

2011 DRAFTING REQUEST

Bill

Received: 09/16/2010

Received By: jkuesel

Wanted: As time permits

Companion to LRB:

For: Jeff Stone (608) 266-8590

By/Representing: Michael Pyritz

May Contact:

Drafter: jkuesel

Subject: Elections - miscellaneous  
Transportation - other

Addl. Drafters: agary

Extra Copies:

Submit via email: YES

Requester's email: Rep.Stone@legis.wisconsin.gov

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Identification required for voting in elections

Instructions:

Per AB-947.

Drafting History:

| <u>Vers.</u> | <u>Drafted</u>                               | <u>Reviewed</u>        | <u>Typed</u>           | <u>Proofed</u> | <u>Submitted</u>       | <u>Jacketed</u>       | <u>Required</u> |
|--------------|--|------------------------|------------------------|----------------|------------------------|-----------------------|-----------------|
| /?           | jkuesel<br>10/12/2010<br>agary<br>10/14/2010 | csicilia<br>10/27/2010 |                        | _____          |                        |                       | State           |
| /1           |  |                        | rschluet<br>10/27/2010 | _____          | sbasford<br>10/27/2010 | mbarman<br>01/12/2011 |                 |

FE Sent For:

At Intro.

## 2011 DRAFTING REQUEST

### Bill

Received: **09/16/2010**

Received By: **jkuesel**

Wanted: **As time permits**

Companion to LRB:

For: **Jeff Stone (608) 266-8590**

By/Representing: **Michael Pyritz**

May Contact:

Drafter: **jkuesel**

Subject: **Elections - miscellaneous  
Transportation - other**

Addl. Drafters: **agary**

Extra Copies:

Submit via email: **YES**

Requester's email: **Rep.Stone@legis.wisconsin.gov**

Carbon copy (CC:) to:

---

### Pre Topic:

No specific pre topic given

---

### Topic:

Identification required for voting in elections

---

### Instructions:

Per AB-947.

---

### Drafting History:

| <u>Vers.</u> | <u>Drafted</u>                               | <u>Reviewed</u>        | <u>Typed</u>           | <u>Proofed</u>          | <u>Submitted</u>       | <u>Jacketed</u> | <u>Required</u> |
|--------------|--|------------------------|------------------------|-------------------------|------------------------|-----------------|-----------------|
| /?           | jkuesel<br>10/12/2010<br>agary<br>10/14/2010 | csicilia<br>10/27/2010 |                        | _____<br>_____<br>_____ |                        |                 | State           |
| /1           |  |                        | rschluet<br>10/27/2010 | _____<br>_____          | sbasford<br>10/27/2010 |                 |                 |

FE Sent For:

NOTES

2011 DRAFTING REQUEST

Bill

Received: 09/16/2010

Received By: jkuesel

Wanted: As time permits

Companion to LRB:

For: Jeff Stone (608) 266-8590

By/Representing: Michael Pyritz

May Contact:

Drafter: jkuesel

Subject: Elections - miscellaneous  
Transportation - other

Addl. Drafters: agary

Extra Copies:

Submit via email: YES

Requester's email: Rep.Stone@legis.wisconsin.gov

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Identification required for voting in elections

Instructions:

Per AB-947.

Drafting History:

| <u>Vers.</u> | <u>Drafted</u> | <u>Reviewed</u> | <u>Typed</u>      | <u>Proofed</u> | <u>Submitted</u> | <u>Jacketed</u> | <u>Required</u> |
|--------------|----------------|-----------------|-------------------|----------------|------------------|-----------------|-----------------|
| 1/?          | jkuesel        | 1 cjs           | 10/26<br>10/27/10 |                |                  |                 |                 |

FE Sent For:

<END>



State of Wisconsin  
2009 - 2010 LEGISLATURE

-008911  
LRB-4500/2  
JTK&ARG:cjs:ph  
Stays

TODAY if possible  
(otherwise THUR AM)

P.W.F.

2009 ASSEMBLY BILL 947

April 12, 2010 - Introduced by Representatives STONE, PRIDEMORE, ROTH, DAVIS, LEMAHIEU, VUKMIR, LOTHIAN, HUEBSCH, VAN ROY, GUNDERSON, SUDER, GOTTLIEB, PETERSEN, HONADEL, SPANBAUER, KESTELL, ZIPPERER, KAUFERT, KLEEFISCH, KRAMER, VOS, KERKMAN, A. OTT, MONTGOMERY, KNODL, BALLWEG, GUNDRUM and J. OTT, cosponsored by Senators LEIBHAM, LAZICH, A. LASEE, KEDZIE, OLSEN, KANAVAS, DARLING, HARSDFORF, SCHULTZ and HOPPER. Referred to Committee on Elections and Campaign Reform.

SAZ  
SAL

(regenerate)

1 AN ACT ~~to repeal~~ 6.56 (5), 12.13 (3) (v) and 343.50 (4g); **to renumber** 6.79 (3);  
2 **to renumber and amend** 6.87 (4) and 6.97 (3); **to amend** 5.35 (6) (a) 2., 5.35  
3 (6) (a) 4a., 5.35 (6) (a) 4a., 6.15 (2) (bm), 6.15 (2) (d) 1g., 6.15 (2) (d) 1r., 6.15 (3),  
4 6.15 (3), 6.29 (1), 6.29 (2) (a), 6.33 (1), 6.33 (2) (b), 6.34 (2), 6.55 (2) (b), 6.55 (2)  
5 (b), 6.55 (2) (c) 1., 6.55 (2) (c) 1., 6.55 (2) (c) 2., 6.79 (2) (a), 6.79 (2) (a), 6.79 (2)  
6 (d), 6.79 (2) (d), 6.79 (3) (title), 6.79 (3) (title), 6.79 (3) (b), 6.79 (4), 6.79 (6), 6.79  
7 (6), 6.82 (1) (a), 6.82 (1) (a), 6.86 (1) (ac), 6.86 (1) (ar), 6.86 (1) (ar), 6.86 (3) (a)  
8 1., 6.86 (3) (a) 1., 6.86 (3) (a) 2., 6.869, 6.869, 6.87 (3) (d), 6.87 (4) (b) 1., 6.87 (4)  
9 (b) 2., 6.87 (4) (b) 3., 6.87 (4) (b) 5., 6.875 (title), 6.875 (2) (a), 6.875 (3) and (4),  
10 6.875 (6) (a) and (b), 6.875 (6) (c) 1., 6.875 (6) (c) 1., 6.875 (6) (c) 2., 6.875 (6) (e),  
11 6.875 (7), 6.88 (3) (a), 6.88 (3) (a), 6.97 (title), 6.97 (1), 6.97 (1), 6.97 (2), 6.97 (2),  
12 6.97 (3) (a), 6.97 (3) (b), 6.97 (3) (c), 7.08 (8) (title), 7.08 (12), 7.52 (3) (a), 7.52 (3)  
13 (a), 10.02 (3) (form) (a), 10.02 (3) (form) (a), 12.03 (2) (b) 3., 12.13 (2) (b) 6m.,  
14 85.103 (2), 134.71 (8) (a) 2., 139.30 (4n), 343.19 (title), 343.19 (2) (intro.),

**ASSEMBLY BILL 947**

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14

~~343.235 (title), 343.237 (title), 343.237 (6), 343.43 (2), 343.50 (3), 343.50 (4),  
343.50 (5) (a) 1. and 343.50 (6); **to repeal and recreate** 343.19 (1), 343.22 (2),  
343.22 (2m), 343.22 (3), 343.237 (2), 343.237 (3) (intro.), 343.50 (3), 343.50 (4),  
343.50 (5) (a) 1. and 343.50 (6); and **to create** 6.15 (2) (bm), 6.15 (2) (d) 1g., 6.79  
(3) (b), 6.79 (7), 6.87 (4) (a), 6.87 (4) (b) 2., 6.87 (4) (b) 3., 6.87 (4) (b) 4., 6.87 (4)  
(b) 5., 6.875 (1) (ap) and (asm), 6.875 (2) (d), 6.965, 6.97 (3) (a), ~~6.97 (3) (c), 7.08~~  
(12), 125.085 (1) (f), 343.19 (2) (c), 343.50 (4g) and 343.505 of the statutes;~~

**relating to:** requiring certain identification in order to vote at a polling place  
or obtain an absentee ballot, verification of the addresses of electors, absentee  
voting procedure in certain residential care apartment complexes and adult  
family homes, identification cards issued by the Department of Transportation,  
creating an identification certificate issued by the Department of  
Transportation, requiring the exercise of rule-making authority, and providing  
a penalty.

**Analysis by the Legislative Reference Bureau**

~~Not~~ With certain limited exceptions, before being permitted to vote at any polling  
place, an elector currently must provide his or her name and address. If the elector  
is not registered, the elector must provide a specified form of proof of residence in  
order to register. If an elector is not able to present any required proof of residence,  
as an alternative, current law permits an elector's registration information to be  
corroborated by another qualified elector who resides in the same municipality. In  
addition, an elector other than a military elector or an overseas elector, as defined  
by federal law, who registers by mail and who has not voted in an election in this state  
must provide one of the forms of identification specified by federal law, or a copy  
thereof if voting by absentee ballot, in order to be permitted to vote. Corroboration  
may not be substituted for this identification requirement, but an elector who cannot  
provide the required identification may cast a provisional ballot. The municipal  
clerk or board of election commissioners must determine whether electors casting  
provisional ballots are qualified to vote by 4 p.m. on the day after an election.

With certain limited exceptions, this bill requires each ~~person attempting~~ <sup>who attempts</sup>  
to register or vote ~~at the polls on election day~~ to present a valid Wisconsin driver's  
license issued to the person by the Department of Transportation (DOT), a valid,

FMS  
2A

eligible  
elector

to

STET: leave the  
material in green box as originally typed

ASSEMBLY BILL 947

An eligible elector who registers to vote at a polling place on election day must present the license or identification card when registering.

A sexual assault or stalking

current identification card issued to the person by a U.S. uniformed service, or a valid Wisconsin identification card issued to the person by DOT or, if DOT implements the provisions of the federal REAL ID Act, an identification certificate issued to the person by DOT (see below). A person whose address is confidential as a result of domestic abuse or in certain cases a person who has been required by a law enforcement officer to surrender his or her license (see below) is exempted from the requirement. Under the bill, any person who applies for an absentee ballot, except a military or overseas elector, as defined by federal law, or a person whose address is confidential as a result of domestic abuse, must provide a copy of the license or identification card, unless: 1) the person has already provided a copy of his or her license or identification card in connection with an absentee ballot cast at a previous election and has not changed his or her name or address since that election; 2) the person has been required by a law enforcement officer to surrender his or her license (see below); 3) the person is indefinitely confined, in which case the person may submit a statement signed by the person who witnesses his or her absentee ballot verifying his or her identity; or 4) the person is an occupant of any nursing home, or of a community-based residential facility, retirement home, adult family home, or residential care apartment complex where a municipality sends special voting deputies, in which case the person may submit a statement signed by the deputies verifying his or her identity. The bill continues current requirements for certain electors to provide proof of residence in order to register or to vote, but discontinues the use of corroborating electors to verify residence. <sup>also</sup> ~~Or~~ a person who votes at a polling place fails to provide a license or identification card, the person may vote provisionally. If a person votes by absentee ballot and fails to provide a copy of the license or identification card, unless exempted from the requirement, the ballot is treated as a provisional ballot. A provisional ballot is marked by the poll workers, who immediately contact the municipal clerk or board of election commissioners. The person may then provide the required identification either at the polling place before the closing hour or at the office of the clerk or board. If the person does not provide the required identification to the clerk or board by 4 p.m. on the day following the election, the person's vote is not counted. If a person receives a citation from a law enforcement officer in any jurisdiction that is dated within 60 days of the date of an election and is required to surrender his or her Wisconsin operator's license at the time the citation is issued, the elector may present an original copy of the citation or notice of intent to revoke or suspend the elector's operator's license in lieu of his or her operator's license or, if the elector is voting an absentee ballot by mail, may enclose a copy of the citation or notice in lieu of a copy of his or her operator's license. In this case, the bill provides that the elector's ballot is received and counted if otherwise valid, but the ballot is marked so it can be identified during the canvassing and recount process if the validity of the ballot is questioned.

sexual assault or stalking

is an occupant

Under = the bill if

who

The bill also directs the Government Accountability Board, in conjunction with the first regularly scheduled primary and election at which the voter identification requirements created by the bill initially apply, to conduct a public informational campaign for the purpose of informing prospective voters of the voter identification requirements created by the bill. In addition, the bill directs the board to conduct



**ASSEMBLY BILL 947**

issue an identification card without a photograph and a person may no longer obtain an identification card from DOT free of charge.

Currently, municipalities must send two special voting deputies (one designated by each major political party if the party wishes) to conduct absentee voting in nursing homes. Municipalities may also send the deputies to conduct absentee voting in community-based residential facilities and retirement homes that qualify for the service in accordance with standards prescribed by law. This bill permits municipal clerks and boards of election commissioners to send two special voting deputies to conduct absentee voting in adult family homes and residential care apartment complexes that qualify for the service in accordance with similar standards prescribed by law.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

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

1           **SECTION 1.** 5.35 (6) (a) 2. of the statutes is amended to read:

2           5.35 (6) (a) 2. A copy of the election fraud laws provided in s. 12.13 (1) and (3)  
3 (intro), (d), (f), (g), (k), (L), (o), (q), (r), (u), (v) and (x), together with the applicable  
4 penalties provided in s. 12.60 (1). ✓

5           **SECTION 2.** 5.35 (6) (a) 4a. of the statutes is amended to read:

6           5.35 (6) (a) 4a. Instructions prescribed by the board for electors for whom a  
7 license or identification card is required under s. 6.79 (2) or for whom proof of ✓  
8 residence under s. 6.34 is required under s. 6.55 (2). **11**

9           **SECTION 3.** 5.35 (6) (a) 4a. of the statutes, as affected by 2009 Wisconsin Act ...  
10 (this act), is amended to read:

11           5.35 (6) (a) 4a. Instructions prescribed by the board for electors for whom a  
12 license or, identification card, or identification certificate is required under s. 6.79 (2) ✓  
or for whom proof of residence under s. 6.34 is required under s. 6.55 (2).

WS  
S-13  
14

**SECTION 4.** 6.15 (2) (bm) of the statutes is created to read:



## ASSEMBLY BILL 947

1           6.15 (2) (bm) Except as authorized in s. 6.79 (7), when making application in  
2 person at the office of the municipal clerk, each applicant shall present a valid  
3 operator's license issued to the person under ch. 343, a valid, current identification  
4 card issued to the person by a U.S. uniformed service, or a valid identification card  
5 issued to the person under s. 343.50. If any document presented by the applicant is  
6 not proof of residence under s. 6.34, the applicant shall also present proof of residence  
7 under s. 6.34.

8           **SECTION 5.** 6.15 (2) (bm) of the statutes, as created by 20~~09~~<sup>11</sup> Wisconsin Act ....  
9 (this act), is amended to read:

10           6.15 (2) (bm) Except as authorized in s. 6.79 (7), when making application in  
11 person at the office of the municipal clerk, each applicant shall present a valid  
12 operator's license issued to the person under ch. 343, a valid, current identification  
13 card issued to the person by a U.S. uniformed service, or a valid identification card  
14 issued to the person under s. 343.50, or a valid identification certificate issued to the  
15 person under s. 343.505. If any document presented by the applicant is not proof of  
16 residence under s. 6.34, the applicant shall also present proof of residence under s.  
17 6.34.

18           **SECTION 6.** 6.15 (2) (d) 1g. of the statutes is created to read:

19           6.15 (2) (d) 1g. If the elector makes application in person at the office of the  
20 municipal clerk, the clerk shall verify that the name on the license or identification  
21 card provided by the elector under par. (bm) is the same as the name on the elector's  
22 application and shall verify that any photograph appearing on that document  
23 reasonably resembles the elector.

24           **SECTION 7.** 6.15 (2) (d) 1g. of the statutes, as created by 20~~09~~<sup>11</sup> Wisconsin Act ....  
25 (this act), is amended to read:

**ASSEMBLY BILL 947**

1           6.15 (2) (d) 1g. If the elector makes application in person at the office of the  
2           municipal clerk, the clerk shall verify that the name on the license or identification  
3           card, or identification certificate provided by the elector under par. (bm) is the same  
4           as the name on the elector's application and shall verify that any photograph  
5           appearing on that document reasonably resembles the elector.

6           **SECTION 8.** 6.15 (2) (d) 1r. of the statutes is amended to read:

7           6.15 (2) (d) 1r. Upon proper completion of the application and cancellation card,  
8           the municipal clerk shall ~~require the elector to provide proof of residence under s.~~  
9           ~~6.34. If the elector cannot provide proof of residence, the elector may have his or her~~  
10          ~~residence corroborated in a statement that is signed by another elector of the~~  
11          ~~municipality and that contains the current street address of the corroborating~~  
12          ~~elector. If the residence is corroborated by another elector, that elector shall then~~  
13          ~~provide proof of residence under s. 6.34~~ permit the elector to cast his or her ballot for  
14          president and vice president. The elector shall then mark the ballot in the clerk's  
15          presence in a manner that will not disclose his or her vote. The elector shall then fold  
16          the ballot so as to conceal his or her vote. The clerk or elector shall then place the  
17          ballot in an envelope furnished by the clerk.

18          **SECTION 9.** 6.15 (3) of the statutes is amended to read:

19          6.15 (3) PROCEDURE AT POLLING PLACE. An eligible elector may appear at the  
20          polling place for the ward or election district where he or she resides and make  
21          application for a ballot under sub. (2). Except as otherwise provided in this  
22          subsection, an elector who casts a ballot under this subsection shall follow the same  
23          procedure required for casting a ballot at the municipal clerk's office under sub. (2).  
24          The inspectors shall perform the duties of the municipal clerk, except that the  
25          inspectors shall return the cancellation card under sub. (2) (b) to the municipal clerk

**ASSEMBLY BILL 947****SECTION 9**

1 and the clerk shall forward the card as provided in sub. (2) (c) if required. Upon  
2 proper completion of the application and cancellation card and ~~submittal of proof of~~  
3 ~~residence under s. 6.34 or providing corroboration of residence~~ verification of the  
4 elector's license or identification card as provided in sub. (2) (d) 1g., the inspectors  
5 shall permit the elector to cast his or her ballot for president and vice president. The  
6 elector shall mark the ballot and, unless the ballot is utilized with an electronic  
7 voting system, the elector shall fold the ballot, and deposit the ballot into the ballot  
8 box or give it to the inspector. The inspector shall deposit it directly into the ballot  
9 box. Voting machines or ballots utilized with electronic voting systems may only be  
10 used by electors voting under this section if they permit voting for president and vice  
11 president only.

**11**

12 **SECTION 10.** 6.15 (3) of the statutes, as affected by 2009 Wisconsin Act .... (this  
13 act), is amended to read:

14 6.15 (3) PROCEDURE AT POLLING PLACE. An eligible elector may appear at the  
15 polling place for the ward or election district where he or she resides and make  
16 application for a ballot under sub. (2). Except as otherwise provided in this  
17 subsection, an elector who casts a ballot under this subsection shall follow the same  
18 procedure required for casting a ballot at the municipal clerk's office under sub. (2).  
19 The inspectors shall perform the duties of the municipal clerk, except that the  
20 inspectors shall return the cancellation card under sub. (2) (b) to the municipal clerk  
21 and the clerk shall forward the card as provided in sub. (2) (c) if required. Upon  
22 proper completion of the application and cancellation card and verification of the  
23 elector's license ~~or~~ identification card, or identification certificate as provided in sub.  
24 (2) (d) 1g., the inspectors shall permit the elector to cast his or her ballot for president  
25 and vice president. The elector shall mark the ballot and, unless the ballot is utilized

**ASSEMBLY BILL 947**

1 with an electronic voting system, the elector shall fold the ballot, and deposit the  
2 ballot into the ballot box or give it to the inspector. The inspector shall deposit it  
3 directly into the ballot box. Voting machines or ballots utilized with electronic voting  
4 systems may only be used by electors voting under this section if they permit voting  
5 for president and vice president only.

6 **SECTION 11.** 6.29 (1) of the statutes is amended to read:

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

12 **SECTION 12.** 6.29 (2) (a) of the statutes is amended to read:

13 6.29 (2) (a) Any qualified elector of a municipality who has not previously filed  
14 a registration form or whose name does not appear on the registration list of the  
15 municipality may register after the close of registration but not later than 5 p.m. or  
16 the close of business, whichever is later, on the day before an election at the office of  
17 the municipal clerk and at the office of the clerk's agent if the clerk delegates  
18 responsibility for electronic maintenance of the registration list to an agent under  
19 s. 6.33 (5) (b). The elector shall complete, in the manner provided under s. 6.33 (2),  
20 a registration form containing all information required under s. 6.33 (1). The  
21 registration form shall also contain the following certification: "I, ..., hereby certify  
22 that, to the best of my knowledge, I am a qualified elector, having resided at ... for  
23 at least 10 days immediately preceding this election, and I have not voted at this  
24 election". The elector shall also provide proof of residence under s. 6.34.  
25 ~~Alternatively, if the elector is unable to provide proof of residence under s. 6.34, the~~

**ASSEMBLY BILL 947****SECTION 12**

1 ~~information contained in the registration form shall be corroborated in a statement~~  
2 ~~that is signed by any other elector of the municipality and that contains the current~~  
3 ~~street address of the corroborating elector. The corroborating elector shall then~~  
4 ~~provide proof of residence under s. 6.34.~~ If the elector is registering after the close  
5 of registration for the general election and the elector presents a valid driver's license  
6 issued by another state, the municipal clerk or agent shall record on a separate list  
7 the name and address of the elector, the name of the state, and the license number  
8 and expiration date of the license.

9 **SECTION 13.** 6.33 (1) of the statutes is amended to read:

10 6.33 (1) The board shall prescribe the format, size, and shape of registration  
11 forms. All forms shall be printed on cards and each item of information shall be of  
12 uniform font size, as prescribed by the board. The municipal clerk shall supply  
13 sufficient forms to meet voter registration needs. The forms shall be designed to  
14 obtain from each applicant information as to name; date; residence location;  
15 citizenship; date of birth; age; the number of a valid operator's license issued to the  
16 elector under ch. 343 or the last 4 digits of the elector's social security account  
17 number; whether the applicant has resided within the ward or election district for  
18 at least 10 days; whether the applicant has been convicted of a felony for which he  
19 or she has not been pardoned, and if so, whether the applicant is incarcerated, or on  
20 parole, probation, or extended supervision; whether the applicant is disqualified on  
21 any other ground from voting; and whether the applicant is currently registered to  
22 vote at any other location. The form shall include a space for the applicant's  
23 signature ~~and the signature of any corroborating elector.~~ The form shall include a  
24 space to enter the name of any special registration deputy under s. 6.26 or 6.55 (6)  
25 or inspector, municipal clerk, or deputy clerk under s. 6.55 (2) who obtains the form

**ASSEMBLY BILL 947**

1 and a space for the deputy, inspector, clerk, or deputy clerk to sign his or her name,  
2 affirming that the deputy, inspector, clerk, or deputy clerk has accepted the form.  
3 The form shall include a space for entry of the ward and aldermanic district, if any,  
4 where the elector resides and any other information required to determine the offices  
5 and referenda for which the elector is certified to vote. The form shall also include  
6 a space where the clerk may record an indication of whether the form is received by  
7 mail, a space where the clerk may record an indication of the type of identifying  
8 document submitted by the elector as proof of residence under s. 6.34, whenever  
9 required, and a space where the clerk, for any applicant who possesses a valid voting  
10 identification card issued to the person under s. 6.47 (3), may record the  
11 identification serial number appearing on the voting identification card. Each  
12 county clerk shall obtain sufficient registration forms for completion by an elector  
13 who desires to register to vote at the office of the county clerk under s. 6.28 (4).

14 **SECTION 14.** 6.33 (2) (b) of the statutes is amended to read:

15 6.33 (2) (b) Except as provided in s. 6.86 (3) (a) 2., the registration form shall  
16 be signed by the registering elector ~~and any corroborating elector under s. 6.29 (2)~~  
17 ~~(a) or 6.55 (2)~~ before the clerk, issuing officer or registration deputy. The form shall  
18 contain a certification by the registering elector that all statements are true and  
19 correct.

20 **SECTION 15.** 6.34 (2) of the statutes is amended to read:

21 6.34 (2) ~~Except as authorized in ss. 6.29 (2) (a) and 6.86 (3) (a) 2., upon~~ Upon  
22 completion of a registration form prescribed under s. 6.33, each <sup>eligible</sup> elector who is  
23 required to register under s. 6.27, who is not a military elector or an overseas elector <sup>^</sup>  
24 and who registers after the close of registration under s. 6.29 or 6.86 (3) (a) 2., shall  
25 provide an identifying document that establishes proof of residence under sub. (3).

## ASSEMBLY BILL 947

## SECTION 15

1 Each <sup>eligible</sup> elector who is required to register under s. 6.27<sup>5</sup> who is not a military elector or  
2 an overseas elector<sup>5</sup> who registers by mail, and who has not voted in an election in this  
3 state shall, if voting in person, provide an identifying document that establishes  
4 proof of residence under sub. (3) or, if voting by absentee ballot, provide a copy of an  
5 identifying document that establishes proof of residence under sub. (3). If the elector  
6 registered by mail, the identifying document may not be a residential lease.

7 SECTION 16. 6.55 (2) (b) of the statutes is amended to read:

8 6.55 (2) (b) Upon executing the registration form under par. ~~the~~  
9 authorized under s. 6.79 (7), <sup>each</sup> ~~the~~ elector shall be required by a special registration  
10 deputy or inspector to present a valid operator's license issued to the elector under  
11 ch. 343, a valid, current identification card issued to the elector by a U.S. uniformed  
12 service, or a valid identification card issued to the elector under s. 343.50. If any  
13 document presented is not proof of residence under s. 6.34, the elector shall also  
14 provide proof of residence under s. 6.34. ~~If the elector cannot provide proof of~~  
15 ~~residence, the information contained in the registration form shall be corroborated~~  
16 ~~in a statement that is signed by any elector who resides in the same municipality as~~  
17 ~~the registering elector and that contains the current street address of the~~  
18 ~~corroborating elector. The corroborator shall then provide proof of residence as~~  
19 ~~provided in s. 6.34. If the elector is registering to vote in the general election and the~~  
20 elector presents a valid driver's license issued by another state, the inspector or  
21 deputy shall record on a separate list the name and address of the elector, the name  
22 of the state, and the license number and expiration date of the license. The signing  
23 by the elector executing the registration form and by any corroborator shall be in the  
24 presence of the special registration deputy or inspector who shall then print his or  
25 her name on and sign the form, indicating that the deputy or inspector has accepted

## ASSEMBLY BILL 947

1 the form. Upon compliance with this procedure, the elector shall be permitted to cast  
2 his or her vote, if the elector complies with all other requirements for voting at the  
3 polling place.

4 **SECTION 17.** 6.55 (2) (b) of the statutes, as affected by 20<sup>11</sup> Wisconsin Act ...  
5 (this act), is amended to read:

6 6.55 (2) (b) Upon executing the registration form under par. (a), except as  
7 authorized under s. 6.79 (7), ~~the~~ <sup>each eligible</sup> elector shall be required by a special registration  
8 deputy or inspector to present a valid operator's license issued to the elector under  
9 ch. 343, a valid, current identification card issued to the elector by a U.S. uniformed  
10 service, ~~or~~ a valid identification card issued to the elector under s. 343.50, or a valid  
11 identification certificate issued to the elector under s. 343.505. If any document ✓  
12 presented is not proof of residence under s. 6.34, the elector shall also provide proof  
13 of residence under s. 6.34. If the elector is registering to vote in the general election  
14 and the elector presents a valid driver's license issued by another state, the inspector  
15 or deputy shall record on a separate list the name and address of the elector, the name  
16 of the state, and the license number and expiration date of the license. The signing  
17 by the elector executing the registration form and by any corroborator shall be in the  
18 presence of the special registration deputy or inspector who shall then print his or  
19 her name on and sign the form, indicating that the deputy or inspector has accepted  
20 the form. Upon compliance with this procedure, the elector shall be permitted to cast  
21 his or her vote, if the elector complies with all other requirements for voting at the  
22 polling place.

23 **SECTION 18.** 6.55 (2) (c) 1. of the statutes is amended to read:

24 6.55 (2) (c) 1. As an alternative to registration at the polling place under pars.  
25 (a) and (b), the board of election commissioners, or the governing body of any



## ASSEMBLY BILL 947

## SECTION 18

1 municipality may by resolution require a person who qualifies as an elector and who  
2 is not registered and desires to register on the day of an election to do so at another  
3 readily accessible location in the same building as the polling place serving the  
4 elector's residence or at an alternate polling place assigned under s. 5.25 (5) (b),  
5 instead of at the polling place serving the elector's residence. In such case, the  
6 municipal clerk shall prominently post a notice of the registration location at the  
7 polling place. ~~The~~ <sup>An eligible</sup> elector who desires to register shall execute a registration form  
8 as prescribed under par. (a) and, except as authorized in s. 6.79 (7), present a valid  
9 operator's license issued to the person under ch. 343, a valid, current identification  
10 card issued to the person by a U.S. uniformed service, or a valid identification card  
11 issued to the person under s. 343.50. If any document presented by the person is not  
12 acceptable proof of residence under s. 6.34, the person shall also provide proof of  
13 residence as provided under s. 6.34. If the elector cannot provide proof of residence,  
14 the information contained in the registration form shall be corroborated in the  
15 manner provided in par. (b). If the elector a person is registering to vote in the general  
16 election and the elector person presents a valid driver's license issued by another  
17 state, the municipal clerk, deputy clerk, or special registration deputy shall record  
18 on a separate list the name and address of the elector person, the name of the state,  
19 and the license number and expiration date of the license. The signing by the elector  
20 person executing the registration form and by any corroborator ~~except as provided~~  
21 under par. (a) shall be in the presence of the municipal clerk, deputy clerk or special  
22 registration deputy. The municipal clerk, the deputy clerk, or the special registration  
23 deputy shall then print his or her name and sign the form, indicating that the clerk,  
24 deputy clerk, or deputy has accepted the form. Upon proper completion of  
25 registration, the municipal clerk, deputy clerk or special registration deputy shall

## ASSEMBLY BILL 947

1 serially number the registration and give one copy to the elector person for  
2 presentation at the polling place serving the ~~elector's~~ person's residence or an  
3 alternate polling place assigned under s. 5.25 (5) (b).

4 SECTION 19. 6.55 (2) (c) 1. of the statutes, as affected by 200<sup>11</sup>~~9~~ Wisconsin Act ....  
5 (this act), is amended to read:

6 6.55 (2) (c) 1. As an alternative to registration at the polling place under pars.  
7 (a) and (b), the board of election commissioners, or the governing body of any  
8 municipality may by resolution require a person who qualifies as an elector and who  
9 is not registered and desires to register on the day of an election to do so at another  
10 readily accessible location in the same building as the polling place serving the  
11 elector's residence or at an alternate polling place assigned under s. 5.25 (5) (b),  
12 instead of at the polling place serving the elector's residence. In such case, the  
13 municipal clerk shall prominently post a notice of the registration location at the  
14 polling place. <sup>An eligible</sup> ~~The~~ elector who desires to register shall execute a registration form  
15 as prescribed under par. (a) and, except as authorized in s. 6.79 (7), present a valid  
16 operator's license issued to the person under ch. 343, a valid, current identification  
17 card issued to the person by a U.S. uniformed service, ~~or~~ a valid identification card  
18 issued to the person under s. 343.50, or a valid identification certificate issued to the  
19 person under s. 343.505. If any document presented by the person is not acceptable  
20 proof of residence under s. 6.34, the person shall also provide proof of residence as  
21 provided under s. 6.34. If a person is registering to vote in the general election and  
22 the person presents a valid driver's license issued by another state, the municipal  
23 clerk, deputy clerk, or special registration deputy shall record on a separate list the  
24 name and address of the person, the name of the state, and the license number and  
25 expiration date of the license. The signing by the person executing the registration

## ASSEMBLY BILL 947

1 form, ~~except as provided under par. (a)~~, shall be in the presence of the municipal  
2 clerk, deputy clerk or special registration deputy. The municipal clerk, the deputy  
3 clerk, or the special registration deputy shall then print his or her name and sign the  
4 form, indicating that the clerk, deputy clerk, or deputy has accepted the form. Upon  
5 proper completion of registration, the municipal clerk, deputy clerk or special  
6 registration deputy shall serially number the registration and give one copy to the  
7 person for presentation at the polling place serving the person's residence or an  
8 alternate polling place assigned under s. 5.25 (5) (b).

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

10 6.55 (2) (c) 2. Upon compliance with the procedures under subd. 1., the  
11 municipal clerk or deputy clerk shall issue a certificate addressed to the inspectors  
12 of the proper polling place directing that the elector be permitted to cast his or her  
13 vote if the elector complies with all requirements for voting at the polling place. The  
14 clerk shall enter the name and address of the elector on the face of the certificate.  
15 ~~If the elector's registration is corroborated, the clerk shall also enter the name and~~  
16 ~~address of the corroborator on the face of the certificate.~~ The certificate shall be  
17 numbered serially and prepared in duplicate. The municipal clerk shall preserve one  
18 copy in his or her office.

19 SECTION 21. 6.56 (5) of the statutes is repealed. \*

20 SECTION 22. 6.79 (2) (a) of the statutes is amended to read:

21 6.79 (2) (a) Unless information on the poll list is entered electronically, the  
22 municipal clerk shall supply the inspectors with 2 copies of the most current official  
23 registration list or lists prepared under s. 6.36 (2) (a) for use as poll lists at the polling  
24 place. Except as provided in sub. subs. (6) and (7), each person <sup>eligible</sup> ~~elector~~, before  
25 receiving a serial number, shall state his or her full name and address and present

## ASSEMBLY BILL 947

1 to the officials a valid operator's license issued to the elector under ch. 343, a valid,  
 2 current identification card issued to the elector by a U.S. uniformed service, or a valid  
 3 identification card issued to the elector under s. 343.50. The officials shall verify that  
 4 the name and address ~~provided~~ stated by the person elector are the same as the  
 5 person's elector's name and address on the poll list.

6 **SECTION 23.** 6.79 (2) (a) of the statutes, as affected by 200<sup>11</sup>~~09~~ Wisconsin Act ...  
 7 (this act), is amended to read:

8 6.79 (2) (a) Unless information on the poll list is entered electronically, the  
 9 municipal clerk shall supply the inspectors with 2 copies of the most current official  
 10 registration list or lists prepared under s. 6.36 (2) (a) for use as poll lists at the polling  
 11 place. Except as provided in subs. (6) and (7), each <sup>eligible</sup> elector, before receiving a serial  
 12 number, shall state his or her full name and address and present to the officials a  
 13 valid operator's license issued to the elector under ch. 343, a valid, current  
 14 identification card issued to the elector by a U.S. uniformed service, ~~or~~ a valid  
 15 identification card issued to the elector under s. 343.50, or a valid identification  
 16 certificate issued to the elector under s. 343.505. The officials shall verify that the  
 17 name and address stated by the elector are the same as the elector's name and  
 18 address on the poll list.

19 **SECTION 24.** 6.79 (2) (d) of the statutes is amended to read:

20 6.79 (2) (d) If the poll list indicates that proof of residence under s. 6.34 is  
 21 required and the document provided by the elector under par. (a) does not constitute  
 22 proof of residence under s. 6.34, the officials shall require the elector to provide proof  
 23 of residence. If proof of residence is provided, the officials shall verify that the name  
 24 and address on the identification document submitted as proof of residence provided  
 25 is the same as the name and address shown on the registration list. If proof of

**ASSEMBLY BILL 947**

**SECTION 24**

1 residence is required and not provided, or if the elector does not present a license or  
2 identification card under par. (a), whenever required, the officials shall offer the  
3 opportunity for the elector to vote under s. 6.97.

**11**

4 **SECTION 25.** 6.79 (2) (d) of the statutes, as affected by 2009 Wisconsin Act ...  
5 (this act), is amended to read:

6 6.79 (2) (d) If the poll list indicates that proof of residence under s. 6.34 is  
7 required and the document provided by the elector under par. (a) does not constitute  
8 proof of residence under s. 6.34, the officials shall require the elector to provide proof  
9 of residence. If proof of residence is provided, the officials shall verify that the name  
10 and address on the document submitted as proof of residence provided is the same  
11 as the name and address shown on the registration list. If proof of residence is  
12 required and not provided, or if the elector does not present a license or, identification  
13 card, or identification certificate under par. (a), whenever required, the officials shall  
14 offer the opportunity for the elector to vote under s. 6.97.

15 **SECTION 26.** 6.79 (3) (title) of the statutes is amended to read:

16 6.79 (3) (title) ~~REFUSAL TO GIVE NAME AND ADDRESS~~ PROVIDE NAME, ADDRESS,  
17 LICENSE, OR IDENTIFICATION CARD.

**11**

18 **SECTION 27.** 6.79 (3) (title) of the statutes, as affected by 2009 Wisconsin Act  
19 .... (this act), is amended to read:

20 6.79 (3) (title) ~~REFUSAL TO PROVIDE NAME, ADDRESS, LICENSE, OR IDENTIFICATION~~  
21 ~~CARD OR CERTIFICATE.~~

22 **SECTION 28.** 6.79 (3) of the statutes is renumbered 6.79 (3) (a).

23 **SECTION 29.** 6.79 (3) (b) of the statutes is created to read:

24 6.79 (3) (b) If a license or identification card under sub. (2) is not provided by  
25 the elector or if the name or any photograph appearing on the document that is

X

## ASSEMBLY BILL 947

1 provided cannot be verified by the officials, the elector shall not be permitted to vote,  
2 except as authorized under sub. (6) or (7), but if the elector is entitled to cast a  
3 provisional ballot under s. 6.97, the officials shall offer the opportunity for the elector  
4 to vote under s. 6.97.

5 **SECTION 30.** 6.79 (3) (b) of the statutes, as created by 2011 Wisconsin Act ...  
6 (this act), is amended to read:

7 6.79 (3) (b) If a license ~~or~~, identification card, or identification certificate under  
8 sub. (2) is not provided by the elector or if the name or any photograph appearing on  
9 the document that is provided cannot be verified by the officials, the elector shall not  
10 be permitted to vote, except as authorized under sub. (6) or (7), but if the elector is  
11 entitled to cast a provisional ballot under s. 6.97, the officials shall offer the  
12 opportunity for the elector to vote under s. 6.97.

13 **SECTION 31.** 6.79 (4) of the statutes is amended to read:

14 6.79 (4) SUPPLEMENTAL INFORMATION. When any elector provides proof of  
15 residence under s. 6.15, 6.29 or 6.55 (2), the election officials shall enter the type of  
16 identifying document provided on the poll list, or separate list maintained under sub.  
17 (2) (c). If the document submitted as proof of identity or residence includes a number  
18 which applies only to the individual holding that document, the election officials  
19 shall also enter that number on the list. ~~When any elector corroborates the~~  
20 ~~registration identity or residence of any person offering to vote under s. 6.55 (2) (b)~~  
21 ~~or (c), or the registration identity or residence of any person registering on election~~  
22 ~~day under s. 6.86 (3) (a) 2., the election officials shall also enter the name and address~~  
23 ~~of the corroborator next to the name of the elector whose information is being~~  
24 ~~corroborated on the poll list, or the separate list maintained under sub. (2) (c). When~~

**ASSEMBLY BILL 947**

1 any person offering to vote has been challenged and taken the oath, following the  
2 person's name on the poll list, the officials shall enter the word "Sworn".

3 **SECTION 32.** 6.79 (6) of the statutes is amended to read:

4 6.79 (6) CONFIDENTIAL NAMES AND ADDRESSES. An elector who has a confidential  
5 listing under s. 6.47 (2) may present his or her identification card issued under s. 6.47  
6 (3), or give his or her name and identification serial number issued under s. 6.47 (3),  
7 in lieu of stating his or her name and address and presenting a license or  
8 identification card under sub. (2). If the elector's name and identification serial  
9 number appear on the confidential portion of the list, the inspectors shall issue a  
10 voting serial number to the elector, record that number on the poll list and permit  
11 the elector to vote.

11

12 **SECTION 33.** 6.79 (6) of the statutes, as affected by 2009 Wisconsin Act .... (this  
13 act), is amended to read:

14 6.79 (6) CONFIDENTIAL NAMES AND ADDRESSES. An elector who has a confidential  
15 listing under s. 6.47 (2) may present his or her identification card issued under s. 6.47  
16 (3), or give his or her name and identification serial number issued under s. 6.47 (3),  
17 in lieu of stating his or her name and address and presenting a license or  
18 identification card, or identification certificate under sub. (2). If the elector's name  
19 and identification serial number appear on the confidential portion of the list, the  
20 inspectors shall issue a voting serial number to the elector, record that number on  
21 the poll list and permit the elector to vote.

22 **SECTION 34.** 6.79 (7) of the statutes is created to read:

23 6.79 (7) LICENSE SURRENDER. If an elector receives a citation or notice of intent  
24 to revoke or suspend an operator's license from a law enforcement officer in any  
25 jurisdiction that is dated within 60 days of the date of an election and is required to

**ASSEMBLY BILL 947**

1 surrender his or her operator's license issued to the elector under ch. 343 at the time  
2 the citation or notice is issued, the elector may present an original copy of the citation  
3 or notice in lieu of an operator's license under ch. 343. In such case, the elector shall  
4 cast his or her ballot under s. 6.965. ✓

5 **SECTION 35.** 6.82 (1) (a) of the statutes is amended to read:

6 6.82 (1) (a) When any inspectors are informed that an <sup>eligible</sup> elector is at the entrance  
7 to the polling place who as a result of disability is unable to enter the polling place,  
8 they shall permit the elector to be assisted in marking a ballot by any individual  
9 selected by the elector, except the elector's employer or an agent of that employer or  
10 an officer or agent of a labor organization which represents the elector. The Except  
11 as authorized in s. 6.79 (6) and (7), the individual selected by the elector shall present  
12 to the inspectors a valid operator's license issued to the elector under ch. 343, a valid,  
13 current identification card issued to the elector by a U.S. uniformed service, or a valid  
14 identification card issued to the elector under s. 343.50 and, if the license or  
15 identification card does not constitute proof of residence under s. 6.34, shall also  
16 provide proof of residence under s. 6.34 for the assisted elector, whenever required,  
17 and all other information necessary for the elector to obtain a ballot under s. 6.79 (2).  
18 The inspectors shall issue a ballot to the individual selected by the elector and shall  
19 accompany the individual to the polling place entrance where the assistance is to be  
20 given. If the ballot is a paper ballot, the assisting individual shall fold the ballot after  
21 the ballot is marked by the assisting individual. The assisting individual shall then  
22 immediately take the ballot into the polling place and give the ballot to an inspector.  
23 The inspector shall distinctly announce that he or she has "a ballot offered by ....  
24 (stating person's name), an elector who, as a result of disability, is unable to enter the  
25 polling place without assistance". The inspector shall then ask, "Does anyone object



## ASSEMBLY BILL 947

1 to the reception of this ballot?" If no objection is made, the inspectors shall record  
2 the elector's name under s. 6.79 and deposit the ballot in the ballot box, and shall  
3 make a notation on the poll list: "Ballot received at poll entrance".

4 **SECTION 36.** 6.82 (1) (a) of the statutes, as affected by 20<sup>11</sup>~~09~~ Wisconsin Act ....  
5 (this act), is amended to read:

6 6.82 (1) (a) When any inspectors are informed that an eligible elector is at the entrance  
7 to the polling place who as a result of disability is unable to enter the polling place,  
8 they shall permit the elector to be assisted in marking a ballot by any individual  
9 selected by the elector, except the elector's employer or an agent of that employer or  
10 an officer or agent of a labor organization which represents the elector. Except as  
11 authorized in s. 6.79 (6) and (7), the individual selected by the elector shall present  
12 to the inspectors a valid operator's license issued to the elector under ch. 343, a valid,  
13 current identification card issued to the elector by a U.S. uniformed service, ~~or~~ a valid  
14 identification card issued to the elector under s. 343.50, or a valid identification  
15 certificate issued to the elector under s. 343.505 and, if the license ~~or~~, identification  
16 card, or identification certificate does not constitute proof of residence under s. 6.34,  
17 shall also provide proof of residence under s. 6.34 for the assisted elector, whenever  
18 required, and all other information necessary for the elector to obtain a ballot under  
19 s. 6.79 (2). The inspectors shall issue a ballot to the individual selected by the elector  
20 and shall accompany the individual to the polling place entrance where the  
21 assistance is to be given. If the ballot is a paper ballot, the assisting individual shall  
22 fold the ballot after the ballot is marked by the assisting individual. The assisting  
23 individual shall then immediately take the ballot into the polling place and give the  
24 ballot to an inspector. The inspector shall distinctly announce that he or she has "a  
25 ballot offered by .... (stating person's name), an elector who, as a result of disability,

## ASSEMBLY BILL 947

1 is unable to enter the polling place without assistance". The inspector shall then ask,  
2 "Does anyone object to the reception of this ballot?" If no objection is made, the  
3 inspectors shall record the elector's name under s. 6.79 and deposit the ballot in the  
4 ballot box, and shall make a notation on the poll list: "Ballot received at poll  
5 entrance".

6 SECTION 37. 6.86 (1) (ac) of the statutes is amended to read:

7 6.86 (1) (ac) Any elector qualifying under par. (a) may make written application  
8 to the municipal clerk for an official ballot by means of facsimile transmission or  
9 electronic mail. Any application under this paragraph shall contain a copy of the  
10 applicant's original signature. An elector requesting a ballot under this paragraph  
11 shall return with the voted ballot a copy of the request bearing an original signature  
12 of the elector as provided in s. 6.87 (4) (b). ✓

13 SECTION 38. 6.86 (1) (ar) of the statutes is amended to read:

14 6.86 (1) (ar) Except as authorized in s. 6.875 (6), the municipal clerk shall not  
15 issue an absentee ballot unless the clerk receives a written application therefor from  
16 a qualified elector of the municipality. The clerk shall retain each absentee ballot  
17 application until destruction is authorized under s. 7.23 (1). Except as authorized  
18 in s. 6.79 (6) and (7), if ~~a qualified~~ ← underscored elector applies for an absentee ballot in person at the clerk's  
19 office, the clerk shall not issue the elector an absentee ballot unless the elector  
20 presents a valid operator's license issued to the elector under ch. 343, a valid, current  
21 identification card issued to the elector by a U.S. uniformed service, or a valid  
22 identification card issued to the elector under s. 343.50. The clerk shall make a copy  
23 of the document presented by the elector and shall enclose the copy in the certificate  
24 envelope.

**ASSEMBLY BILL 947**

**SECTION 39**

11

① SECTION 39. 6.86 (1) (ar) of the statutes, as affected by 2009 Wisconsin Act ...  
2 (this act), is amended to read:

3 6.86 (1) (ar) Except as authorized in s. 6.875 (6), the municipal clerk shall not  
4 issue an absentee ballot unless the clerk receives a written application therefor from  
5 a qualified elector of the municipality. The clerk shall retain each absentee ballot  
6 application until destruction is authorized under s. 7.23 (1). Except as authorized  
7 in s. 6.79 (6) and (7), if ~~an~~ a qualified elector applies for an absentee ballot in person at the clerk's  
8 office, the clerk shall not issue the elector an absentee ballot unless the elector  
9 presents a valid operator's license issued to the elector under ch. 343, a valid, current  
10 identification card issued to the elector by a U.S. uniformed service, ~~or~~ a valid  
11 identification card issued to the elector under s. 343.50, or a valid identification  
12 certificate issued to the elector under s. 343.505. The clerk shall make a copy of the  
13 document presented by the elector and shall enclose the copy in the certificate  
14 envelope.

15 SECTION 40. 6.86 (3) (a) 1. of the statutes is amended to read:

16 6.86 (3) (a) 1. Any elector who is registered and who is hospitalized, may apply  
17 for and obtain an official ballot by agent. The agent may apply for and obtain a ballot  
18 for the hospitalized absent elector by presenting a form prescribed by the board and  
19 containing the required information supplied by the hospitalized elector and signed  
20 by that elector ~~and any other elector residing in the same municipality as the~~  
21 ~~hospitalized elector, corroborating the information contained therein. The~~  
22 ~~corroborating elector shall state on the form his or her full name and address. Except~~  
23 as authorized for an elector who has a confidential listing under s. 6.47 (2) or as  
24 authorized in s. 6.87 (4) (b) 4. the agent shall present the license or identification

## ASSEMBLY BILL 947

1 card required under sub. (1) (ar). The clerk shall make a copy of the document  
2 presented by the agent and shall enclose the copy in the certificate envelope.

3 **SECTION 41.** 6.86 (3) (a) 1. of the statutes, as affected by 200<sup>11</sup>~~09~~ Wisconsin Act ...  
4 (this act), is amended to read:

5 6.86 (3) (a) 1. Any elector who is registered and who is hospitalized, may apply  
6 for and obtain an official ballot by agent. The agent may apply for and obtain a ballot  
7 for the hospitalized absent elector by presenting a form prescribed by the board and  
8 containing the required information supplied by the hospitalized elector and signed  
9 by that elector. Except as authorized for an elector who has a confidential listing  
10 under s. 6.47 (2) or as authorized in s. 6.87 (4) (b) 4., the agent shall present the  
11 license ~~or~~ identification card, or identification certificate required under sub. (1) (ar).  
12 The clerk shall make a copy of the document presented by the agent and shall enclose  
13 the copy in the certificate envelope.

14 **SECTION 42.** 6.86 (3) (a) 2. of the statutes is amended to read:

15 6.86 (3) (a) 2. If a hospitalized elector is not registered, the elector may register  
16 by agent under this subdivision at the same time that the elector applies for an  
17 official ballot by agent under subd. 1. To register the elector under this subdivision,  
18 the agent shall present a completed registration form that contains the required  
19 information supplied by the elector and the elector's signature, unless the elector is  
20 unable to sign due to physical disability. In this case, the elector may authorize  
21 another elector to sign on his or her behalf. Any elector signing a form on another  
22 elector's behalf shall attest to a statement that the application is made on request  
23 and by authorization of the named elector, who is unable to sign the form due to  
24 physical disability. The agent shall present this statement along with all other  
25 information required under this subdivision. ~~Except as otherwise provided in this~~

## ASSEMBLY BILL 947

## SECTION 42

1 ~~subdivision, the~~ The agent shall in every case provide proof of the elector's residence  
2 under s. 6.34. If the elector is registering to vote in the general election and the agent  
3 presents a valid driver's license issued to the elector by another state, the municipal  
4 clerk shall record on a separate list the name and address of the elector, the name  
5 of the state, and the license number and expiration date of the license. ~~If the agent~~  
6 ~~cannot present proof of residence, the registration form shall be signed and~~  
7 ~~substantiated by another elector residing in the elector's municipality of residence,~~  
8 ~~corroborating the information in the form. The form shall contain the full name and~~  
9 ~~address of the corroborating elector. The agent shall then present proof of the~~  
10 ~~corroborating elector's residence under s. 6.34.~~

11 SECTION 43. 6.869 of the statutes is amended to read:

12 **6.869 Uniform instructions.** The board shall prescribe uniform instructions  
13 for absentee voters. The instructions shall include information concerning whether  
14 a copy of a license or identification card is required under s. 6.86 (1) (ar) or 6.87 (4)  
15 (b) and information concerning the procedure for correcting errors in marking a  
16 ballot and obtaining a replacement for a spoiled ballot. The procedure shall, to the  
17 extent possible, respect the privacy of each elector and preserve the confidentiality  
18 of each elector's vote.

19 SECTION 44. 6.869 of the statutes, as affected by 2009 Wisconsin Act ... (this  
20 act), is amended to read:

21 **6.869 Uniform instructions.** The board shall prescribe uniform instructions  
22 for absentee voters. The instructions shall include information concerning whether  
23 a copy of a license ~~or~~ identification card, or identification certificate is required under  
24 s. 6.86 (1) (ar) or 6.87 (4) (b) and information concerning the procedure for correcting  
25 errors in marking a ballot and obtaining a replacement for a spoiled ballot. The

**ASSEMBLY BILL 947**

1 procedure shall, to the extent possible, respect the privacy of each elector and  
2 preserve the confidentiality of each elector's vote.

3 **SECTION 45.** 6.87 (3) (d) of the statutes is amended to read:

4 6.87 (3) (d) A municipal clerk may, if the clerk is reliably informed by an absent  
5 elector of a facsimile transmission number or electronic mail address where the  
6 elector can receive an absentee ballot, transmit a facsimile or electronic copy of the  
7 absent elector's ballot to that elector in lieu of mailing under this subsection if, in the  
8 judgment of the clerk, the time required to send the ballot through the mail may not  
9 be sufficient to enable return of the ballot by the time provided under sub. (6). An  
10 elector may receive an absentee ballot under this subsection only if the elector has  
11 filed a valid application for the ballot under s. 6.86 (1). If the clerk transmits an  
12 absentee ballot under this paragraph, the clerk shall also transmit a facsimile or  
13 electronic copy of the text of the material that appears on the certificate envelope  
14 prescribed in sub. (2), together with instructions prescribed by the board. The  
15 instructions shall require the absent elector to make and subscribe to the  
16 certification as required under sub. (4) (b) and to enclose the absentee ballot in a  
17 separate envelope contained within a larger envelope, that shall include the  
18 completed certificate. The elector shall then affix sufficient postage unless the  
19 absentee ballot qualifies for mailing free of postage under federal free postage laws  
20 and shall mail the absentee ballot to the municipal clerk. Except as authorized in  
21 s. 6.97 (2), an absentee ballot received under this paragraph shall not be counted  
22 unless it is cast in the manner prescribed in this paragraph and in accordance with  
23 the instructions provided by the board.

24 **SECTION 46.** 6.87 (4) of the statutes is renumbered 6.87 (4) (b) 1. and amended  
25 to read: X

## ASSEMBLY BILL 947

1           6.87 (4) (b) 1. Except as otherwise provided in s. 6.875, the elector voting  
2 absentee shall make and subscribe to the certification before one witness who is an  
3 adult U.S. citizen. The absent elector, in the presence of the witness, shall mark the  
4 ballot in a manner that will not disclose how the elector's vote is cast. The elector  
5 shall then, still in the presence of the witness, fold the ballots so each is separate and  
6 so that the elector conceals the markings thereon and deposit them in the proper  
7 envelope. If a consolidated ballot under s. 5.655 is used, the elector shall fold the  
8 ballot so that the elector conceals the markings thereon and deposit the ballot in the  
9 proper envelope. If proof of residence is required Except as authorized in subds. 2.  
10 to 5. and s. 6.875 (6) and notwithstanding s. 343.43 (1) (f), the elector shall enclose  
11 a copy of the license or identification card required under s. 6.86 (1) (ar) in the  
12 envelope, unless the elector is a military elector or an overseas elector or the elector  
13 has a confidential listing under s. 6.47 (2). If proof of residence under s. 6.34 is  
14 required and the document enclosed by the elector under this subdivision does not  
15 constitute proof of residence under s. 6.34, the elector shall also enclose proof of  
16 residence under s. 6.34 in the envelope. Proof of residence is required if the elector  
17 is not a military elector or an overseas elector, ~~as defined in s. 6.34 (1),~~ and the elector  
18 registered by mail and has not voted in an election in this state. If the elector  
19 requested a ballot by means of facsimile transmission or electronic mail under s. 6.86  
20 (1) (ac), the elector shall enclose in the envelope a copy of the request which bears an  
21 original signature of the elector. The elector may receive assistance under sub. (5).  
22 The return envelope shall then be sealed. The witness may not be a candidate. The  
23 envelope shall be mailed by the elector, or delivered in person, to the municipal clerk  
24 issuing the ballot or ballots. If the envelope is mailed from a location outside the  
25 United States, the elector shall affix sufficient postage unless the ballot qualifies for

**ASSEMBLY BILL 947**

1 delivery free of postage under federal law. Failure to return an unused ballot in a  
2 primary does not invalidate the ballot on which the elector's votes are cast. Return  
3 of more than one marked ballot in a primary or return of a ballot prepared under s.  
4 5.655 or a ballot used with an electronic voting system in a primary which is marked  
5 for candidates of more than one party invalidates all votes cast by the elector for  
6 candidates in the primary.

7 **SECTION 47.** 6.87 (4) (a) of the statutes is created to read:

8 6.87 (4) (a) In this subsection:

9 1. "Military elector" has the meaning given in s. 6.34 (1) (a). ✓

10 2. "Overseas elector" has the meaning given in s. 6.34 (1) (b). ✓

11 **SECTION 48.** 6.87 (4) (b) 1. of the statutes, as affected by 200~~9~~<sup>11</sup> Wisconsin Act ....

12 (this act), is amended to read:

13 6.87 (4) (b) 1. Except as otherwise provided in s. 6.875, the elector voting  
14 absentee shall make and subscribe to the certification before one witness who is an  
15 adult U.S. citizen. The absent elector, in the presence of the witness, shall mark the  
16 ballot in a manner that will not disclose how the elector's vote is cast. The elector  
17 shall then, still in the presence of the witness, fold the ballots so each is separate and  
18 so that the elector conceals the markings thereon and deposit them in the proper  
19 envelope. If a consolidated ballot under s. 5.655 is used, the elector shall fold the  
20 ballot so that the elector conceals the markings thereon and deposit the ballot in the  
21 proper envelope. Except as authorized in subds. 2. to 5. and s. 6.875 (6) and  
22 notwithstanding s. 343.43 (1) (f), the elector shall enclose a copy of the license or,  
23 identification card, or identification certificate required under s. 6.86 (1) (ar) in the  
24 envelope, unless the elector is a military elector or an overseas elector or the elector  
25 has a confidential listing under s. 6.47 (2). If proof of residence under s. 6.34 is



**ASSEMBLY BILL 947****SECTION 48**

1 required and the document enclosed by the elector under this subdivision does not  
2 constitute proof of residence under s. 6.34, the elector shall also enclose proof of  
3 residence under s. 6.34 in the envelope. Proof of residence is required if the elector  
4 is not a military elector or an overseas elector and the elector registered by mail and  
5 has not voted in an election in this state. If the elector requested a ballot by means  
6 of facsimile transmission or electronic mail under s. 6.86 (1) (ac), the elector shall  
7 enclose in the envelope a copy of the request which bears an original signature of the  
8 elector. The elector may receive assistance under sub. (5). The return envelope shall  
9 then be sealed. The witness may not be a candidate. The envelope shall be mailed  
10 by the elector, or delivered in person, to the municipal clerk issuing the ballot or  
11 ballots. If the envelope is mailed from a location outside the United States, the  
12 elector shall affix sufficient postage unless the ballot qualifies for delivery free of  
13 postage under federal law. Failure to return an unused ballot in a primary does not  
14 invalidate the ballot on which the elector's votes are cast. Return of more than one  
15 marked ballot in a primary or return of a ballot prepared under s. 5.655 or a ballot  
16 used with an electronic voting system in a primary which is marked for candidates  
17 of more than one party invalidates all votes cast by the elector for candidates in the  
18 primary.

19 **SECTION 49.** 6.87 (4) (b) 2. of the statutes is created to read:

20 6.87 (4) (b) 2. Unless subd. 3. <sup>✓</sup>applies, if the absentee elector has <sup>✓</sup>applied for and  
21 qualified to receive absentee ballots automatically under s. 6.86 (2) (a), the elector  
22 may, in lieu of providing a copy of a license or identification card required under s.  
23 6.86 (1) (ar), submit with his or her absentee ballot a statement signed by the same  
24 individual who witnesses voting of the ballot which contains the name and address  
25 of the elector and verifies that the name and address are correct.

## ASSEMBLY BILL 947

11

1 SECTION 50. 6.87 (4) (b) 2. of the statutes, as created by 2009 Wisconsin Act ...  
2 (this act), is amended to read:

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

10 SECTION 51. 6.87 (4) (b) 3. of the statutes is created to read:

11 6.87 (4) (b) 3. If the absentee elector has received an absentee ballot from the  
12 municipal clerk by mail for a previous election, has provided a copy of a license or  
13 identification card required under s. 6.86 (1) (ar) with that ballot, and has not  
14 changed his or her name or address since providing that identification, the elector  
15 is not required to provide a copy of the identification required under s. 6.86 (1) (ar).

11

16 SECTION 52. 6.87 (4) (b) 3. of the statutes, as created by 2009 Wisconsin Act ...  
17 (this act), is amended to read:

18 6.87 (4) (b) 3. If the absentee elector has received an absentee ballot from the  
19 municipal clerk by mail for a previous election, has provided a copy of a license or,  
20 identification card, or identification certificate required under s. 6.86 (1) (ar) with  
21 that ballot, and has not changed his or her name or address since providing that  
22 identification, the elector is not required to provide a copy of the identification  
23 required under s. 6.86 (1) (ar).

24 SECTION 53. 6.87 (4) (b) 4. of the statutes is created to read:

**ASSEMBLY BILL 947**

1           6.87 (4) (b) 4. If the absentee elector has received a citation or notice of intent  
2 to revoke or suspend an operator's license from a law enforcement officer in any  
3 jurisdiction that is dated within 60 days of the date of the election and is required  
4 to surrender his or her operator's license issued to the elector under ch. 343 at the  
5 time the citation or notice is issued, the elector may enclose a copy of the citation or  
6 notice in lieu of a copy of an operator's license under ch. 343 if the elector is voting  
7 by mail, or may present an original copy of the citation or notice in lieu of an  
8 operator's license under ch. 343 if the elector is voting at the office of the municipal  
9 clerk.

10           **SECTION 54.** 6.87 (4) (b) 5. of the statutes is created to read:

11           6.87 (4) (b) 5. Unless subd. 3. or 4. applies, if the absentee elector resides in a  
12 qualified retirement home, as defined in s. 6.875 (1) (at), a qualified  
13 community-based residential facility, as defined in s. 6.875 (1) (as), a residential care  
14 apartment complex that is certified or registered under s. 50.034 (1), or an adult  
15 family home that is certified under s. 50.032<sup>✓</sup> and the municipal clerk or board of  
16 election commissioners of the municipality where the complex, facility, or home is  
17 located does not send special voting deputies to visit the complex, facility, or home  
18 at the election under s. 6.875, the elector may, in lieu of providing a copy of a license  
19 or identification card required under s. 6.86 (1) (ar), submit with his or her absentee  
20 ballot a statement signed by the same individual who witnesses voting of the ballot  
21 that contains the certification of the manager of the complex, facility, or home that  
22 the elector resides in the complex, facility, or home and the complex, facility, or home  
23 is certified or registered as required by law, that contains the name and address of  
24 the elector, and that verifies that the name and address are correct.

## ASSEMBLY BILL 947

11

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

3 6.87 (4) (b) 5. Unless subd. 3. or 4. applies, if the absentee elector resides in a  
4 residential care apartment complex that is certified or registered under s. 50.034 (1)  
5 or an adult family home that is certified under s. 50.032<sup>or licensed under s. 50.033</sup> and the municipal clerk or  
6 board of election commissioners of the municipality where the complex or home is  
7 located does not send special voting deputies to visit the complex or home at the  
8 election under s. 6.875, the elector may, in lieu of providing a copy of a license or  
9 identification card, or identification certificate required under s. 6.86 (1) (ar), submit  
10 with his or her absentee ballot a statement signed by the same individual who  
11 witnesses voting of the ballot that contains the certification of the manager of the  
12 complex or home that the elector resides in the complex or home and the complex or  
13 home is certified or registered as required by law, that contains the name and address  
14 of the elector, and that verifies that the name and address are correct.

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

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

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

19 6.875 (1) (ap) "Qualified adult family home" means a facility that is certified  
20 <sup>for licensed</sup> to operate as an adult family home under s. 50.032<sup>or 50.033</sup> that qualifies under sub. (2) (d)  
21 to utilize the procedures under this section.

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

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

## ASSEMBLY BILL 947

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

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

6           6.875 (2) (d) The municipal clerk or board of election commissioners of any  
7 municipality where a residential care apartment complex certified or registered  
8 under s. 50.034 (1) or an adult family home certified under s. 50.032 <sup>for licensed under</sup> is located may <sup>s.</sup>  
9 adopt the procedures under this section for absentee voting in any such residential <sup>50-033</sup>  
10 care apartment complex or adult family home located in the municipality if the  
11 municipal clerk or board of election commissioners finds that there are a significant  
12 number of the occupants of the complex or home who lack adequate transportation  
13 to the appropriate polling place, a significant number of the occupants of the complex  
14 or home may need assistance in voting, there are a significant number of the  
15 occupants of the complex or home aged 60 or over, or there are a significant number  
16 of indefinitely confined electors who are occupants of the complex or home.

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

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

**ASSEMBLY BILL 947**

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

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

## ASSEMBLY BILL 947

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

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

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

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

**ASSEMBLY BILL 947**

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

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

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

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



## ASSEMBLY BILL 947

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

11

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

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

**ASSEMBLY BILL 947**

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

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

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

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

**ASSEMBLY BILL 947****SECTION 65**

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

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

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

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

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

ASSEMBLY BILL 947

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

Handwritten annotations: "scoring" with arrows pointing to lines 9 and 10; "as defined in s. 6.34 (1) (a)" with an arrow pointing to "a military elector"; "b" with an arrow pointing to "and the elector is"; "scoring" with an arrow pointing to line 11.

11

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

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

## ASSEMBLY BILL 947

## SECTION 68

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

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

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

## ASSEMBLY BILL 947

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

16 SECTION 70. 6.97 (title) of the statutes ~~as affected by 2009 Wisconsin Act 180,~~

17 is amended to read:

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

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

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

*§ as defined in s. 6.34 (1) (a) ^ (b)*

**ASSEMBLY BILL 947****SECTION 71**

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

**ASSEMBLY BILL 947**

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

3 **SECTION 72.** 6.97 (1) of the statutes, as affected by 200<sup>11</sup> Wisconsin Act .... (this  
4 act), is amended to read:

5 6.97 (1) Whenever any individual who is required to provide proof of residence  
6 under s. 6.34 in order to be permitted to vote appears to vote at a polling place and  
7 cannot provide the required proof of residence, the inspectors shall offer the  
8 opportunity for the individual to vote under this section. Whenever any individual,

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



**ASSEMBLY BILL 947**

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

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

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

## ASSEMBLY BILL 947

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

9 **SECTION 74.** 6.97 (2) of the statutes, as affected by 2009<sup>11</sup> Wisconsin Act .... (this  
 10 act), is amended to read:

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

**ASSEMBLY BILL 947**

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

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

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

**ASSEMBLY BILL 947**

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

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

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

11

15 **SECTION 77.** 6.97 (3) (a) of the statutes, as created by 2009 Wisconsin Act ....

16 (this act), is amended to read:

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

## ASSEMBLY BILL 947

## SECTION 77

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

3 **SECTION 78.** 6.97 (3) (b) of the statutes, as affected by 20~~09~~<sup>11</sup> Wisconsin Act ... ←  
4 (this act), is amended to read:

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

**ASSEMBLY BILL 947**

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

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

7           **SECTION 80.** 6.97 (3) (c) of the statutes, as created by 20~~09~~<sup>11</sup> Wisconsin Act ....  
8 (this act), is amended to read:

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

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

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

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

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

24           **SECTION 83.** 7.08 (12) of the statutes, as created by 20~~09~~<sup>11</sup> Wisconsin Act .... (this  
25 act), is amended to read:

**ASSEMBLY BILL 947****SECTION 83**

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

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

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

## ASSEMBLY BILL 947

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

8 **SECTION 85.** 7.52 (3) (a) of the statutes, as affected by 20~~09~~<sup>11</sup> Wisconsin Act ....

9 (this act), is amended to read:

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



## ASSEMBLY BILL 947

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

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

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

## ASSEMBLY BILL 947

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

3 **SECTION 87.** 10.02 (3) (form) (a) of the statutes, as affected by 20~~00~~<sup>11</sup> Wisconsin  
4 Act .... (this act), is amended to read:

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

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

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

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

**ASSEMBLY BILL 947****SECTION 89**

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

5           **SECTION 90.** 12.13 (3) (v) <sup>✓</sup> of the statutes is repealed. <sup>λ</sup>

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

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

19           **SECTION 92.** 125.085 (1) (f) <sup>λ</sup> of the statutes is created to read:

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

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

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

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

## ASSEMBLY BILL 947

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

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

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

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

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

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

✓  
insert  
57-3 →

**ASSEMBLY BILL 947****SECTION 97**

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

5                                 <sup>^</sup>  
6           **SECTION 98.** 343.19 (2) (c) of the statutes is created to read:

7           343.19 (2) (c) A duplicate identification certificate.

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

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

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

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

25                                 <sup>✓</sup>  
26           **SECTION 100.** 343.22 (2m) of the statutes, as affected by 2007 Wisconsin Act 20,  
27           <sup>✓</sup>section 3274, is repealed and recreated to read:

**ASSEMBLY BILL 947**

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

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

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

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

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

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

**ASSEMBLY BILL 947****SECTION 103**

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

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

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

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

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

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

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

**ASSEMBLY BILL 947**

license ↗

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

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

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

✓  
Insert  
61-10 →

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

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

✓

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

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



**ASSEMBLY BILL 947****SECTION 109**

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

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

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

21 **SECTION 111.** 343.50 (4) of the statutes, as affected by 2007 Wisconsin Act 20  
22 <sup>11</sup> and 2009 Wisconsin Act .... (this act), is repealed and recreated to read:

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

**ASSEMBLY BILL 947**

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

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

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

18 **SECTION 113.** 343.50 (4g) of the statutes, as created by 2009<sup>11</sup> Wisconsin Act ....  
19 (this act), is repealed.

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

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

## ASSEMBLY BILL 947

1           **SECTION 115.** 343.50 (5) (a) 1. of the statutes, as affected by 2009 Wisconsin Act  
2 28, section 2958, and 20~~09~~<sup>11</sup> Wisconsin Act .... (this act), is repealed and recreated to  
3 read:

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

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

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

22           **SECTION 117.** 343.50 (6) of the statutes, as affected by 2007 Wisconsin Act 20,  
23 section 3383, and 20~~09~~<sup>11</sup> Wisconsin Act .... (this act), is repealed and recreated to read:

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

**ASSEMBLY BILL 947**

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

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

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

12 (b) A person is eligible for an identification certificate under this section if the  
13 person provides the information that is required to be provided by an elector under  
14 s. 6.33 (1) and signs a statement affirming that the information is correct. ✓

15 **(2) APPLICATION.** (a) Every application to the department for an identification  
16 certificate or for renewal of an identification certificate shall be made upon the  
17 appropriate form furnished by the department and shall be accompanied by all  
18 required fees. The application for an identification certificate shall include all of the  
19 following:

20 1. The information required to be provided under sub. (1) (b), with a signed ✓  
21 statement affirming that the information is correct.

22 2. The applicant's color of eyes, color of hair, sex, height, weight and race. ↗ ↘

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

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

**ASSEMBLY BILL 947****SECTION 118**

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

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

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

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

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

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

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

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

**ASSEMBLY BILL 947**

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

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

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

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

**ASSEMBLY BILL 947**

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

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

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

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

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

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

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

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

**ASSEMBLY BILL 947**

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

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

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

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

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

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

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



**ASSEMBLY BILL 947****SECTION 118**

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

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

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

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

7 (f) Deface or alter an identification certificate.

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

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

20 **SECTION 119. Nonstatutory provisions.**

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

**ASSEMBLY BILL 947**

**SECTION 120. Initial applicability.**

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

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

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

and subchapter V (title) of chapter 343

insert 11-23

(END)

2011-2012 DRAFTING INSERT  
FROM THE  
LEGISLATIVE REFERENCE BUREAU

LRB-0089/lins  
JTK.....

INS 2A:

*delete  
Xtra space*

ten

Under current law, any person who is a U.S. citizen, who is at least 18 years of age, and who has resided in a ward or election district in this state for at least 10 days before the election at which the person is voting may vote in that ward or election district at that election unless the person is disqualified from voting, in certain cases specified by law, as the result of a felony conviction or an adjudication of incompetency. With limited exceptions, a person must register before voting and in certain cases must provide proof of residence.

PWS 5-13

✓  
Section #. 6.15 (1) of the statutes is amended to read:

6.15 (1) QUALIFICATIONS. Any person who was or who is ~~a qualified~~ <sup>an eligible</sup> elector under ss. 6.02 and 6.03, except that he or she has been a resident of this state for less than 10 days prior to the date of the presidential election, is entitled to vote for the president and vice president but for no other offices. The fact that the person was not registered to vote in the state from which he or she moved does not prevent voting in this state if the elector is otherwise qualified. ✓

~~History: 1977 c. 394; 1979 c. 311; 1981 c. 391; 1983 a. 484; 1985 a. 304; 1987 a. 391; 1997 a. 250; 1999 a. 182; 2001 a. 16, 104; 2003 a. 265; 2005 a. 451.~~

1           **INSERT 57-3:**

2           **SECTION 1.** 165.8287 (2) of the statutes, as created by 2009 Wisconsin Act 167,  
3 is amended to read:

4           165.8287 (2) Upon electronic request, the department of transportation shall  
5 make available to the department of justice, in a digital format, any photograph  
6 taken of an applicant under s. 343.14 (3) ~~or~~, 343.50 (4), or 343.505 (2) (b) that is  
7 maintained by the department of transportation. Updated photographs shall be  
8 available to the department of justice within 30 days of photograph capture.

9 History: 2009 a. 167.

10           **SECTION 2.** 165.8287 (3) (d) of the statutes, as created by 2009 Wisconsin Act  
11 167, is amended to read:

12           165.8287 (3) (d) The department of justice shall maintain a record, which may  
13 be electronic, of each request by a law enforcement agency for a photograph under  
14 this subsection and of the response to the request. Except as provided in s. 343.237  
15 (9), the department of justice may not disclose any record or other information  
16 concerning or relating to the request to any person other than a court, district  
17 attorney, county corporation counsel, city, village, or town attorney, law enforcement  
18 agency, the applicant under s. 343.14 (3) ~~or~~, 343.50 (4), or 343.505 (2) (b), or, if the  
19 applicant is under 18 years of age, his or her parent or guardian. Records maintained  
under this paragraph shall be maintained for at least 12 months.

20 History: 2009 a. 167.

21           **INSERT 61-10:**

22           **SECTION 3.** Subchapter V (title) of chapter 343 [precedes 343.50] of the statutes  
23 is amended to read:

1  
2  
3  
4  
5  
6  
7  
8

SUBCHAPTER V

hard return

IDENTIFICATION CARDS AND CERTIFICATES

**INSERT 71-23:**

165 ✓

(2) The treatment of section 343.8287 (2) and (3) (d) of the statutes takes effect on March 1, 2011, or on the day after publication, whichever is later.

# LPS:  
use autonumber  
not handnumber

or on the date on which the creation of section 343.165 of the statutes by 2007 Wisconsin Act 20 takes effect

DRAFTER'S NOTE  
FROM THE  
LEGISLATIVE REFERENCE BUREAU

LRB-0089/1dni  
JTK & ARG.....

343.50 (2)

delete  
period  
(and  
autonumber  
, if any)

DNI

343.06, 343.14, 343.16, and 343.50

Under current law, the qualifications for obtaining a driver's license or a Wisconsin identification card under ss. , stats, are not the same as the qualifications for voting under ss. 6.02 and 6.03, stats. It is possible for some persons who are ineligible to vote, for example, non-U.S. citizens, to obtain a driver's license. Some persons who cannot obtain a driver's license (for example, visually impaired persons) may be eligible to vote. In general, under s. , stats., it is possible for a person who is a Wisconsin resident to obtain a Wisconsin ID card if the person does not have a driver's license issued by Wisconsin or another state. The standard for determining residency under the election laws (s. 6.10, stats.) is different than the standard for determining residency for Wisconsin ID purposes (s. , stats.). In general, a person may be considered a Wisconsin resident for voting purposes if the person has been present here for at least 10 days and has not established a residence elsewhere. A person is a resident for Wisconsin ID purposes if ~~the person considers Wisconsin to be his or her residence~~. As a result, it is possible for a person who has only a driver's license issued by another state to vote in this state, and such a person may not always have an address from which he or she could vote in that other state (because someone else lives at the address shown on his or her license or the person uses a Wisconsin address for other purposes). Because under this draft a person who does not have a uniformed service identification card must have a Wisconsin driver's license or Wisconsin identification card in order to vote, ~~each~~ a person may no longer vote in this state under this draft (unless one of the exceptions applies). The person may or may not have an option to vote elsewhere. If you wish to discuss these issues further, please let us know.

delete  
Xtra  
space  
ten

who has only a  
driver's license  
issued by another state

to the ID requirement

JTK  
ARG

343.01(2)(c)

the person's  home and customary and principal residence, to which the person has the intention of returning whenever he or she is absent,  is in Wisconsin

LPS: add these signoffs after this paragraph

DRAFTER'S NOTE  
FROM THE  
LEGISLATIVE REFERENCE BUREAU

- 00891/  
LRB-4500/1dn  
JTK&ARG:cjs:jf

March 22, 2010

- late -

DVI Representative Stone:

1. Because this draft, in proposed s. 343.505 (1) (b), potentially permits any ~~resident~~ ~~citizen who is at least 18 years of age~~ to obtain an identification certificate, the draft will enable some individuals, ~~such as convicted felons whose voting rights have not been restored~~, to obtain a certificate and will also preclude some individuals, ~~such as former residents who do not vote in another state and who may qualify to vote here, from obtaining a certificate~~. To dovetail the requirements for obtaining a certificate with the requirements for voting would require ~~both~~ changing the draft, as well as cross training of DOT personnel to properly determine voting qualifications. We have not taken that step in this draft. Please let us know if you would like to see this treatment changed.

2. In proposed s. 343.505 (4) (a) 1., a fee of \$18 is imposed for obtaining an identification certificate unless an applicant requests that the fee be waived. [This is the same fee that applicants for Wisconsin identification cards currently pay.] Because, as we understand it, the certificates will be used primarily for voting purposes, you may wish to issue the certificates without charge if requested or without charge as a matter of course.

3. In proposed s. 343.505 (2) (a), this draft creates requirements for an applicant to obtain an identification certificate that extend beyond the requirements for voter registration under s. 6.33 (1), stats. While these requirements parallel many of the requirements for obtaining a Wisconsin identification card and they do not incorporate any of the federal "Real ID" requirements that we recently enacted, if the certificates are to be used primarily for voting purposes, you may wish to consider simplifying the requirements.

4. Voter photo ID laws have recently been enacted in at least ~~seven~~ <sup>eight</sup> states. These laws all contain different requirements and exemptions and none is substantially identical to this draft. There has been litigation in both state and federal courts regarding various issues pertaining to these laws. Some are constitutional issues unique to particular states, some are federal constitutional issues, and some are issues arising under federal law. The courts have not agreed regarding the validity of these laws.

STET: leave as typed

PERSON

5

Who do not qualify as electors of this state

or involvement of GAT election officials in the process for issuance of identification certificates

STET: leave as typed



In *Crawford v. Marion County Election Board*, 128 S. Ct. 1610 (2008), the U.S. Supreme Court sustained an Indiana voter photo identification law against a federal equal protection challenge because the court found that the state's interest in election modernization, prevention of voter fraud, and promoting public confidence in the integrity of the electoral process outweighed the limited burden upon voters' rights. In this state, the Wisconsin Constitution, article III, section 1, prescribes the qualifications for voting. The courts have held that election laws may implement and interpret these qualifications, but may not restrict eligibility. To be sustained, the courts must conclude that the requirements imposed under this draft simply constitute a reasonable method of verifying eligibility, as opposed to creating a new eligibility requirement. See *State ex rel. Barber v. Circuit Court*, 178 Wis. 468, 476 (1922).

5. It is possible that, if enacted, this draft may activate certain requirements under the National Voter Registration Act from which this state is currently exempt. Primarily, these requirements include voter registration simultaneously with motor vehicle driver's license applications and renewals, voter registration at any office that provides public assistance, voter registration at any office that primarily provides state-funded services to persons with disabilities, and voter registration at armed forces recruiting offices. This act exempts any state which, since May 20, 1993, has continuously permitted all voters in federal elections to "...register to vote at the polling place at the time of voting." 42 USC 1973gg-2 (b) (2). The Help America Vote Act also contains a provisional balloting procedure for all electors who vote at polling places in elections for federal office whenever their ballots are not accepted, but states that are exempt from compliance with the National Voter Registration Act under 42 USC 1973gg-2 (b) are not covered by this procedure. Because this draft will preclude some persons from registering and voting on election day if the persons have no acceptable ID and are unable to obtain them from a government office before the close of the polls, it could be interpreted to make these federal exemptions inapplicable. ~~They~~ may want to consider allowing these persons, only for the applicable election, to establish their identity by corroboration or to provide some type of statement certifying their identity and residence.

STEF:  
leave  
as  
typed

Federal

To address this  
= issues you

Jeffery T. Kuesel  
Managing Attorney  
Phone: (608) 266-6778

LPS: keep  
this  
signoff  
here

~~This is a redraft of 2007 LRB-2059/2. You may wish to consult my drafter's note for that draft with regard to my general drafting approach. The most significant change in law related to this draft since 2007 LRB-2059/2 was prepared occurs in 2009 Wisconsin Act 103. Certain provisions of Act 103 remove the authority for Wisconsin law enforcement officers to seize driver's licenses. It may still be the practice in other states, however, to seize driver's licenses for certain traffic offenses in those states. For this reason, I have not modified created ss. 6.79 (7), 6.87 (4) (b) 4., and 6.965 in this~~

draft, although the justification for these provisions is weaker after Act 103 than it was in 2007.

Aaron B. Gary  
Legislative Attorney  
Phone: (608) 261-6926  
E-mail: [aaron.gary@legis.wisconsin.gov](mailto:aaron.gary@legis.wisconsin.gov)

**DRAFTER'S NOTE  
FROM THE  
LEGISLATIVE REFERENCE BUREAU**

LRB-0089/1dn  
JTK&ARG:cjs:rs

October 27, 2010

Representative Stone:

Under current law, the qualifications for obtaining a driver's license or a Wisconsin identification card under ss. 343.06, 343.14, 343.16, and, 343.50, stats., are not the same as the qualifications for voting under ss. 6.02 and 6.03, stats. It is possible for some persons who are ineligible to vote, for example, non-U.S. citizens, to obtain a driver's license. Some persons who cannot obtain a driver's license (for example, visually impaired persons) may be eligible to vote. In general, under s. 343.50 (2), stats., it is possible for a person who is a Wisconsin resident to obtain a Wisconsin ID card if the person does not have a driver's license issued by Wisconsin or another state. The standard for determining residency under the election laws (s. 6.10, stats.) is different than the standard for determining residency for Wisconsin ID purposes (s. 343.01 (2) (g), stats.). In general, a person may be considered a Wisconsin resident for voting purposes if the person has been present here for at least ten days and has not established a residence elsewhere. A person is a resident for Wisconsin ID purposes if the person's "one home and customary and principal residence, to which the person has the intention of returning whenever he or she is absent," is in Wisconsin. As a result, it is possible for a person who has only a driver's license issued by another state to vote in this state, and such a person may not always have an address from which he or she could vote in that other state (because someone else lives at the address shown on his or her license or the person uses a Wisconsin address for other purposes). Because under this draft a person who does not have a uniformed service identification card must have a Wisconsin driver's license or Wisconsin identification card in order to vote, a person who has only a driver's license issued by another state may no longer vote in this state under this draft (unless one of the exceptions to the ID requirement

applies). The person may or may not have an option to vote elsewhere. If you wish to discuss these issues further, please let me know.

Jeffery T. Kuesel  
Managing Attorney  
Phone: (608) 266-6778

Aaron R. Gary  
Legislative Attorney  
Phone: (608) 261-6926  
E-mail: aaron.gary@legis.wisconsin.gov

1. Because this draft, in proposed s. 343.505 (1) (b), potentially permits any person to obtain an identification certificate, the draft will enable some individuals who do not qualify as electors of this state to obtain a certificate. To dovetail the requirements for obtaining a certificate with the requirements for voting would require changing the draft, as well as cross training of DOT personnel to properly determine voting qualifications or involvement of GAB staff or other election officials in the process for issuance of identification certificates. We have not taken that step in this draft. Please let us know if you would like to see this treatment changed.

2. In proposed s. 343.505 (4) (a) 1., a fee of \$18 is imposed for obtaining an identification certificate unless an applicant requests that the fee be waived. [This is the same fee that applicants for Wisconsin identification cards currently pay.] Because, as we understand it, the certificates will be used primarily for voting purposes, you may wish to issue the certificates without charge if requested or without charge as a matter of course.

3. In proposed s. 343.505 (2) (a), this draft creates requirements for an applicant to obtain an identification certificate that extend beyond the requirements for voter registration under s. 6.33 (1), stats. While these requirements parallel many of the requirements for obtaining a Wisconsin identification card and they do not incorporate any of the federal "Real ID" requirements that we recently enacted, if the certificates are to be used primarily for voting purposes, you may wish to consider simplifying the requirements.

4. Voter photo ID laws have recently been enacted in at least eight states. These laws all contain different requirements and exemptions and none is substantially identical to this draft. There has been litigation in both state and federal courts regarding various issues pertaining to these laws. Some are constitutional issues unique to particular states, some are federal constitutional issues, and some are issues arising under federal law. The courts have not agreed regarding the validity of these laws. In *Crawford v. Marion County Election Board*, 128 S. Ct. 1610 (2008), the U.S. Supreme Court sustained an Indiana voter photo identification law against a federal

equal protection challenge because the court found that the state's interest in election modernization, prevention of voter fraud, and promoting public confidence in the integrity of the electoral process outweighed the limited burden upon voters' rights. In this state, the Wisconsin Constitution, article III, section 1, prescribes the qualifications for voting. The courts have held that election laws may implement and interpret these qualifications, but may not restrict eligibility. To be sustained, the courts must conclude that the requirements imposed under this draft simply constitute a reasonable method of verifying eligibility, as opposed to creating a new eligibility requirement. See *State ex rel. Barber v. Circuit Court*, 178 Wis. 468, 476 (1922).

5. It is possible that, if enacted, this draft may activate certain requirements under the National Voter Registration Act from which this state is currently exempt. Primarily, these requirements include voter registration simultaneously with motor vehicle driver's license applications and renewals, voter registration at any office that provides public assistance, voter registration at any office that primarily provides state-funded services to persons with disabilities, and voter registration at armed forces recruiting offices. This act exempts any state which, since May 20, 1993, has continuously permitted all voters in federal elections to "...register to vote at the polling place at the time of voting." 42 USC 1973gg-2 (b) (2). The federal Help America Vote Act also contains a provisional balloting procedure for all electors who vote at polling places in elections for federal office whenever their ballots are not accepted, but states that are exempt from compliance with the National Voter Registration Act under 42 USC 1973gg-2 (b) are not covered by this procedure. Because this draft will preclude some persons from registering and voting on election day if the persons have no acceptable ID and are unable to obtain them from a government office before the close of the polls, it could be interpreted to make these federal exemptions inapplicable. To address this issue, you may want to consider allowing these persons, only for the applicable election, to establish their identity by corroboration or to provide some type of statement certifying their identity and residence.

Jeffery T. Kuesel  
Managing Attorney  
Phone: (608) 266-6778

**Basford, Sarah**

---

**From:** Pyritz, Michael  
**Sent:** Wednesday, January 12, 2011 11:07 AM  
**To:** LRB.Legal  
**Subject:** Draft Review: LRB 11-0089/1 Topic: Identification required for voting in elections

Please Jacket LRB 11-0089/1 for the ASSEMBLY.