

2013 Senate Bill 324 (LRB -3044)

An Act to amend 6.86 (1) (b); and to create 6.86 (1) (bb) of the statutes; relating to: limiting the times for voting by absentee ballots in person.

2013

10-02. S. Introduced by Senator **Grothman**; cosponsored by Representatives **Stroebel, Bies, Strachota, Craig, Ripp, LeMahieu, Spiros, Kleefisch, Sanfelippo, T. Larson, Weatherston, Nass and A. Ott.** 383

10-02. S. Read first time and referred to Elections and Urban Affairs 383

10-31. S. Public hearing held

2014

03-05. S. Senate Amendment 1 offered by Senators Grothman and Lazich (**LRB a1667**) 735

03-06. S. Executive action taken

03-07. S. Report adoption of Senate Amendment 1 recommended by Elections and Urban Affairs, Ayes 4, Noes 1 741

03-07. S. Report passage as amended recommended by Elections and Urban Affairs, Ayes 3, Noes 2 741

03-07. S. Available for scheduling

03-07. S. Placed on calendar 3-11-2014 pursuant to Senate Rule 18(1) 743

03-11. S. Senate Substitute Amendment 1 offered by Senators Lassa, Hansen, Carpenter, L. Taylor, Vinehout, Harris, Shilling, Miller, T. Cullen, C. Larson and Lehman (**LRB s0380**) 750

03-11. S. Senate Amendment 2 offered by Senators C. Larson, Hansen, Erpenbach, Carpenter, L. Taylor, Vinehout, Harris, Shilling, Miller, T. Cullen, Risser and Lehman (**LRB a2062**) 750

03-11. S. Senate Amendment 3 offered by Senators C. Larson, Hansen, Erpenbach, L. Taylor, Carpenter, Vinehout, Harris, Shilling, Miller, T. Cullen, Risser and Lehman (**LRB a2063**) 750

03-11. S. Senate Amendment 4 offered by Senators C. Larson, Lassa, Hansen, Erpenbach, Carpenter, L. Taylor, Vinehout, Harris, Shilling, Miller, T. Cullen, Risser and Lehman (**LRB a2064**) 750

03-11. S. Senate Amendment 5 offered by Senators Harris, Lassa, Hansen, Erpenbach, Carpenter, L. Taylor, Vinehout, Shilling, Miller, T. Cullen, Wirch, C. Larson and Lehman (**LRB a2082**) 750

03-11. S. Senate Amendment 6 offered by Senators C. Larson, Lassa, Hansen, Erpenbach, Carpenter, L. Taylor, Vinehout, Harris, Shilling, Miller, T. Cullen and Lehman (**LRB a2066**) 750

03-11. S. Senate Amendment 7 offered by Senators Lassa, Erpenbach, Carpenter, Harris, Shilling, T. Cullen, C. Larson and Lehman (**LRB a2069**) 750

03-11. S. Senate Amendment 8 offered by Senators Lassa, Hansen, Carpenter, Harris, T. Cullen and C. Larson (**LRB a2070**) 750

03-11. S. Senate Amendment 1 to Senate Amendment 1 offered by Senators Miller, T. Cullen, Wirch, Carpenter, Risser, C. Larson, Hansen, Erpenbach, L. Taylor, Vinehout, Harris and Shilling (**LRB a2083**) 750

03-11. S. Senate Amendment 2 to Senate Amendment 1 offered by Senator S. Fitzgerald (**LRB a2089**) 750

03-11. S. Placed at the foot of the 12th on the calendar of 3-11-2014, Ayes 18, Noes 15 753

03-11. S. Read a second time 762

03-11. S. Point of order that Senate Substitute Amendment 1 was not germane well taken 762

03-11. S. Decision of the Chair stands as the judgement of the Senate, Ayes 18, Noes 15 762

03-11. S. Senate Amendment 1 to Senate Amendment 1 laid on table, Ayes 18, Noes 15 762

03-11. S. Senate Amendment 1 to Senate Amendment 1 refused to be taken from the table 762

03-11. S. Senate Amendment 9 offered by Senator Carpenter (**LRB f0007**) 750

03-11. S. Move to call the question, Ayes 18, Noes 15 762

03-11. S. **Senate Amendment 2 to Senate Amendment 1 adopted**, Ayes 19, Noes 14 762

03-11. S. **Senate Amendment 1 adopted**, Ayes 18, Noes 15 762

03-11. S. Senate Amendment 2 laid on table, Ayes 17, Noes 15 763

03-11. S. Senate Amendment 3 laid on table, Ayes 18, Noes 15 763

03-11. S. Senate Amendment 4 laid on table, Ayes 18, Noes 15 763

03-11. S. Senate Amendment 5 laid on table, Ayes 18, Noes 15 763

03-11. S. Senate Amendment 6 laid on table, Ayes 18, Noes 15 763

03-11. S. Senate Amendment 7 laid on table, Ayes 18, Noes 15 763

03-11. S. Senate Amendment 8 laid on table, Ayes 18, Noes 15 764

03-11. S. Senate Amendment 9 laid on table, Ayes 18, Noes 15 764

03-11. S. Ordered to a third reading 764

03-12. S. Read a third time and **passed**, Ayes 17, Noes 16 769

03-12. S. Ordered immediately messaged 770

03-12. A. Received from Senate 737

03-18. A. Read first time and referred to committee on Rules 750

03-18. A. Made a special order of business at 10:29 AM on 3-20-2014 pursuant to Assembly Resolution 28 767

03-20. A. Read a second time

9MB

- 03-20. A. Assembly Amendment 1 offered by Representatives Sinicki, Kahl, C. Taylor, Wachs, Berceau, Kolste, Sargent, Ringhand, Kessler, Bernard Schaber, Hebl, Pope, Richards, Barnes, Zepnick and Hulsey **(LRB a2228)**
- 03-20. A. Assembly Amendment 1 laid on table, Ayes 56, Noes 38
- 03-20. A. Assembly Amendment 2 offered by Representatives Zamarripa and Hulsey **(LRB a2203)**
- 03-20. A. Assembly Amendment 2 laid on table, Ayes 56, Noes 38
- 03-20. A. Assembly Amendment 3 offered by Representatives Zamarripa and Hulsey **(LRB a2202)**
- 03-20. A. Assembly Amendment 3 laid on table, Ayes 56, Noes 38
- 03-20. A. Assembly Amendment 4 offered by Representatives Zamarripa and Hulsey **(LRB a2201)**
- 03-20. A. Assembly Amendment 4 laid on table, Ayes 56, Noes 38
- 03-20. A. Assembly Amendment 5 offered by Representatives Zamarripa and Hulsey **(LRB a2206)**
- 03-20. A. Assembly Amendment 5 laid on table, Ayes 56, Noes 38
- 03-20. A. Assembly Amendment 6 offered by Representatives Berceau and Hulsey **(LRB a2209)**
- 03-20. A. Assembly Amendment 6 withdrawn and returned to author
- 03-20. A. Assembly Amendment 7 offered by Representative Hulsey **(LRB a2224)**
- 03-20. A. Assembly Amendment 7 laid on table, Ayes 60, Noes 34
- 03-20. A. Ordered to a third reading
- 03-20. A. Rules suspended
- 03-20. A. Refused to refer to committee on Campaigns and Elections, Ayes 37, Noes 57
- 03-20. A. Read a third time and **concurred in**, Ayes 56, Noes 38
- 03-20. A. Ordered immediately messaged
- 03-21. S. Received from Assembly concurred in

2013

ENROLLED BILL

13en SB- 324

ADOPTED DOCUMENTS:

Orig Engr SubAmdt

13 - 3044/1

Amendments to above (if none, write "NONE"): SA-1 to SB 324, a 1667 ll
SA2 to SA-1 to SB 324 - a 2089/1

Corrections - show date (if none, write "NONE"): NONE

Topic RELATING CLAUSE

3/26/14
Date

Cathleen H. S.
Enrolling Drafter



2013 SENATE BILL 324

October 2, 2013 - Introduced by Senator GROTHMAN, cosponsored by Representatives STROEBEL, BIES, STRACHOTA, CRAIG, RIPP, LEMAHIEU, SPIROS, KLEEFISCH, SANFELIPPO, T. LARSON, WEATHERSTON, NASS and A. OTT. Referred to Elections and Urban Affairs.

1 **AN ACT to amend** 6.86 (1) (b); and **to create** 6.86 (1) (bb) of the statutes; **relating**
2 **to:** limiting the times for voting by absentee ballots in person.

SA-2
to
SI
and making
an appropriation

Analysis by the Legislative Reference Bureau

Under current law, a person may apply to the municipal clerk in person to vote using an absentee ballot. In-person applications to vote using an absentee ballot may be made beginning on the third Monday preceding the election and ending on the later of 5 p.m. or the close of business on the Friday preceding the election.

Under this substitute amendment, in-person applications to vote using absentee ballots may only be received Monday to Friday between the hours of 7:30 a.m. and 6 p.m., except that an individual may make an appointment with the actual city, town, or village clerk, as appropriate, so that the clerk, not a member of the clerk's staff or a designated agent, may receive the individual's application made in person after 6 p.m. or anytime on Saturday or Sunday, not including the Saturday and Sunday after the Friday preceding the election.

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

3 **SECTION 1.** 6.86 (1) (b) of the statutes is amended to read:
4 6.86 (1) (b) Except as provided in this section, if application is made by mail,
5 the application shall be received no later than 5 p.m. on the 5th day immediately

SA-2
to
SA-1

SENATE BILL 324

plain

1 preceding the election. If Except as provided in par. (bb), if application is made in
 2 person, the application shall be made no earlier than the opening of business on the
 3 3rd Monday preceding the election and no later than ~~5 p.m. or the close of business,~~
 4 ~~which ever is later,~~ ^{6 p.m.} on the Friday preceding the election. Except as provided
 5 in par. (c), if the elector is making written application for an absentee ballot at the
 6 partisan primary, the general election, the presidential preference primary, or a
 7 special election for national office, and the application indicates that the elector is
 8 a military elector, as defined in s. 6.34 (1), the application shall be received by the
 9 municipal clerk no later than 5 p.m. on election day. If the application indicates that
 10 the reason for requesting an absentee ballot is that the elector is a sequestered juror,
 11 the application shall be received no later than 5 p.m. on election day. If the
 12 application is received after 5 p.m. on the Friday immediately preceding the election,
 13 the municipal clerk or the clerk's agent shall immediately take the ballot to the court
 14 in which the elector is serving as a juror and deposit it with the judge. The judge shall
 15 recess court, as soon as convenient, and give the elector the ballot. The judge shall
 16 then witness the voting procedure as provided in s. 6.87 and shall deliver the ballot
 17 to the clerk or agent of the clerk who shall deliver it to the polling place or, in
 18 municipalities where absentee ballots are canvassed under s. 7.52, to the municipal
 19 clerk as required in s. 6.88. If application is made under sub. (2) or (2m), the
 20 application may be received no later than 5 p.m. on the Friday immediately
 21 preceding the election.

SA-1

INS
SA-1
3.

SECTION 2. 6.86 (1) (bb) of the statutes is created to read:

22 ~~6.86 (1) (bb) An application made in person may only be received Monday to~~
 23 ~~Friday between the hours of 7:30 a.m. and 6 p.m, except that an individual may make~~
 24 ~~an appointment with the actual city, town, or village clerk, as appropriate, so that,~~

SA-1

SENATE BILL 324

SA-1

1 ~~notwithstanding s. 7.21 (1), the clerk, not a member of the clerk's staff or a designated~~
 2 ~~agent, may receive the individual's application made in person after 6 p.m. or~~
 3 ~~anytime on Saturday or Sunday, not including the Saturday and Sunday after the~~
 4 ~~Friday preceding the election.~~

5 **SECTION 3. Initial applicability.**

6 (1) This act first applies to elections held no earlier than 60 days after the
 7 effective date of this subsection.

8 (END)

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SA-2
to SA-1

4.



**SENATE AMENDMENT 1,
TO SENATE BILL 324**

March 5, 2014 - Offered by Senators GROTHMAN and LAZICH.

1 At the locations indicated, amend the bill as follows:

2 **1.** Page 2, line 1: delete "~~If Except as provided in par. (bb), if~~" and substitute
3 "If".

4 ✓ **2.** Page 2, line 4: delete "6" and substitute "7".

5 **3.** Page 2, line 4: after "election." insert "No application may be received on a
6 legal holiday. An application made in person may only be received Monday to Friday
7 between the hours of 8 a.m. and 7 p.m. each day. A municipality may make available
8 no more than 45 hours each week for in-person absentee voting ^{for any statewide election} and shall specify the
9 hours in the notice under s. 10.01 (2) (e). The municipal clerk or an election official
10 shall witness the certificate for any such ballot cast." in-person absentee

11 ✓ **4.** Page 2, line 22: delete the material beginning with that line and ending with
12 page 3, line 4.

13

(END)

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3.

SA-2

SA-2

SA-2



**SENATE AMENDMENT 2,
TO SENATE AMENDMENT 1,
TO SENATE BILL 324**

March 11, 2014 – Offered by Senator S. FITZGERALD.

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

2 **1.** Page 1, line 2: delete lines 2 and 3 and substitute:

3 ✓ “1d. Page 1, line 2: after “person” insert “and making an appropriation”.

4 ✓ 1m. Page 2, line 1: delete “If Except as provided in par. (bb), if” and substitute
5 “If”.”.

6 ✓ **2.** Page 1, line 8: after “voting” insert “for any statewide election”.

7 ✓ **3.** Page 1, line 10: delete “such” and substitute “in-person absentee”.

8 **4.** Page 1, line 12: after that line insert:

9 “4d. Page 3, line 4: after that line insert:

10 “**SECTION 2d.** 6.86 (1) (bb) of the statutes is created to read:

INS
SA 2 to
SA-1
4.



