  
4 enable it to determine whether the applicant is entitled by law to an identification  
5 card. The Except as provided in sub. (4g), the department shall, as part of the  
6 application process, take a photograph of the applicant to comply with sub. (3). No  
7 Except as provided in sub. (4g), no application may be processed without the  
8 photograph being taken. Misrepresentations in violation of s. 343.14 (5) are  
9 punishable as provided in s. 343.14 (9).

10           **SECTION 135.** 343.50 (4) of the statutes, as affected by 2007 Wisconsin Act 20  
11 and 2011 Wisconsin Act .... (this act), is repealed and recreated to read:

12           343.50 (4) APPLICATION. The application for an identification card shall include  
13 any information required under ss. 85.103 (2) and 343.14 (2) (a), (b), (bm), (br), (em),  
14 and (es), and such further information as the department may reasonably require to  
15 enable it to determine whether the applicant is entitled by law to an identification  
16 card. Except with respect to renewals described in s. 343.165 (4) (d) and except as  
17 provided in sub. (4g), the department shall, as part of the application process, take  
18 a digital photograph including facial image capture of the applicant to comply with  
19 sub. (3) (a). Except with respect to renewals described in s. 343.165 (4) (d) and except  
20 as provided in sub. (4g), no application may be processed without the photograph  
21 being taken. Misrepresentations in violation of s. 343.14 (5) are punishable as  
22 provided in s. 343.14 (9).

23           **SECTION 136.** 343.50 (4g) of the statutes is created to read:

24           343.50 (4g) PHOTOGRAPH REQUIREMENT; EXCEPTION. An application for an  
25 identification card may be processed and the identification card issued or renewed

1 without a photograph being taken of the applicant if the applicant provides to the  
2 department an affidavit stating that the applicant has a sincerely held religious  
3 belief against being photographed; identifying the religion to which he or she belongs  
4 or the tenets of which he or she adheres to; and stating that the tenets of the religion  
5 prohibit him or her from being photographed.

6 **SECTION 137.** 343.50 (4g) of the statutes, as created by 2011 Wisconsin Act ....  
7 (this act), is repealed and recreated to read:

8 343.50 (4g) PHOTOGRAPH REQUIREMENT; EXCEPTION. If the application for an  
9 identification card is processed under the exception specified in s. 343.165 (7), the  
10 application may be processed and the identification card issued or renewed without  
11 a photograph being taken of the applicant if the applicant provides to the department  
12 an affidavit stating that the applicant has a sincerely held religious belief against  
13 being photographed; identifying the religion to which he or she belongs or the tenets  
14 of which he or she adheres to; and stating that the tenets of the religion prohibit him  
15 or her from being photographed.

16 **SECTION 138.** 343.50 (5) (a) of the statutes, as affected by 2009 Wisconsin Act  
17 28, sections 2958 and 2959, and 2011 Wisconsin Act .... (this act), is repealed and  
18 recreated to read:

19 343.50 (5) (a) 1. Except as provided in subds. 2. and 3., the fee for an original  
20 card, for renewal of a card, and for the reinstatement of an identification card after  
21 cancellation under sub. (10) shall be \$18.

22 2. The department may not charge a fee to an applicant for the initial issuance  
23 of an identification card if any of the following apply:

24 a. The department has canceled the applicant's valid operator's license after  
25 a special examination under s. 343.16 (5) and, at the time of cancellation, the

1 expiration date for the canceled license was not less than 6 months after the date of  
2 cancellation.

3 b. The department has accepted the applicant's voluntary surrender of a valid  
4 operator's license under s. 343.265 (1) and, at the time the department accepted  
5 surrender, the expiration date for the surrendered license was not less than 6 months  
6 after the date that the department accepted surrender.

7 3. The department may not charge a fee to an applicant for the initial issuance,  
8 renewal, or reinstatement of an identification card if the applicant is a U.S. citizen  
9 who will be at least 18 years of age on the date of the next election and the applicant  
10 requests that the identification card be provided without charge for purposes of  
11 voting.

12 **SECTION 139.** 343.50 (5) (a) 1. of the statutes is amended to read:

13 343.50 (5) (a) 1. Except as provided in ~~subd. subds. 2. and 3.~~, the fee for an  
14 original card and for the reinstatement of an identification card after cancellation  
15 under sub. (10) shall be \$18.

16 **SECTION 140.** 343.50 (5) (a) 3. of the statutes is created to read:

17 343.50 (5) (a) 3. The department may not charge a fee to an applicant for the  
18 initial issuance or reinstatement of an identification card if the applicant is a U.S.  
19 citizen who will be at least 18 years of age on the date of the next election and the  
20 applicant requests that the identification card be provided without charge for  
21 purposes of voting.

22 **SECTION 141.** 343.50 (5m) of the statutes is amended to read:

23 343.50 (5m) CARD ISSUANCE FEE. In addition to any other fee under this section,  
24 for the issuance of an original identification card or duplicate identification card or  
25 for the renewal or reinstatement of an identification card after cancellation under

1 sub. (10), a card issuance fee of \$10 shall be paid to the department. The fee under  
2 this subsection does not apply to an applicant if the department may not charge the  
3 applicant a fee under sub. (5) (a) 2. or 3.

4 **SECTION 142.** 343.50 (6) of the statutes is amended to read:

5 343.50 (6) RENEWAL. At least 30 days prior to the expiration of the card, the  
6 department shall mail a renewal application to the last-known address of each  
7 identification card holder. The department shall include with the application  
8 information, as developed by all organ procurement organizations in cooperation  
9 with the department, that promotes anatomical donations and which relates to the  
10 anatomical donation opportunity available under s. 343.175. The fee for a renewal  
11 identification card shall be \$18, ~~which~~ except that, if the identification card holder  
12 satisfies the requirements for an applicant specified in sub. (5) (a) 3., there shall be  
13 no fee for renewal of the identification card. The renewal identification card shall  
14 be valid for 8 years, except that a card that is issued to a person who is not a United  
15 States citizen and who provides documentary proof of legal status as provided under  
16 s. 343.14 (2) (er) shall expire on the date that the person's legal presence in the United  
17 States is no longer authorized. If the documentary proof as provided under s. 343.14  
18 (2) (er) does not state the date that the person's legal presence in the United States  
19 is no longer authorized, then the card shall be valid for 8 years.

20 **SECTION 143.** 343.50 (6) of the statutes, as affected by 2007 Wisconsin Act 20,  
21 section 3383, and 2011 Wisconsin Act .... (this act), is repealed and recreated to read:

22 343.50 (6) RENEWAL NOTICE. At least 30 days prior to the expiration of an  
23 identification card, the department shall mail a renewal application to the  
24 last-known address of the card holder. If the card was issued or last renewed based  
25 upon the person's presenting of any documentary proof specified in s. 343.14 (2) (es)

1 4. to 7., the notice shall inform the card holder of the requirement under s. 343.165  
2 (4) (c). The department shall include with the application information, as developed  
3 by all organ procurement organizations in cooperation with the department, that  
4 promotes anatomical donations and which relates to the anatomical donation  
5 opportunity available under s. 343.175.

6 **SECTION 144. Nonstatutory provisions.**

7 (1) PUBLIC INFORMATIONAL CAMPAIGN. In conjunction with the first regularly  
8 scheduled primary and election at which the voter identification requirements of this  
9 act initially apply, the government accountability board shall conduct a public  
10 informational campaign for the purpose of informing prospective voters of the voter  
11 identification requirements of this act.

12 (2) SPECIAL PROCEDURE AT ELECTIONS HELD PRIOR TO 2012 SPRING PRIMARY.  
13 Notwithstanding sections 6.15 (3), 6.18, 6.79 (2) (a), 6.82 (1) (a), 6.86 (1) (ar) and (3)  
14 (a) 1., 6.87 (1), (2), and (4) (b) 1., and 6.97 (1), (2), and (3) (b) of the statutes, as affected  
15 by this act, and sections 6.15 (2) (bm) and 6.97 (3) (a) and (c) of the statutes, as created  
16 by this act, no elector who votes by absentee ballot at an election held prior to the  
17 2012 spring primary is required to provide proof of identification, and an elector who  
18 votes at a polling place at an election held prior to the date of the 2012 spring primary  
19 shall be requested by the election officials to present proof of identification, but if the  
20 elector does not present proof of identification, and the elector is otherwise qualified,  
21 the elector's ballot shall be counted without the necessity of presenting proof of  
22 identification and without the necessity of casting a provisional ballot. If any elector  
23 who votes at a polling place at such an election does not provide proof of identification  
24 and would be required to provide proof of identification but for the exemption under  
25 this subsection, the election official who provides that elector with a ballot shall also

1 provide to the elector written information prescribed by the government  
2 accountability board briefly describing the voter identification requirement created  
3 by this act and informing the elector that he or she will be required to comply with  
4 that requirement when voting at future elections beginning with the 2012 spring  
5 primary unless an exemption applies.

6 (3) SPECIAL REGISTRATION DEPUTY APPOINTMENTS. Notwithstanding section 6.26  
7 (2) (am), 2009 stats., the appointment of each individual who serves as a special  
8 registration deputy under section 6.26 (2) of the statutes on the effective date of this  
9 subsection solely as the result of action of the government accountability board is  
10 revoked.

11 **SECTION 145. Initial applicability.**

12 (1) PARTY TICKET VOTING. The treatment of sections 5.37 (1), 5.64 (1) (ar) 1. a.  
13 and 1m. and (b), 5.91 (2), 7.50 (2) (a), and 10.02 (3) (b) 1. and (c) of the statutes first  
14 applies with respect to voting at the 2012 general election.

15 (2) ABSENTEE VOTING. The treatment of section 6.86 (1) (b) of the statutes first  
16 applies with respect to requests for absentee ballots made for voting at elections held  
17 ~~on or after the first day of the 2nd month beginning after publication.~~

INS.  
AAI-3

18 (3) DEADLINE FOR LATE REGISTRATION. The treatment of sections 6.29 (2) (a) (with  
19 respect to the deadline for late registration) first applies with respect to late  
20 registration for elections held on the ~~first day of the 2nd month beginning after~~  
21 ~~publication.~~

INS. AAI-4

22 (4) VOTER REGISTRATION INFORMATION. The treatment of section 6.33 (1) of the  
23 statutes first applies with respect to registration of electors occurring on the effective  
24 date of this subsection.

INS. AAI-5







ASSEMBLY AMENDMENT 1,  
TO ASSEMBLY SUBSTITUTE AMENDMENT 2,  
TO 2011 ASSEMBLY BILL 7

May 9, 2011 - Offered by JOINT COMMITTEE ON FINANCE.

1 At the locations indicated, amend the substitute amendment as follows:

AA1-1

2 1. Page 2, line 13: after "registration;" insert "proof of residence;"

3 2. Page 23, line 6: after that line insert:

AA1-2

4 SECTION 33m. 6.34 (3) (a) 7. of the statutes is renumbered 6.34 (3) (a) 7. (intro.)

5 and amended to read:

6 6.34 (3) (a) 7. (intro.) Any of the following documents without the address  
7 specified in par. (b):

8 a. A university, college, or technical college fee or identification card that  
9 contains a photograph of the cardholder. ~~A card under this subdivision that does not~~  
10 ~~contain the information specified in par. (b) shall be considered proof of residence~~  
11 together with a fee payment receipt issued to the cardholder by the university.

AA1-2

1 college, or technical college dated no earlier than 9 months before the date of the  
2 election at which the receipt is presented.

3 b. An identification card issued by a university, college or technical college that  
4 contains a photograph of the cardholder if the university, college, or technical college  
5 that issued the card provides a certified and current list of students who reside in  
6 housing sponsored by the university, college, or technical college and who are U.S.  
7 citizens to the municipal clerk prior to the election showing the current address of  
8 the students and if the municipal clerk, special registration deputy, or inspector  
9 verifies that the student presenting the card is included on the list.

10 **SECTION 33n.** 6.34 (3) (b) (intro.) of the statutes is amended to read:

11 6.34 (3) (b) (intro.) The Except as provided in par. (a) 7., the identifying  
12 documents prescribed in par. (a) shall contain all of the following in order to be  
13 considered proof of residence.”.

AA1-3

14 **3.** Page 77, line 17: delete that line and substitute “on the effective date of this  
15 subsection.”.

16 **4.** Page 77, line 20: delete the material beginning with “the first” and ending  
17 with “publication.” on line 21 and substitute “the effective date of this subsection.”.

AA1-4

18 **5.** Page 77, line 24: after that line insert:

19 “(5) PROOF OF RESIDENCE. The treatment of section 6.34 (3) (a) 7. and (b) (intro.)  
20 of the statutes first applies with respect to elections held on the effective date of this  
21 subsection.”.

AA1-5