

1 machines are used, in a column or row designated "Independent". If the candidate's  
2 name already appears under a recognized political party it may not be listed on the  
3 independent ballot, column or row.

4 **SECTION 161.** 8.50 (intro.) of the statutes is amended to read:

5 **8.50 Special elections.** (intro.) Unless otherwise provided, this section  
6 applies to filling vacancies in the U.S. senate and house of representatives, executive  
7 state offices except the offices of governor, lieutenant governor, and district attorney,  
8 judicial and legislative state offices, county, city, village, and town offices, and the  
9 offices of municipal judge and member of the board of school directors in school  
10 districts organized under ch. 119. State legislative offices may be filled in  
11 anticipation of the occurrence of a vacancy whenever authorized in sub. (4) (e). No  
12 special election may be held after February 1 preceding the spring election unless it  
13 is held on the same day as the spring election, nor after ~~September~~ August 1  
14 preceding the general election unless it is held on the same day as the general  
15 election, until the day after that election. If the special election is held on the day  
16 of the general election, the primary for the special election, if any, shall be held on  
17 the day of the ~~September~~ partisan primary. If the special election is held on the day  
18 of the spring election, the primary for the special election, if any, shall be held on the  
19 day of the spring primary.

20 **SECTION 162.** 8.50 (2) of the statutes is amended to read:

21 **8.50 (2) DATE OF SPECIAL ELECTION.** (a) The date for the special election shall  
22 be not less than 62 nor more than 77 days from the date of the order except when the  
23 special election is held on the day of the general election or spring election. If a  
24 special election is held concurrently with the spring or general election, the special  
25 election may be ordered not earlier than 92 days prior to the spring primary or

1 ~~September~~ partisan primary, respectively, and not later than 49 days prior to that  
2 primary.

3 (b) If a primary is required, the primary shall be on the day 4 weeks before the  
4 day of the special election except when the special election is held on the same day  
5 as the general election the special primary shall be held on the same day as the  
6 ~~September~~ partisan primary or if the special election is held concurrently with the  
7 spring election, the primary shall be held concurrently with the spring primary, and  
8 except when the special election is held on the Tuesday after the first Monday in  
9 November of an odd-numbered year, the primary shall be held on the 2nd Tuesday  
10 of ~~September~~ August in that year.

11 **SECTION 163.** 8.50 (3) (a) of the statutes is amended to read:

12 8.50 (3) (a) Nomination papers may be circulated no sooner than the day the  
13 order for the special election is filed and shall be filed not later than 5 p.m. 28 days  
14 before the day that the special primary will or would be held, if required, except when  
15 a special election is held concurrently with the spring election or general election, the  
16 deadline for filing nomination papers shall be specified in the order and the date shall  
17 be no earlier than the date provided in s. 8.10 (2) (a) or 8.15 (1), respectively, and no  
18 later than 35 days prior to the date of the spring or ~~September~~ partisan primary.  
19 Nomination papers may be filed in the manner specified in s. 8.10, 8.15, or 8.20. Each  
20 candidate shall file a declaration of candidacy in the manner provided in s. 8.21 no  
21 later than the latest time provided in the order for filing nomination papers. If a  
22 candidate for state or local office has not filed a registration statement under s. 11.05  
23 at the time he or she files nomination papers, the candidate shall file the statement  
24 with the papers. A candidate for state office shall also file a statement of economic

1 interests with the board no later than the end of the 3rd day following the last day  
2 for filing nomination papers specified in the order.

3 **SECTION 164.** 8.50 (3) (b) of the statutes is amended to read:

4 8.50 (3) (b) Except as otherwise provided in this section, the provisions for  
5 ~~September primaries~~ the partisan primary under s. 8.15 are applicable to all  
6 partisan primaries held under this section, and the provisions for spring primaries  
7 under s. 8.10 are applicable to all nonpartisan primaries held under this section. In  
8 a special partisan primary or election, the order of the parties on the ballot shall be  
9 the same as provided under s. 5.62 (1) or 5.64 (1) (b). Independent candidates for  
10 state office at a special partisan election shall not appear on the primary ballot. No  
11 primary is required for a nonpartisan election in which not more than 2 candidates  
12 for an office appear on the ballot or for a partisan election in which not more than one  
13 candidate for an office appears on the ballot of each recognized political party. In  
14 every special election except a special election for nonpartisan state office where no  
15 candidate is certified to appear on the ballot, a space for write-in votes shall be  
16 provided on the ballot, regardless of whether a special primary is held.

17 **SECTION 165.** 8.50 (3) (c) of the statutes is amended to read:

18 8.50 (3) (c) Notwithstanding ss. 5.37 (4), 5.91 (6) and 6.80 (2) (f), whenever a  
19 special partisan primary is held concurrently with the presidential preference  
20 primary, an elector may choose the party column or ballot in which the elector will  
21 cast his or her vote separately for each of the 2 primaries. Whenever 2 or more special  
22 partisan primaries or one or more special partisan primaries and a ~~September~~  
23 partisan primary are held concurrently, the procedure prescribed in ss. 5.37 (4), 5.91  
24 (6) and 6.80 (2) (f) applies.

25 **SECTION 166.** 8.50 (4) (b) of the statutes is amended to read:

1           8.50 (4) (b) A vacancy in the office of U.S. senator or representative in congress  
2           occurring prior to the 2nd Tuesday in ~~May~~ April in the year of the general election  
3           shall be filled at a special primary and election. A vacancy in that office occurring  
4           between the 2nd Tuesday in ~~May~~ April and the 2nd Tuesday in ~~July~~ June in the year  
5           of the general election shall be filled at the ~~September~~ partisan primary and general  
6           election.

7           **SECTION 167.** 8.50 (4) (fm) of the statutes is amended to read:

8           8.50 (4) (fm) A permanent vacancy in the office of municipal judge may be filled  
9           by temporary appointment of the municipal governing body, or, if the judge is elected  
10          under s. 755.01 (4), jointly by the governing bodies of all municipalities served by the  
11          judge. The office shall then be permanently filled by special election, which shall be  
12          held concurrently with the next spring election following the occurrence of the  
13          vacancy, except that a vacancy occurring during the period after December 1 and on  
14          or before the date of the spring election shall be filled at the 2nd succeeding spring  
15          election, and except that the governing body of a city or village or, if the judge is  
16          elected under s. 755.01 (4), the governing bodies of the participating cities or villages  
17          may, if the vacancy occurs before ~~June~~ May 1 in the year preceding expiration of the  
18          term of office, order a special election to be held on the Tuesday after the first Monday  
19          in November following the date of the order. A person so elected shall serve for the  
20          residue of the unexpired term.

21          **SECTION 168.** 10.01 (2) (d) of the statutes is amended to read:

22          10.01 (2) (d) Type D—The type D notice shall state the hours the polls will be  
23          open and the polling places to be utilized at the election or shall include a concise  
24          statement of how polling place information may be obtained. In cities over 500,000  
25          population, the board of election commissioners shall determine the form of the

1 notice. In other municipalities and special purpose districts, the clerk of the  
2 municipality or special purpose district shall give the polling place information in the  
3 manner the governing body of the municipality or special purpose district decides  
4 will most effectively inform the electors. The type D notice shall be published by the  
5 municipal clerk or board of election commissioners of each municipality once on the  
6 day before each spring primary and election, each special national, state, county or  
7 municipal election at which the electors of that municipality are entitled to vote and  
8 each ~~September~~ partisan primary and general election. The clerk of each special  
9 purpose district which calls a special election shall publish a type D notice on the day  
10 before the election, and the day before the special primary, if any, except as  
11 authorized in s. 8.55 (3).

12 **SECTION 169.** 10.01 (2) (e) of the statutes is amended to read:

13 10.01 (2) (e) Type E—The type E notice shall state the qualifications for  
14 absentee voting, the procedures for obtaining an absentee ballot in the case of  
15 registered and unregistered voters, the places and the deadlines for application and  
16 return of application, including any alternate site under s. 6.855, and the office hours  
17 during which an elector may cast an absentee ballot in the municipal clerk's office  
18 or at an alternate site under s. 6.855. The municipal clerk shall publish a type E  
19 notice on the 4th Tuesday preceding each spring primary and election, on the 4th  
20 Tuesday preceding each ~~September~~ partisan primary and general election, on the  
21 4th Tuesday preceding the primary for each special national, state, county or  
22 municipal election if any, on the 4th Tuesday preceding a special county or municipal  
23 referendum, and on the 3rd Tuesday preceding each special national, state, county  
24 or municipal election to fill an office which is not held concurrently with the spring  
25 or general election. The clerk of each special purpose district which calls a special

1 election shall publish a type E notice on the 4th Tuesday preceding the primary for  
2 the special election, if any, on the 4th Tuesday preceding a special referendum, and  
3 on the 3rd Tuesday preceding a special election for an office which is not held  
4 concurrently with the spring or general election except as authorized in s. 8.55 (3).

5 **SECTION 170.** 10.02 (3) (form) (a) of the statutes is amended to read:

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

20 **SECTION 171.** 10.02 (3) (b) 1. of the statutes is amended to read:

21 10.02 (3) (b) 1. ~~If an elector wishes to vote for all candidates nominated by any~~  
22 ~~party, the elector shall make a cross (X) or depress the lever or button next to the~~  
23 ~~party designation shown at the top of the ballot. Unless a name has been erased or~~  
24 ~~crossed out, another name written in, a cross made next to the name of a candidate~~  
25 ~~for the same office in another column or a sticker applied, a cross next to a party~~

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

6 **SECTION 172.** 10.02 (3) (b) 2m. of the statutes is amended to read:

7 10.02 (3) (b) 2m. At the ~~September~~ partisan primary, the elector shall select the  
8 party ballot of his or her choice or the ballot containing the names of the independent  
9 candidates for state office, and make a cross ( X ) next to or depress the lever or button  
10 next to the candidate's name for each office for whom the elector intends to vote or  
11 insert or write in the name of the elector's choice for a party candidate, if any. In order  
12 to qualify for participation in the Wisconsin election campaign fund, a candidate for  
13 state office at the ~~September~~ partisan primary, other than a candidate for district  
14 attorney, must receive at least 6% of all votes cast on all ballots for the office for which  
15 he or she is a candidate, in addition to other requirements.

16 **SECTION 173.** 10.02 (3) (c) of the statutes is amended to read:

17 10.02 (3) (c) In presidential elections, ~~unless the elector wishes to vote for all~~  
18 ~~candidates nominated by any party,~~ the elector shall make a cross ( X ) next to or  
19 depress the button or lever next to the set of candidates for president and vice  
20 president for whom he or she intends to vote. A vote for candidates for president and  
21 vice president is a vote for the presidential electors of those candidates.

22 **SECTION 174.** 10.06 (1) (f) of the statutes is amended to read:

23 10.06 (1) (f) On or before the 2nd Tuesday in ~~May~~ April preceding a ~~September~~  
24 partisan primary and general election the board shall send a type A notice to each  
25 county clerk.

1           **SECTION 175.** 10.06 (1) (h) of the statutes is amended to read:

2           10.06 (1) (h) As soon as possible after the deadline for determining ballot  
3 arrangement for the ~~September~~ partisan primary on the 3rd Tuesday in ~~July~~ June,  
4 the board shall send a type B notice to each county clerk certifying the list of  
5 candidates for the ~~September~~ partisan primary.

6           **SECTION 176.** 10.06 (1) (i) of the statutes is amended to read:

7           10.06 (1) (i) As soon as possible after the state canvass, but no later than the  
8 4th Tuesday in ~~September~~ August, the board shall send a type B notice certifying the  
9 list of candidates and type A and C notices certifying each question for any  
10 referendum to each county clerk for the general election and a certified list of  
11 candidates under s. 11.50 to the state treasurer pursuant to s. 7.08 (2) (c).

12           **SECTION 177.** 10.06 (2) (gm) of the statutes is amended to read:

13           10.06 (2) (gm) On the last Tuesday in ~~May~~ April the county clerk shall send  
14 notice of the coming ~~September~~ partisan primary and general election to each  
15 municipal clerk.

16           **SECTION 178.** 10.06 (2) (h) of the statutes is amended to read:

17           10.06 (2) (h) On the last Tuesday in ~~May~~ April preceding a ~~September~~ partisan  
18 primary and general election, the county clerk shall publish a type A notice based on  
19 the notice received from the board for all national and state offices to be filled at the  
20 election by any electors voting in the county and incorporating county offices.

21           **SECTION 179.** 10.06 (2) (j) of the statutes is amended to read:

22           10.06 (2) (j) On the Monday preceding the ~~September~~ partisan primary the  
23 county clerk shall publish a type B notice.

24           **SECTION 180.** 10.06 (3) (cm) of the statutes is amended to read:



1           10.06 (3) (cm) On the 4th Tuesday preceding the ~~September~~ partisan primary  
2 and general election, when held, the municipal clerk shall publish a type E notice.  
3 If there are municipal referenda, the municipal clerk shall publish a type A notice  
4 of the referenda at the same time.

5           **SECTION 181.** 11.06 (12) (a) 1. of the statutes is amended to read:

6           11.06 (12) (a) 1. "Election period" means the period between December 1 and  
7 the date of the spring election, the period between ~~June~~ May 1 and the day of the  
8 general election in any even-numbered year or the period between the first day for  
9 circulation of nomination papers and the day of a special election for any state office.

10          **SECTION 182.** 11.26 (17) (d) of the statutes is amended to read:

11          11.26 (17) (d) In the case of any candidate at the spring primary or election or  
12 the ~~September~~ partisan primary or general election, the "campaign" of the candidate  
13 ends on June 30 or December 31 following the date on which the election or primary  
14 is held in which the candidate is elected or defeated, or the date on which the  
15 candidate receives sufficient contributions to retire any obligations incurred in  
16 connection with that contest, whichever is later. In the case of any candidate at a  
17 special primary or election, the "campaign" of the candidate ends on the last day of  
18 the month following the month in which the primary or election is held in which the  
19 candidate is elected or defeated, or the date on which the candidate receives  
20 sufficient contributions to retire any obligations incurred in connection with that  
21 contest, whichever is later.

22          **SECTION 183.** 11.31 (3m) of the statutes is amended to read:

23          11.31 (3m) UNOPPOSED CANDIDATES; EXCEPTION. Notwithstanding subs. (1) and  
24 (2), if all candidates for state senator or representative to the assembly in a  
25 legislative district who are certified under s. 7.08 (2) (a) to appear on the ~~September~~

1 partisan primary ballot of all parties recognized under s. 5.62 (1) (b) or (2) have no  
2 opponent who is certified to appear on the same primary ballot, or if no primary is  
3 required for all candidates of parties recognized under s. 5.62 (1) (b) or (2) for state  
4 senator or representative to the assembly in a legislative district who are certified  
5 under s. 8.50 (1) (d) to appear on a special partisan election ballot, then the separate  
6 limitation specified in sub. (1) for disbursements during the primary and election  
7 period does not apply to candidates for that office in that primary and election, and  
8 the candidates are bound only by the total limitations specified for the primary and  
9 election.

10 **SECTION 184.** 11.31 (7) (a) of the statutes is amended to read:

11 11.31 (7) (a) For purposes of this section, the “campaign” of a candidate extends  
12 from July 1 preceding the date on which the spring primary or election occurs or  
13 January 1 preceding the date on which the ~~September~~ partisan primary or general  
14 election occurs for the office which the candidate seeks, or from the date of the  
15 candidate’s public announcement, whichever is earlier, through the last day of the  
16 month following the month in which the election or primary is held.

17 **SECTION 185.** 11.50 (1) (a) 1. of the statutes is amended to read:

18 11.50 (1) (a) 1. With respect to a spring or general election, any individual who  
19 is certified under s. 7.08 (2) (a) as a candidate in the spring election for state  
20 superintendent, or an individual who receives at least 6% of the vote cast for all  
21 candidates on all ballots for any state office, except district attorney, for which the  
22 individual is a candidate at the ~~September~~ partisan primary and who is certified  
23 under s. 7.08 (2) (a) as a candidate for that office in the general election, or an  
24 individual who has been lawfully appointed and certified to replace either such

1 individual on the ballot at the spring or general election; and who has qualified for  
2 a grant under sub. (2).

3 **SECTION 186.** 11.50 (2) (b) 4. of the statutes is amended to read:

4 11.50 (2) (b) 4. The financial reports filed by or on behalf of the candidate as  
5 of the date of the spring or ~~September~~ partisan primary, or the date that the special  
6 primary is or would be held, if required, indicate that his or her statement filed with  
7 the application under par. (a) is true; and

8 **SECTION 187.** 11.50 (2) (b) 5. of the statutes is amended to read:

9 11.50 (2) (b) 5. The financial reports filed by or on behalf of the candidate as  
10 of the date of the spring or ~~September~~ partisan primary, or the date that the special  
11 primary is or would be held, if required, indicate that the candidate has received at  
12 least the amount provided in this subdivision, from contributions of money, other  
13 than loans, made by individuals, which have been received during the period ending  
14 on the date of the spring primary and July 1 preceding such date in the case of  
15 candidates at the spring election, or the date of the ~~September~~ partisan primary and  
16 January 1 preceding such date in the case of candidates at the general election, or  
17 the date that a special primary will or would be held, if required, and 90 days  
18 preceding such date or the date a special election is ordered, whichever is earlier, in  
19 the case of special election candidates, which contributions are in the aggregate  
20 amount of \$100 or less, and which are fully identified and itemized as to the exact  
21 source thereof. A contribution received from a conduit which is identified by the  
22 conduit as originating from an individual shall be considered a contribution made by  
23 the individual. Only the first \$100 of an aggregate contribution of more than \$100  
24 may be counted toward the required percentage. For a candidate at the spring or  
25 general election for an office identified in s. 11.26 (1) (a) or a candidate at a special

1 election, the required amount to qualify for a grant is 5 percent of the candidate's  
2 authorized disbursement limitation under s. 11.31. For any other candidate at the  
3 general election, the required amount to qualify for a grant is 10 percent of the  
4 candidate's authorized disbursement limitation under s. 11.31.

5 **SECTION 188.** 11.50 (2) (c) of the statutes is amended to read:

6 11.50 (2) (c) If a candidate has not filed financial reports as of the date of the  
7 spring primary, ~~September~~ partisan primary, special primary, or date that the  
8 special primary would be held, if required, which indicate that he or she has met the  
9 qualification under par. (b) 5., the candidate may file a special report with the board.  
10 Such report shall be filed not later than the 7th day after the primary, or 7th day after  
11 the date the primary would be held, if required, and shall include such  
12 supplementary information as to sources of contributions which may be necessary  
13 to complete the candidate's qualification. The special report shall cover the period  
14 from the day after the last date covered on the candidate's most recent report, or from  
15 the date on which the first contribution was received or the first disbursement was  
16 made, whichever is earlier, if the candidate has not previously filed a report, to the  
17 date of such report. All information included on the special report shall also be  
18 included in the candidate's next report under s. 11.20.

19 **SECTION 189.** 11.50 (2) (f) of the statutes is amended to read:

20 11.50 (2) (f) The board shall inform each candidate in writing of the approval  
21 or disapproval of the candidate's application, as promptly as possible after the date  
22 of the spring primary, ~~September~~ partisan primary, special primary, or date that the  
23 primary would be held, if required. With respect to a candidate at a special election  
24 who applies for a postelection grant under sub. (1) (a) 2., the board shall inform the

1 candidate in writing of the conditional approval or disapproval of the candidate's  
2 application at the same time.

3 **SECTION 190.** 11.50 (2) (i) of the statutes is amended to read:

4 11.50 (2) (i) Notwithstanding par. (g), if an eligible candidate at the spring  
5 election or a special nonpartisan election who accepts a grant is opposed by one or  
6 more candidates in the election, or if an eligible candidate at the general election or  
7 a special partisan election who accepts a grant is opposed by one or more candidates  
8 in the election who receive at least 6 percent of the vote cast for all candidates for the  
9 same office on all ballots at the September partisan primary or a special partisan  
10 primary if a primary was held, and in either case if any such opponent of the eligible  
11 candidate does not accept a grant under this section in whole or in part, the eligible  
12 candidate is not bound by the pledge made in his or her application to adhere to the  
13 contribution limitations prescribed in s. 11.26 and the disbursement limitation  
14 prescribed under s. 11.31, unless each such opponent files an affidavit of voluntary  
15 compliance under s. 11.31 (2m).

16 **SECTION 191.** 12.03 (2) (b) 3. of the statutes is amended to read:

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

22 **SECTION 192.** 12.13 (2) (b) 6m. of the statutes is amended to read:

23 12.13 (2) (b) 6m. Obtain an absentee ballot for voting in a nursing home or  
24 qualified retirement home ~~or~~, qualified community-based residential facility,

1 qualified residential care apartment complex, or qualified adult family home under  
2 s. 6.875 (6) and fail to return the ballot to the issuing officer.

3 **SECTION 193.** 12.13 (3) (v) of the statutes is repealed.

4 **SECTION 194.** 13.123 (3) (b) 1. a. of the statutes is amended to read:

5 13.123 (3) (b) 1. a. After the day of the ~~September~~ partisan primary, that the  
6 member either has not filed nomination papers for reelection or election to another  
7 legislative seat or has sought a party nomination for a legislative seat but it is  
8 generally acknowledged that the member has not won nomination.

9 **SECTION 195.** 59.605 (3) (a) 1. of the statutes is amended to read:

10 59.605 (3) (a) 1. If the governing body of a county wishes to exceed the operating  
11 levy rate limit otherwise applicable to the county under this section, it shall adopt  
12 a resolution to that effect. The resolution shall specify either the operating levy rate  
13 or the operating levy that the governing body wishes to impose for either a specified  
14 number of years or an indefinite period. The governing body shall call a special  
15 referendum for the purpose of submitting the resolution to the electors of the county  
16 for approval or rejection. In lieu of a special referendum, the governing body may  
17 specify that the referendum be held at the next succeeding spring primary or election  
18 or ~~September~~ partisan primary or general election to be held not earlier than 42 days  
19 after the adoption of the resolution of the governing body. The governing body shall  
20 file the resolution to be submitted to the electors as provided in s. 8.37.

21 **SECTION 196.** 66.0602 (4) (a) of the statutes is amended to read:

22 66.0602 (4) (a) A political subdivision may exceed the levy increase limit under  
23 sub. (2) if its governing body adopts a resolution to that effect and if the resolution  
24 is approved in a referendum. The resolution shall specify the proposed amount of  
25 increase in the levy beyond the amount that is allowed under sub. (2), and shall

1 specify whether the proposed amount of increase is for the next fiscal year only or if  
2 it will apply on an ongoing basis. With regard to a referendum relating to the 2005  
3 levy, or any levy in an odd-numbered year thereafter, the political subdivision may  
4 call a special referendum for the purpose of submitting the resolution to the electors  
5 of the political subdivision for approval or rejection. With regard to a referendum  
6 relating to the 2006 levy, or any levy in an even-numbered year thereafter, the  
7 referendum shall be held at the next succeeding spring primary or election or  
8 ~~September~~ partisan primary or general election.

9 **SECTION 197.** 66.0619 (2m) (b) of the statutes is amended to read:

10 66.0619 (2m) (b) If a referendum is to be held on a resolution, the municipal  
11 governing body shall file the resolution as provided in s. 8.37 and shall direct the  
12 municipal clerk to call a special election for the purpose of submitting the resolution  
13 to the electors for a referendum on approval or rejection. In lieu of a special election,  
14 the municipal governing body may specify that the election be held at the next  
15 succeeding spring primary or election or ~~September~~ partisan primary or general  
16 election.

17 **SECTION 198.** 66.0921 (2) of the statutes is amended to read:

18 66.0921 (2) FACILITIES AUTHORIZED. A municipality may enter into a joint  
19 contract with a nonprofit corporation organized for civic purposes and located in the  
20 municipality to construct or otherwise acquire, equip, furnish, operate and maintain  
21 a facility to be used for municipal and civic activities if a majority of the voters voting  
22 in a referendum at a special election or at a spring primary or election or ~~September~~  
23 partisan primary or general election approve the question of entering into the joint  
24 contract.

25 **SECTION 199.** 66.1113 (2) (g) of the statutes is amended to read:

1           66.1113 (2) (g) The village of Sister Bay may enact an ordinance or adopt a  
2 resolution declaring itself to be a premier resort area under par. (a) even if less than  
3 40 percent of the equalized assessed value of the taxable property within Sister Bay  
4 is used by tourism-related retailers. The village may not impose the tax authorized  
5 under par. (b) unless the village board adopts a resolution proclaiming its intent to  
6 impose the tax and the resolution is approved by a majority of the electors in the  
7 village voting on the resolution at a referendum, to be held at the first spring primary  
8 or election or ~~September~~ partisan primary or general election following by at least  
9 45 days the date of adoption of the resolution.

10           **SECTION 200.** 66.1113 (2) (h) of the statutes is amended to read:

11           66.1113 (2) (h) The village of Ephraim may enact an ordinance or adopt a  
12 resolution declaring itself to be a premier resort area under par. (a) even if less than  
13 40 percent of the equalized assessed value of the taxable property within Ephraim  
14 is used by tourism-related retailers. The village may not impose the tax authorized  
15 under par. (b) unless the village board adopts a resolution proclaiming its intent to  
16 impose the tax and the resolution is approved by a majority of the electors in the  
17 village voting on the resolution at a referendum, to be held at the first spring primary  
18 or election or ~~September~~ partisan primary or general election following by at least  
19 45 days the date of adoption of the resolution.

20           **SECTION 201.** 67.05 (6m) (b) of the statutes is amended to read:

21           67.05 (6m) (b) If a referendum is to be held on an initial resolution, the district  
22 board shall direct the technical college district secretary to call a special election for  
23 the purpose of submitting the initial resolution to the electors for a referendum on  
24 approval or rejection. In lieu of a special election, the district board may specify that



1 the election be held at the next succeeding spring primary or election or ~~September~~  
2 partisan primary or general election.

3 **SECTION 202.** 67.12 (12) (e) 5. of the statutes is amended to read:

4 67.12 (12) (e) 5. Within 10 days of the adoption by a technical college district  
5 board of a resolution under subd. 1. to issue a promissory note for a purpose under  
6 s. 38.16 (2), the secretary of the district board shall publish a notice of such adoption  
7 as a class 1 notice, under ch. 985. The notice need not set forth the full contents of  
8 the resolution, but shall state the amount proposed to be borrowed, the method of  
9 borrowing, the purpose thereof, that the resolution was adopted under this  
10 subsection and the place where and the hours during which the resolution is  
11 available for public inspection. If the amount proposed to be borrowed is for building  
12 remodeling or improvement and does not exceed \$1,500,000 or is for movable  
13 equipment, the district board need not submit the resolution to the electors for  
14 approval unless, within 30 days after the publication or posting, a petition  
15 conforming to the requirements of s. 8.40 is filed with the secretary of the district  
16 board requesting a referendum at a special election to be called for that purpose.  
17 Such petition shall be signed by electors from each county lying wholly or partially  
18 within the district. The number of electors from each county shall equal at least 1.5%  
19 of the population of the county as determined under s. 16.96 (2) (c). If a county lies  
20 in more than one district, the technical college system board shall apportion the  
21 county's population as determined under s. 16.96 (2) (c) to the districts involved and  
22 the petition shall be signed by electors equal to the appropriate percentage of the  
23 apportioned population. In lieu of a special election, the district board may specify  
24 that the referendum shall be held at the next succeeding spring primary or election  
25 or ~~September~~ partisan primary or general election. Any resolution to borrow

1 amounts of money in excess of \$1,500,000 for building remodeling or improvement  
2 shall be submitted to the electors of the district for approval. If a referendum is held  
3 or required under this subdivision, no promissory note may be issued until the  
4 issuance is approved by a majority of the district electors voting at such referendum.  
5 The referendum shall be noticed, called and conducted under s. 67.05 (6a) insofar as  
6 applicable, except that the notice of special election and ballot need not embody a  
7 copy of the resolution and the question which shall appear on the ballot shall be  
8 "Shall .... (name of district) be authorized to borrow the sum of \$.... for (state purpose)  
9 by issuing its general obligation promissory note (or notes) under section 67.12 (12)  
10 of the Wisconsin Statutes?"

11 **SECTION 203.** 117.22 (2) (e) of the statutes is amended to read:

12 117.22 (2) (e) If a primary election for the school board positions is required  
13 under s. 120.06 (7) (b), it shall be held on the day which is 4 weeks before the election,  
14 except that if the school board election is held on the day of the general election, the  
15 primary shall be held on the day of the ~~September~~ partisan primary, and if the school  
16 board election is held on the day of the spring election, the primary shall be held on  
17 the day of the spring primary. The school district clerk shall notify the clerk of each  
18 city, village or town, any part of which is contained within an affected school district,  
19 of the primary election. The school district clerk shall give the notices under s. 120.06  
20 (8) (c) on the Monday before the primary election, if one is held, and on the Monday  
21 before the school board election.

22 **SECTION 204.** 121.91 (3) (a) of the statutes is amended to read:

23 121.91 (3) (a) If a school board wishes to exceed the limit under sub. (2m)  
24 otherwise applicable to the school district in any school year, it shall promptly adopt  
25 a resolution supporting inclusion in the final school district budget of an amount

1 equal to the proposed excess revenue. The resolution shall specify whether the  
2 proposed excess revenue is for a recurring or nonrecurring purpose, or, if the  
3 proposed excess revenue is for both recurring and nonrecurring purposes, the  
4 amount of the proposed excess revenue for each purpose. The resolution shall be filed  
5 as provided in s. 8.37. Within 10 days after adopting the resolution, the school board  
6 shall notify the department of the scheduled date of the referendum and submit a  
7 copy of the resolution to the department. The school board shall call a special  
8 referendum for the purpose of submitting the resolution to the electors of the school  
9 district for approval or rejection. In lieu of a special referendum, the school board  
10 may specify that the referendum be held at the next succeeding spring primary or  
11 election or ~~September~~ partisan primary or general election, if such election is to be  
12 held not sooner than 42 days after the filing of the resolution of the school board. The  
13 school district clerk shall certify the results of the referendum to the department  
14 within 10 days after the referendum is held.

15 **SECTION 205.** 229.824 (15) of the statutes is amended to read:

16 229.824 (15) Impose, by the adoption of a resolution, the taxes under subch. V  
17 of ch. 77, except that the taxes imposed by the resolution may not take effect until  
18 the resolution is approved by a majority of the electors in the district's jurisdiction  
19 voting on the resolution at a referendum, to be held at the first spring primary or  
20 ~~September~~ partisan primary following by at least 45 days the date of adoption of the  
21 resolution. Two questions shall appear on the ballot. The first question shall be:  
22 "Shall a sales tax and a use tax be imposed at the rate of 0.5% in .... County for  
23 purposes related to football stadium facilities in the .... Professional Football  
24 Stadium District?" The 2nd question shall be: "Shall excess revenues from the 0.5%  
25 sales tax and use tax be permitted to be used for property tax relief purposes in ....

1 County?" Approval of the first question constitutes approval of the resolution of the  
2 district board. Approval of the 2nd question is not effective unless the first question  
3 is approved. The clerk of the district shall publish the notices required under s. 10.06  
4 (4) (c), (f) and (i) for any referendum held under this subsection. Notwithstanding  
5 s. 10.06 (4) (c), the type A notice under s. 10.01 (2) (a) relating to the referendum is  
6 valid even if given and published late as long as it is given and published prior to the  
7 election as early as practicable. A district may not levy any taxes that are not  
8 expressly authorized under subch. V of ch. 77. The district may not levy any taxes  
9 until the professional football team and the governing body of the municipality in  
10 which the football stadium facilities are located agree on how to fund the  
11 maintenance of the football stadium facilities. The district may not levy any taxes  
12 until the professional football team and the governing body of the municipality in  
13 which the football stadium facilities are located agree on how to distribute the  
14 proceeds, if any, from the sale of naming rights related to the football stadium  
15 facilities. If a district board adopts a resolution that imposes taxes and the resolution  
16 is approved by the electors, the district shall deliver a certified copy of the resolution  
17 to the secretary of revenue at least 120 days before its effective date. If a district  
18 board adopts a resolution that imposes taxes and the resolution is not approved by  
19 the electors, the district is dissolved.

20 **SECTION 206.** 343.03 (3r) of the statutes is created to read:

21 343.03 (3r) REAL ID NONCOMPLIANT LICENSE. If any license described under sub.  
22 (3) is issued based upon the exception specified in s. 343.165 (7), the license shall, in  
23 addition to any legend or label described in sub. (3), be marked in a manner  
24 consistent with requirements under applicable federal law and regulations to  
25 indicate that the license is issued in accordance with P.L. 109-13, section 202 (d) (11),

1 and is not intended to be accepted by any federal agency for federal identification or  
2 any other official purpose.

3 **SECTION 207.** 343.06 (1) (L) of the statutes, as affected by 2007 Wisconsin Act  
4 20, is amended to read:

5 343.06 (1) (L) To any person who does not satisfy the requirements under s.  
6 343.165 (1).

7 **SECTION 208.** 343.10 (7) (d) of the statutes, as affected by 2007 Wisconsin Act  
8 20, is amended to read:

9 343.10 (7) (d) An occupational license issued by the department under this  
10 subsection shall be in the form of a license that includes a photograph described in  
11 s. 343.14 (3), unless the exception under s. 343.14 (3m) applies, and any special  
12 restrictions cards under s. 343.17 (4). The license shall clearly indicate that  
13 restrictions on a special restrictions card apply and that the special restrictions card  
14 is part of the person's license.

15 **SECTION 209.** 343.11 (1) of the statutes is amended to read:

16 343.11 (1) The department shall not issue a license to a person previously  
17 licensed in another jurisdiction unless such person surrenders to the department all  
18 valid operator's licenses possessed by the person issued by any other jurisdiction,  
19 which surrender operates as a cancellation of the surrendered licenses insofar as the  
20 person's privilege to operate a motor vehicle in this state is concerned. When such  
21 applicant surrenders the license to the department, the department shall issue a  
22 receipt therefor, which receipt shall constitute a temporary license to operate a motor  
23 vehicle for a period not to exceed 60 days if the applicant meets the standard required  
24 for eyesight and, in the opinion of the examiner, is not a dangerous hazard to the  
25 applicant and other users of the highways. ~~Except as provided in s. 343.055, the~~

1 ~~temporary license shall not be valid authorization for the operation of commercial~~  
2 ~~motor vehicles.~~ The temporary license shall be surrendered to the examiner for  
3 cancellation by the department if the 3rd attempt at the driving test is failed and the  
4 applicant shall be required to secure a temporary instruction permit for further  
5 practice driving.

6 **SECTION 210.** 343.11 (3) of the statutes is amended to read:

7 343.11 (3) Except as provided in sub. (1), the department may issue a receipt  
8 to any applicant for a license, which receipt shall constitute a temporary license to  
9 operate a motor vehicle while the application for license is being processed. Such  
10 temporary license shall be valid for a period not to exceed ~~30~~ 60 days.

11 **SECTION 211.** 343.11 (3) of the statutes, as affected by 2011 Wisconsin Act ...  
12 (this act), is amended to read:

13 343.11 (3) Except as provided in sub. (1), the department may issue a receipt  
14 to any applicant for a license, which receipt shall constitute a temporary license to  
15 operate a motor vehicle while the application for license is being processed. Such  
16 temporary license shall be valid for a period not to exceed 60 days. If the application  
17 for a license is processed under the exception specified in s. 343.165 (7), the receipt  
18 shall include the marking specified in s. 343.03 (3r).

19 **SECTION 212.** 343.14 (3) of the statutes, as affected by 2007 Wisconsin Act 20,  
20 is amended to read:

21 343.14 (3) The Except as provided in sub. (3m), the department shall, as part  
22 of the application process, take a digital photograph including facial image capture  
23 of the applicant to comply with s. 343.17 (3) (a) 2. No Except as provided in sub. (3m),  
24 no application may be processed without the photograph being taken. Except as  
25 provided in sub. (3m) and s. 343.165 (4) (d), in the case of renewal licenses, the

1 photograph shall be taken once every 8 years, and shall coincide with the appearance  
2 for examination which is required under s. 343.16 (3).

3 **SECTION 213.** 343.14 (3m) of the statutes is created to read:

4 343.14 (3m) If the application for a license is processed under the exception  
5 specified in s. 343.165 (7), the application may be processed and the license issued  
6 or renewed without a photograph being taken of the applicant if the applicant  
7 provides to the department an affidavit stating that the applicant has a sincerely  
8 held religious belief against being photographed; identifying the religion to which he  
9 or she belongs or the tenets of which he or she adheres to; and stating that the tenets  
10 of the religion prohibit him or her from being photographed.

11 **SECTION 214.** 343.165 (1) (intro.) of the statutes, as created by 2007 Wisconsin  
12 Act 20, is amended to read:

13 343.165 (1) (intro.) The Subject to ss. 343.14 (3m) and 343.50 (4g), the  
14 department may not complete the processing of an application for initial issuance or  
15 renewal of an operator's license or identification card received by the department  
16 after ~~May 10, 2008~~ the effective date of this subsection .... [LRB inserts date], and no  
17 such license or identification card may be issued or renewed, unless the applicant  
18 presents or provides, and, subject to sub. (7), the department verifies under sub. (3),  
19 all of the following information:

20 **SECTION 215.** 343.165 (2) of the statutes, as created by 2007 Wisconsin Act 20,  
21 is amended to read:

22 343.165 (2) (a) The Subject to sub. (7), the department shall, in processing any  
23 application for an operator's license or identification card under sub. (1), capture a  
24 digital image of each document presented or provided to the department by an  
25 applicant. Images captured under this paragraph shall be maintained, in electronic

1 storage and in a transferable format, in the applicant's file or record as provided  
2 under ss. 343.23 (2) (a) and 343.50 (8) (a).

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

6 **SECTION 216.** 343.165 (3) (a) of the statutes, as created by 2007 Wisconsin Act  
7 20, is amended to read:

8 343.165 (3) (a) Except as provided in pars. (b) and (c) and subject to sub. (7),  
9 the department shall verify, in the manner and to the extent required under federal  
10 law, each document presented or provided to the department that is required to be  
11 presented or provided to the department by an applicant under sub. (1).

12 **SECTION 217.** 343.165 (4) (a) of the statutes, as created by 2007 Wisconsin Act  
13 20, is amended to read:

14 343.165 (4) (a) Subsection (1) does not apply to an application for renewal of  
15 an operator's license or identification card received by the department after ~~May 10,~~  
16 ~~2008~~ the effective date of this paragraph .... [LRB inserts date], if in connection with  
17 a prior application after ~~May 10, 2008~~ the effective date of this paragraph .... [LRB  
18 inserts date], the applicant previously presented or provided, and the department  
19 verified under sub. (3) or (7), the information specified in sub. (1) and, if verified  
20 under sub. (3), the department recorded the date on which the verification  
21 procedures were completed as described in sub. (2) (b).

22 **SECTION 218.** 343.165 (4) (c) of the statutes, as created by 2007 Wisconsin Act  
23 20, is amended to read:

24 343.165 (4) (c) Notwithstanding pars. (a) and (b), no operator's license  
25 displaying the legend required under s. 343.03 (3m) or identification card displaying



1 the legend required under s. 343.50 (3) (a) may be renewed unless the applicant  
2 presents or provides valid documentary proof under sub. (1) (e) and this proof shows  
3 that the status by which the applicant qualified for the license or identification card  
4 has been extended by the secretary of the federal department of homeland security.

5 **SECTION 219.** 343.165 (4) (d) of the statutes, as created by 2007 Wisconsin Act  
6 20, is amended to read:

7 343.165 (4) (d) With any license or identification card renewal following a  
8 license or identification card expiration established under s. 343.20 (1m) or 343.50  
9 (5) (c) at other than an 8-year interval, the department may determine whether the  
10 applicant's photograph is to be taken, or if the renewal is for a license the applicant  
11 is to be examined, or both, at the time of such renewal, so long as the applicant's  
12 photograph is taken, and if the renewal is for a license the applicant is examined,  
13 with a license or card renewal at least once every 8 years and the applicant's license  
14 or identification card at all times includes a photograph unless an exception under  
15 s. 343.14 (3m) or 343.50 (4g) applies.

16 **SECTION 220.** 343.165 (5) of the statutes, as created by 2007 Wisconsin Act 20,  
17 is amended to read:

18 343.165 (5) The department may, by rule, require that applications for  
19 reinstatement of operator's licenses or identification cards, issuance of occupational  
20 licenses, reissuance of operator's licenses, or issuance of duplicate operator's licenses  
21 or identification cards, received by the department after May 10, 2008 the effective  
22 date of this subsection ... [LRB inserts date], be processed in a manner consistent  
23 with the requirements established under this section for applications for initial  
24 issuance or renewal of operator's licenses and identification cards.

25 **SECTION 221.** 343.165 (7) of the statutes is created to read:

1           343.165 (7) (a) The department may process an application for, and issue or  
2 renew, an operator's license or identification card without meeting the requirements  
3 under subs. (2) and (3) if all of the following apply:

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

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

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

14           **SECTION 222.** 343.17 (3) (a) 2. of the statutes is amended to read:

15           343.17 (3) (a) 2. A color photograph of the person, unless the exception under  
16 s. 343.14 (3m) applies.

17           **SECTION 223.** 343.17 (3) (a) 14. of the statutes is created to read:

18           343.17 (3) (a) 14. If the license contains the marking specified in s. 343.03 (3r),  
19 a distinctive appearance specified by the department that clearly distinguishes the  
20 license from other operator's licenses or identification cards issued by the  
21 department and that alerts federal agency and other law enforcement personnel that  
22 the license may not be accepted for federal identification or any other official  
23 purpose.

24           **SECTION 224.** 343.17 (5) of the statutes is amended to read:

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

7           **SECTION 225.** 343.17 (5) of the statutes, as affected by 2007 Wisconsin Act 20  
8 and 2011 Wisconsin Act .... (this act), is repealed and recreated to read:

9           343.17 (5) NO PHOTOS ON TEMPORARY LICENSES. The temporary licenses issued  
10 under ss. 343.10, 343.11 (1) and (3), 343.16 (6) (b), and 343.305 (8) (a) shall be on  
11 forms provided by the department and shall contain the information required by sub.  
12 (3), except that temporary licenses under ss. 343.16 (6) (b) and 343.305 (8) (a) are not  
13 required to include a photograph of the licensee. This subsection does not apply to  
14 a noncitizen temporary license, as described in s. 343.03 (3m).

15           **SECTION 226.** 343.50 (1) of the statutes is renumbered 343.50 (1) (a).

16           **SECTION 227.** 343.50 (1) of the statutes, as affected by 2007 Wisconsin Act 20  
17 and 2011 Wisconsin Act .... (this act), is repealed and recreated to read:

18           343.50 (1) (a) Subject to par. (b) and s. 343.165, the department shall issue to  
19 every qualified applicant, who has paid all required fees, an identification card as  
20 provided in this section.

21           (b) The department may not issue an identification card to a person previously  
22 issued an operator's license in another jurisdiction unless the person surrenders to  
23 the department any valid operator's license possessed by the person issued by  
24 another jurisdiction, which surrender operates as a cancellation of the license insofar  
25 as the person's privilege to operate a motor vehicle in this state is concerned. Within

1 30 days following issuance of the identification card under this section, the  
2 department shall destroy any operator's license surrendered under this paragraph  
3 and report to the jurisdiction that issued the surrendered operator's license that the  
4 license has been destroyed and the person has been issued an identification card in  
5 this state.

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

11 **SECTION 228.** 343.50 (1) (c) of the statutes is created to read:

12 343.50 (1) (c) The department may issue a receipt to any applicant for an  
13 identification card, which receipt shall constitute a temporary identification card  
14 while the application is being processed and shall be valid for a period not to exceed  
15 60 days.

16 **SECTION 229.** 343.50 (3) of the statutes is amended to read:

17 343.50 (3) DESIGN AND CONTENTS OF CARD. The card shall be the same size as  
18 an operator's license but shall be of a design which is readily distinguishable from  
19 the design of an operator's license and bear upon it the words "IDENTIFICATION  
20 CARD ONLY". The information on the card shall be the same as specified under s.  
21 343.17 (3). The card may serve as a record of gift under s. 157.06 (2) (t) and the holder  
22 may affix a sticker thereto as provided in s. 343.175 (3). The card may also serve as  
23 a record of refusal under s. 157.06 (2) (u). The Except as provided in sub. (4g), the  
24 card shall contain the holder's photograph and, if applicable, shall be of the design  
25 specified under s. 343.17 (3) (a) 12.

1           **SECTION 230.** 343.50 (3) of the statutes, as affected by 2007 Wisconsin Act 20  
2 and 2011 Wisconsin Act .... (this act), is repealed and recreated to read:

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

16           (b) If an identification card is issued based upon the exception specified in s.  
17 343.165 (7), the card shall, in addition to any other required legend or design, be of  
18 the design specified under s. 343.17 (3) (a) 14. and include a marking similar or  
19 identical to the marking described in s. 343.03 (3r).

20           **SECTION 231.** 343.50 (4) of the statutes is amended to read:

21           343.50 (4) APPLICATION. The application for an identification card shall include  
22 any information required under ss. 85.103 (2) and 343.14 (2) (a), (b), (bm), (br), (em),  
23 and (er), and such further information as the department may reasonably require to  
24 enable it to determine whether the applicant is entitled by law to an identification  
25 card. The Except as provided in sub. (4g), the department shall, as part of the

1 application process, take a photograph of the applicant to comply with sub. (3). No  
2 Except as provided in sub. (4g), no application may be processed without the  
3 photograph being taken. Misrepresentations in violation of s. 343.14 (5) are  
4 punishable as provided in s. 343.14 (9).

5 **SECTION 232.** 343.50 (4) of the statutes, as affected by 2007 Wisconsin Act 20  
6 and 2011 Wisconsin Act .... (this act), is repealed and recreated to read:

7 343.50 (4) APPLICATION. The application for an identification card shall include  
8 any information required under ss. 85.103 (2) and 343.14 (2) (a), (b), (bm), (br), (em),  
9 and (es), and such further information as the department may reasonably require to  
10 enable it to determine whether the applicant is entitled by law to an identification  
11 card. Except with respect to renewals described in s. 343.165 (4) (d) and except as  
12 provided in sub. (4g), the department shall, as part of the application process, take  
13 a digital photograph including facial image capture of the applicant to comply with  
14 sub. (3) (a). Except with respect to renewals described in s. 343.165 (4) (d) and except  
15 as provided in sub. (4g), no application may be processed without the photograph  
16 being taken. Misrepresentations in violation of s. 343.14 (5) are punishable as  
17 provided in s. 343.14 (9).

18 **SECTION 233.** 343.50 (4g) of the statutes is created to read:

19 343.50 (4g) PHOTOGRAPH REQUIREMENT; EXCEPTION. An application for an  
20 identification card may be processed and the identification card issued or renewed  
21 without a photograph being taken of the applicant if the applicant provides to the  
22 department an affidavit stating that the applicant has a sincerely held religious  
23 belief against being photographed; identifying the religion to which he or she belongs  
24 or the tenets of which he or she adheres to; and stating that the tenets of the religion  
25 prohibit him or her from being photographed.

1           **SECTION 234.** 343.50 (4g) of the statutes, as created by 2011 Wisconsin Act ....  
2 (this act), is repealed and recreated to read:

3           343.50 (4g) PHOTOGRAPH REQUIREMENT; EXCEPTION. If the application for an  
4 identification card is processed under the exception specified in s. 343.165 (7), the  
5 application may be processed and the identification card issued or renewed without  
6 a photograph being taken of the applicant if the applicant provides to the department  
7 an affidavit stating that the applicant has a sincerely held religious belief against  
8 being photographed; identifying the religion to which he or she belongs or the tenets  
9 of which he or she adheres to; and stating that the tenets of the religion prohibit him  
10 or her from being photographed.

11           **SECTION 235.** 343.50 (5) (a) of the statutes, as affected by 2009 Wisconsin Act  
12 28, sections 2958 and 2959, and 2011 Wisconsin Act .... (this act), is repealed and  
13 recreated to read:

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

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

19           a. The department has canceled the applicant's valid operator's license after  
20 a special examination under s. 343.16 (5) and, at the time of cancellation, the  
21 expiration date for the canceled license was not less than 6 months after the date of  
22 cancellation.

23           b. The department has accepted the applicant's voluntary surrender of a valid  
24 operator's license under s. 343.265 (1) and, at the time the department accepted

1 surrender, the expiration date for the surrendered license was not less than 6 months  
2 after the date that the department accepted surrender.

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

8 **SECTION 236.** 343.50 (5) (a) 1. of the statutes is amended to read:

9 343.50 (5) (a) 1. Except as provided in ~~subd.~~ subds. 2. and 3., the fee for an  
10 original card and for the reinstatement of an identification card after cancellation  
11 under sub. (10) shall be \$18.

12 **SECTION 237.** 343.50 (5) (a) 3. of the statutes is created to read:

13 343.50 (5) (a) 3. The department may not charge a fee to an applicant for the  
14 initial issuance or reinstatement of an identification card if the applicant is a U.S.  
15 citizen who will be at least 18 years of age on the date of the next election and the  
16 applicant requests that the identification card be provided without charge for  
17 purposes of voting.

18 **SECTION 238.** 343.50 (5m) of the statutes is amended to read:

19 343.50 (5m) CARD ISSUANCE FEE. In addition to any other fee under this section,  
20 for the issuance of an original identification card or duplicate identification card or  
21 for the renewal or reinstatement of an identification card after cancellation under  
22 sub. (10), a card issuance fee of \$10 shall be paid to the department. The fee under  
23 this subsection does not apply to an applicant if the department may not charge the  
24 applicant a fee under sub. (5) (a) 2. or 3.

25 **SECTION 239.** 343.50 (6) of the statutes is amended to read:



1           343.50 (6) RENEWAL. At least 30 days prior to the expiration of the card, the  
2 department shall mail a renewal application to the last-known address of each  
3 identification card holder. The department shall include with the application  
4 information, as developed by all organ procurement organizations in cooperation  
5 with the department, that promotes anatomical donations and which relates to the  
6 anatomical donation opportunity available under s. 343.175. The fee for a renewal  
7 identification card shall be \$18, which except that, if the identification card holder  
8 satisfies the requirements for an applicant specified in sub. (5) (a) 3., there shall be  
9 no fee for renewal of the identification card. The renewal identification card shall  
10 be valid for 8 years, except that a card that is issued to a person who is not a United  
11 States citizen and who provides documentary proof of legal status as provided under  
12 s. 343.14 (2) (er) shall expire on the date that the person's legal presence in the United  
13 States is no longer authorized. If the documentary proof as provided under s. 343.14  
14 (2) (er) does not state the date that the person's legal presence in the United States  
15 is no longer authorized, then the card shall be valid for 8 years.

16           **SECTION 240.** 343.50 (6) of the statutes, as affected by 2007 Wisconsin Act 20,  
17 section 3383, and 2011 Wisconsin Act .... (this act), is repealed and recreated to read:

18           343.50 (6) RENEWAL NOTICE. At least 30 days prior to the expiration of an  
19 identification card, the department shall mail a renewal application to the  
20 last-known address of the card holder. If the card was issued or last renewed based  
21 upon the person's presenting of any documentary proof specified in s. 343.14 (2) (es)  
22 4. to 7., the notice shall inform the card holder of the requirement under s. 343.165  
23 (4) (c). The department shall include with the application information, as developed  
24 by all organ procurement organizations in cooperation with the department, that

1 promotes anatomical donations and which relates to the anatomical donation  
2 opportunity available under s. 343.175.

3 **SECTION 241.** 995.20 of the statutes is amended to read:

4 **995.20 Legal holidays.** January 1, January 15, the 3rd Monday in February  
5 (which shall be the day of celebration for February 12 and 22), the last Monday in  
6 May (which shall be the day of celebration for May 30), June 19, which shall be the  
7 day of observation for Juneteenth Day, July 4, the 1st Monday in September which  
8 shall be known as Labor day, the 2nd Monday in October, November 11, the 4th  
9 Thursday in November (which shall be the day of celebration for Thanksgiving),  
10 December 25, the day of holding the ~~September~~ partisan primary election, and the  
11 day of holding the general election in November are legal holidays. On Good Friday  
12 the period from 11 a.m. to 3 p.m. shall uniformly be observed for the purpose of  
13 worship. In every 1st class city the day of holding any municipal election is a legal  
14 holiday, and in every such city the afternoon of each day upon which a primary  
15 election is held for the nomination of candidates for city offices is a half holiday and  
16 in counties having a population of 500,000 or more the county board may by  
17 ordinance provide that all county employees shall have a half holiday on the day of  
18 such primary election and a holiday on the day of such municipal election, and that  
19 employees whose duties require that they work on such days be given equivalent  
20 time off on other days. Whenever any legal holiday falls on Sunday, the succeeding  
21 Monday shall be the legal holiday.

22 **SECTION 242. Nonstatutory provisions.**

23 (1) PUBLIC INFORMATIONAL CAMPAIGN. In conjunction with the first regularly  
24 scheduled primary and election at which the voter identification requirements of this  
25 act initially apply, the government accountability board shall conduct a public

1 informational campaign for the purpose of informing prospective voters of the voter  
2 identification requirements of this act.

3 (2) SPECIAL PROCEDURE AT ELECTIONS HELD PRIOR TO 2012 SPRING PRIMARY.

4 Notwithstanding sections 6.02 (1) and (2), 6.10 (3) and (4), 6.15 (1), (2) (a), and (3),  
5 6.18, 6.29 (2) (a), 6.33 (1), 6.36 (2) (a), 6.40 (1) (a) 1., 6.55 (2) (a) 1., (b), and (c) 1., 6.79  
6 (2) (a) and (am), 6.82 (1) (a), 6.85, 6.86 (1) (ar) and (3) (a) 1., 6.87 (1), (2), and (4) (b)  
7 1., 6.94, 6.97 (1), (2), and (3) (b), and 7.52 (6) (b) of the statutes, as affected by this  
8 act, and sections 6.15 (2) (bm) and 6.97 (3) (a) and (c) of the statutes, as created by  
9 this act, no elector who has resided in the ward or election district where he or she  
10 offers to vote for at least 10 days is required to meet any increased durational  
11 residency requirement at any election held prior to the 2012 spring primary, no  
12 elector who votes at an election held prior to the date of the 2012 spring primary is  
13 required to enter his or her signature on a poll list, no elector who votes by absentee  
14 ballot at an election held prior to the 2012 spring primary is required to provide proof  
15 of identification, and an elector who votes at a polling place at an election held prior  
16 to the date of the 2012 spring primary shall be requested by the election officials to  
17 present proof of identification, but if the elector does not present proof of  
18 identification, and the elector is otherwise qualified, the elector's ballot shall be  
19 counted without the necessity of presenting proof of identification and without the  
20 necessity of casting a provisional ballot. If any elector who votes at a polling place  
21 at such an election does not provide proof of identification and would be required to  
22 provide proof of identification but for the exemption under this subsection, the  
23 election official who provides that elector with a ballot shall also provide to the elector  
24 written information prescribed by the government accountability board briefly  
25 describing the voter identification requirement created by this act and informing the

1 elector that he or she will be required to comply with that requirement when voting  
2 at future elections beginning with the 2012 spring primary unless an exemption  
3 applies.

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

9 **SECTION 243. Initial applicability.**

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

13 (2) ABSENTEE VOTING. The treatment of sections 6.24 (4) (c), 6.86 (1) (a) 3. and  
14 (b) (with respect to the deadline for requesting absentee ballots) and (2m), 6.865  
15 (title), (3), and (3m) (a), (b), and (c), and 7.15 (1) (j) of the statutes first applies with  
16 respect to requests for absentee ballots made for voting at elections held on or after  
17 the first day of the 2nd month beginning after publication.

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

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

25 (5) PROOF OF IDENTIFICATION.

1 (a) The treatment of section 6.34 (3) (a) 7. (with respect to presentation of proof  
2 of residence that does not include a residential address) of the statutes first applies  
3 with respect to proof of residence presented for voting at elections held after  
4 December 31, 2014.

5 (b) The treatment of section 6.34 (3) (a) 7. (with respect to the presentation of  
6 a fee receipt together with an identification card by students and with respect to the  
7 use of a fee card instead of an identification card) of the statutes first applies with  
8 respect to elections held on the effective date of this subsection.

9 ~~(6) QUALIFICATION FOR ABSENTEE BALLOTS. The treatment of sections 6.85 and~~  
10 ~~6.87 (2) of the statutes (with respect to qualification for an absentee ballot) first~~  
11 ~~applies with respect to absentee ballots distributed to electors for the 2012~~  
12 ~~September primary election.~~

13 **SECTION 244. Effective dates.** This act takes effect on the day after  
14 publication, except as follows:

15 (1) VOTING IDENTIFICATION ASSISTANCE. The treatment of section 7.08 (12) of the  
16 statutes and SECTION 242 (1) of this act take effect on the day after publication or the  
17 day after publication of the 2011-2013 biennial budget act, whichever is later.

18 (2) OPERATOR'S LICENSES AND IDENTIFICATION CARDS.

19 (a) The treatment of sections 343.03 (3r), 343.06 (1) (L), 343.10 (7) (d), 343.11  
20 (3) (by SECTION 211), 343.14 (3) and (3m), 343.165 (1) (intro.), (2), (3) (a), (4) (a), (c),  
21 and (d), (5), and (7), and 343.17 (3) (a) 2. and 14. of the statutes and the repeal and  
22 recreation of sections 343.17 (5) and 343.50 (1), (3), (4), and (4g) of the statutes take  
23 effect on the day after publication or on the date on which the creation of section  
24 343.165 of the statutes by 2007 Wisconsin Act 20 takes effect, whichever is later.



RS 4A  
-4-

BILL

after

identification." Under the bill, "proof of identification" means an identification document that contains the name of the individual to whom the document was issued, which name conforms to the individual's voter registration, if the individual is required to register to vote, and that contains a photograph of the individual, except as otherwise permitted by the bill (see below). "Identification" means a) one of the following documents issued to the individual that is unexpired or if expired has expired after the date of the most recent general election: an operator's license issued by the Wisconsin Department of Transportation (DOT), an identification card issued by DOT, an identification card issued by a U.S. uniformed service, or a U.S. passport; b) a certificate of U.S. naturalization that was issued not earlier than two years before the date of an election at which it is presented; c) an unexpired driving receipt issued by DOT (see below); d) an unexpired identification card receipt issued by DOT; e) an identification card issued by a federally recognized Indian tribe in this state; or f) an unexpired identification card issued by an accredited college or university that contains the signature of the individual to whom it was issued and that was issued no earlier than four years before the date of the election at which it is presented. A person whose address is confidential as a result of domestic abuse, sexual assault, or stalking 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. If a person has applied to DOT for a driver's license or identification card, the person may also present the unexpired driving receipt or identification card receipt (DOT receipt) that DOT issues to the person while the application is processed. 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, sexual assault, or stalking, must also provide proof of identification or a copy thereof unless: 1) the person has already provided a copy of his or her proof of identification 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 is an occupant 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 verify residence in order to register or to vote, but discontinues the use of corroborating electors to verify residence. 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 driver'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 driver's license in lieu of his or her driver'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 driver's license. In this case, the bill provides that the elector's ballot

date of birth, current address and

or college in this state

contains an expiration date indicating that the card expires no later



*RS 12-15*

**ASSEMBLY AMENDMENT ,  
TO ASSEMBLY SUBSTITUTE AMENDMENT (LRBs0093/1),  
TO 2011 ASSEMBLY BILL 7**

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

2 **1.** Page 12, line 15: after that line insert:

3 (f) An unexpired identification card issued by a university or college in this  
4 state that is accredited, as defined in s. 39.30 (1) (d), that <sup>current address</sup> contains the date of birth  
5 and signature of the individual to whom it is issued, and that <sup>e</sup> ~~contains an~~ <sup>expiratory date indicating that the card expires no later</sup>  
6 than 4 years ~~before~~ <sup>after</sup> the date of the election at which it is presented.

(END)