



## WISCONSIN LEGISLATIVE COUNCIL AMENDMENT MEMO

**2011 Assembly Bill 525**

**Assembly Amendment 3**

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Under current law, an individual who votes by absentee ballot must provide proof of identification when the individual applies for an absentee ballot, unless the individual is otherwise exempt from the proof of identification requirement. However, an individual who applies for an absentee ballot by email or fax may provide proof of identification when submitting the voted ballot, rather than when applying for the absentee ballot.

2011 Assembly Bill 525 requires an individual who applies for an absentee ballot by email or fax to provide proof of identification when the individual applies for the ballot, rather than with the voted ballot. In addition, the bill provides that if a voter mails or personally delivers an absentee ballot to the municipal clerk, the clerk may not return the ballot to the voter. In addition, a voter who mails or personally delivers an absentee ballot to the municipal clerk may not vote in person at the same election on Election Day.

Assembly Amendment 3 provides two exceptions to the bill's prohibition on a clerk returning an absentee ballot to a voter. First, if a spoiled or damaged absentee ballot is returned to the clerk, the clerk must issue a new ballot to the voter and destroy the spoiled or damaged ballot. Second, if an absentee ballot has an improperly completed certificate or no certificate, the clerk may return the ballot to the voter whenever time permits the voter to correct the defect and return the ballot to be counted.

### **Legislative History**

Assembly Amendment 3 was offered by the Assembly Committee on Election and Campaign Reform. On February 9, 2012, the Assembly Committee on Election and Campaign Reform recommended adoption of the amendment on a vote of Ayes, 6; Noes, 0. The committee then recommended passage of Assembly Bill 525, as amended, on a vote of Ayes, 4; Noes, 2.

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