



State of Wisconsin  
2005 - 2006 LEGISLATURE

LRBs0593/2  
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**SENATE SUBSTITUTE AMENDMENT 1,  
TO 2005 ASSEMBLY JOINT RESOLUTION 36**

March 7, 2006 – Offered by Senator CARPENTER.

1     **To create** section 1m of article III of the constitution; **relating to:** requiring a  
2             photographic identification to vote, or register to vote, in an election (first  
3             consideration).

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***Analysis by the Legislative Reference Bureau***

This proposed constitutional amendment, proposed to the 2005 legislature on first consideration, provides that, with eight exceptions, a qualified elector may not vote, or register to vote, in an election unless the elector presents a photographic identification issued by this state or by the federal government or, if the elector is voting by absentee ballot, the elector encloses with his or her ballot a copy of a photographic identification issued by this state or by the federal government. In addition, after the date of ratification, the proposal provides that the legislature, by law, with the concurrence of two-thirds of all the members present, may exempt any class of electors from this requirement.

A proposed constitutional amendment requires adoption by two successive legislatures, and ratification by the people, before it can become effective.

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4             ***Resolved by the assembly, the senate concurring, That:***

5             **SECTION 1.** Section 1m of article III of the constitution is created to read:

1           [Article III] Section 1m (1) Except as provided in subsection (2) or as authorized  
2 in subsection (3), a qualified elector may not vote, or register to vote, in an election  
3 unless the elector presents a photographic identification issued by this state or by  
4 the federal government or, if the elector is voting by absentee ballot, the elector  
5 encloses with his or her ballot a copy of a photographic identification issued by this  
6 state or by the federal government.

7           (2) Subsection (1) does not apply if:

8           (a) An elector who applies for identification issued by this state files an affidavit  
9 with an agency of this state stating that the elector has a sincerely held religious  
10 belief against being photographed, the affidavit identifies the religion to which he or  
11 she belongs or the tenets of which he or she adheres to, and the affidavit states that  
12 the tenets of the religion prohibit him or her from being photographed, in which case,  
13 the elector may present or enclose identification issued by this state that does not  
14 include a photograph.

15           (b) An elector who has been issued a motor vehicle operator's license by an  
16 agency of this state receives a citation or notice of intent to revoke or suspend the  
17 license from a law enforcement officer in any jurisdiction that is dated within 60 days  
18 of the date of an election, the elector is required to surrender his or her license at the  
19 time that the citation or notice is issued, and the elector presents an original copy of  
20 the citation or notice in lieu of the operator's license, in which case the elector's ballot  
21 shall be marked in such a way that the ballot can be attributed to the elector.

22           (c) An elector whose address is confidential pursuant to law because the elector  
23 has been subject to domestic abuse presents an identification card issued to the  
24 elector by this state or any subdivision thereof that entitles the elector to vote  
25 without providing an address.

1 (d) An elector presents photographic identification within a period specified by  
2 law after the polls are closed and the elector casts a ballot at the polls or the elector  
3 casts an absentee ballot that is marked in such a way that the ballot can be attributed  
4 to the elector.

5 (e) The elector is a military elector or an overseas elector, as defined by law, and  
6 is voting by absentee ballot.

7 (f) The elector is voting by absentee ballot and has already provided a copy of  
8 the required identification in connection with a previous request for an absentee  
9 ballot, and the elector has not changed his or her name since the time that a copy of  
10 the elector's identification was provided.

11 (g) The elector is voting by absentee ballot because the elector is indefinitely  
12 confined or is disabled for an indefinite period, and the elector submits a statement  
13 signed by a witness to his or her absentee ballot verifying the elector's identity.

14 (h) The elector is an occupant of a nursing home, community-based residential  
15 facility, retirement home, adult foster home, or residential care apartment complex,  
16 as defined by law, where a municipality sends special voting deputies for the purpose  
17 of conducting absentee voting and the elector submits a statement signed by the  
18 deputies with his or her absentee ballot that verifies the elector's identity.

19 (3) After the date of ratification of this section, the legislature, by law, with the  
20 concurrence of two-thirds of all the members present, may exempt any class of  
21 electors from the requirement of subsection (1).

22 ***Be it further resolved, That*** this proposed amendment be referred to the  
23 legislature to be chosen at the next general election and that it be published for 3  
24 months previous to the time of holding such election.

25 (END)