



## 2003 ASSEMBLY BILL 111

March 5, 2003 - Introduced by Representatives STONE, FREESE, KESTELL, ALBERS, KREIBICH, GUNDERSON, M. LEHMAN, J. FITZGERALD, BIES, VRAKAS, HINES, LADWIG, HAHN, OTT, HUNDERTMARK, GARD, OWENS, F. LASEE, MUSSER, AINSWORTH and PETTIS, cosponsored by Senators LEIBHAM, HARS DORF, STEPP, S. FITZGERALD, REYNOLDS and SCHULTZ. Referred to Committee on Campaigns and Elections.

1     **AN ACT** *to repeal* 6.15 (3) (a) (title), 6.15 (3) (b) (title), 6.56 (5) and 20.395 (5) (cr);  
2             *to renumber* 6.79 (3); *to renumber and amend* 6.15 (3) (a) 1., 2. and 3., 6.15  
3             (3) (b) and 6.87 (4); *to amend* 5.40 (6), 6.15 (2) (title), 6.15 (2) (a) (intro.), 6.22  
4             (2) (b), 6.24 (4) (d), 6.29 (1), 6.55 (2) (b), 6.55 (2) (c) 1., 6.55 (2) (c) 2., 6.55 (2) (d),  
5             6.55 (3), 6.55 (7) (c) 1., 6.55 (7) (c) 2., 6.79 (1), 6.79 (2), 6.79 (3) (title), 6.79 (4),  
6             6.79 (6) (a), 6.79 (6) (b), 6.82 (1) (a), 6.86 (1) (ar), 6.86 (3) (a), 6.87 (3) (d), 6.88  
7             (3) (a), 10.02 (3) (a), 343.50 (5) and 343.50 (6); *to repeal and recreate* 6.79 (6)  
8             (title); and *to create* 6.15 (2) (bm), 6.15 (2) (d) 1g., 6.15 (2) (e), 6.79 (3) (b), 6.869,  
9             6.87 (4) (a), 6.97 and 20.395 (5) (cr) of the statutes; **relating to:** requiring  
10            identification in order to vote at a polling place or obtain an absentee ballot, the  
11            fee for an identification card issued by the Department of Transportation, and  
12            making an appropriation.

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### *Analysis by the Legislative Reference Bureau*

With certain limited exceptions, before being permitted to vote at any polling place, an elector currently must provide his or her name and address. If registration

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is required in order to vote and the elector is not registered, the elector must provide a specified form of proof of residence in order to register. If an elector claims to be registered but his or her name does not appear on the appropriate registration list, the elector must complete a certification of eligibility and present acceptable proof of residence in order to vote. In addition, an elector may be required to provide acceptable proof of residence even if registration is not required. If an elector is not able to present any required proof of residence, as an alternative, current law permits another qualified elector who resides in the same municipality to corroborate the elector's information.

With certain limited exceptions, this bill requires each elector attempting to register or vote at the polls on election day to present a valid Wisconsin driver's license issued by the Department of Transportation (DOT) to the elector that contains the elector's photograph or present a valid Wisconsin identification card issued by DOT to the elector. Under the bill, this identification requirement also applies to any elector who applies for an absentee ballot, except a military or overseas elector, as defined by federal law. If the elector votes by absentee ballot, the elector must provide a copy of a valid Wisconsin driver's license or a valid Wisconsin identification card. If an elector who votes at a polling place fails to do so or fails to provide sufficient identification, the elector may vote provisionally. If an elector other than a military or overseas elector, as defined by federal law, votes by absentee ballot and fails to provide the required identification or sufficient identification, the ballot is treated as a provisional ballot. A provisional ballot is marked by the poll workers, who immediately contact the municipal clerk or board of election commissioners. The elector may then provide the required identification to the clerk or board. If the elector does not provide the required identification to the clerk or board of election commissioners by 4. p.m. or the close of business, whichever is later, on the day following the election, the elector's vote is not counted.

The bill also permits an elector who is eligible to obtain a Wisconsin identification card to obtain the card from DOT free of charge, if the elector specifically requests not to be charged.

In addition, the bill deletes the authority for an elector to utilize corroboration in order to register to vote or to vote on election day.

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

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

- 1           **SECTION 1.** 5.40 (6) of the statutes is amended to read:
- 2           5.40 (6) A municipality which utilizes voting machines or an electronic voting
- 3           system at a polling place may permit use of the machines or system by electors voting
- 4           under s. 6.15 only as authorized under s. 6.15 (3) (b).

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1           **SECTION 2.** 6.15 (2) (title) of the statutes is amended to read:

2           6.15 (2) (title) ~~APPLICATION FOR BALLOT~~ PROCEDURE AT CLERK'S OFFICE.

3           **SECTION 3.** 6.15 (2) (a) (intro.) of the statutes is amended to read:

4           6.15 (2) (a) (intro.) The elector's request for the application form may be made  
5 to the proper municipal clerk either in person or in writing ~~any time during the~~  
6 ~~10-day period in which the elector's residence requirement is incomplete, but not~~  
7 ~~later than the applicable deadline for making application for an absentee ballot.~~  
8 Except as provided in par. (e), application may be made not sooner than 9 days nor  
9 later than 5 p.m. on the day before the election, or may be made at the proper polling  
10 place ~~in~~ for the ward or election district in which the elector resides. The application  
11 form shall be returned to the municipal clerk after the affidavit has been signed in  
12 the presence of the clerk or any officer authorized by law to administer oaths. The  
13 affidavit shall be in substantially the following form:

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

15           6.15 (2) (bm) When making application in person at the office of the municipal  
16 clerk, each applicant shall present a valid operator's license issued to the person  
17 under ch. 343 that contains a photograph of the license holder or present a valid  
18 identification card issued to the person under s. 343.50.

19           **SECTION 5.** 6.15 (2) (d) 1g. of the statutes is created to read:

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

25           **SECTION 6.** 6.15 (2) (e) of the statutes is created to read:

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1           6.15 (2) (e) If the elector makes application in writing but does not appear in  
2 person, and the clerk receives a properly completed application and cancellation card  
3 from the elector, the clerk shall provide the elector with a ballot. If the ballot is to be  
4 mailed, the application must be received no later than 5 p.m. on the Friday before  
5 the election. In order to be counted, the ballot must be received by the municipal  
6 clerk no later than 5 p.m. on the day before the election.

7           **SECTION 7.** 6.15 (3) (a) (title) of the statutes is repealed.

8           **SECTION 8.** 6.15 (3) (a) 1., 2. and 3. of the statutes are renumbered 6.15 (2) (d)  
9 1r., 2. and 3., and 6.15 (2) (d) 1r., as renumbered, is amended to read:

10           6.15 (2) (d) 1r. Upon proper completion of the application and cancellation card,  
11 and compliance with subd. 1g., the municipal clerk shall inform the elector that he  
12 or she may vote for the presidential electors not sooner than 9 days nor later than  
13 5 p.m. on the day before the election at the office of the municipal clerk, or at a  
14 specified polling place on election day. When voting at the municipal clerk's office,  
15 the applicant shall provide identification and permit the elector to cast his or her  
16 ballot for president and vice president. The elector shall then mark the ballot in the  
17 clerk's presence in a manner that will not disclose his or her vote. Unless the ballot  
18 is utilized with an electronic voting system, the applicant elector shall fold the ballot  
19 so as to conceal his or her vote. The applicant elector shall then deposit the ballot  
20 and seal it in an envelope furnished by the clerk.

21           **SECTION 9.** 6.15 (3) (b) (title) of the statutes is repealed.

22           **SECTION 10.** 6.15 (3) (b) of the statutes is renumbered 6.15 (3) and amended to  
23 read:

24           6.15 (3) ~~VOTING PROCEDURE~~ PROCEDURE AT POLLING PLACE. An eligible elector  
25 may appear at the polling place for the ward or election district where he or she

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1 resides and make application for a ballot under sub. (2). ~~In such case, the inspector~~  
2 ~~or special registration deputy~~ Except as otherwise provided in this subsection, an  
3 elector who casts a ballot under this subsection shall follow the same procedure  
4 required for casting a ballot at the municipal clerk's office under sub. (2). The  
5 inspectors shall perform the duties of the municipal clerk. The elector shall provide  
6 identification. If the elector is qualified, he or she shall be permitted to vote, except  
7 that the inspectors shall return the cancellation card under sub. (2) (b) to the  
8 municipal clerk and the clerk shall forward the card as provided under sub. (2) (c)  
9 if required. Upon proper completion of the application and cancellation card and  
10 compliance with sub. (2) (d) 1g., the inspectors shall permit the elector to cast his or  
11 her ballot for president and vice president. The elector shall then mark the ballot  
12 and, unless the ballot is utilized with an electronic voting system, the elector shall  
13 fold the ballot, and shall deposit the ballot into the ballot box or give it to the  
14 inspector. The inspector shall deposit it directly into the ballot box. Voting machines  
15 or ballots utilized with electronic voting systems may only be used by electors voting  
16 under this section if they permit voting for president and vice president only.

17 **SECTION 11.** 6.22 (2) (b) of the statutes is amended to read:

18 6.22 (2) (b) Notwithstanding s. 6.87 (4) (b), a military elector shall make and  
19 subscribe to the certification under s. 6.87 (2) before a witness who is an adult U.S.  
20 citizen.

21 **SECTION 12.** 6.24 (4) (d) of the statutes is amended to read:

22 6.24 (4) (d) An overseas elector who is not registered may request both a  
23 registration form and an absentee ballot at the same time, and the municipal clerk  
24 shall send the ballot automatically if the registration form is received within the time  
25 prescribed in s. 6.28 (1). The board shall prescribe a special certificate form for the

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1 envelope in which the absentee ballot for overseas electors is contained, which shall  
2 be substantially similar to that provided under s. 6.87 (2). Notwithstanding s. 6.87  
3 (4) (b), an overseas elector shall make and subscribe to the special certificate form  
4 before a witness who is an adult U.S. citizen.

5 **SECTION 13.** 6.29 (1) of the statutes is amended to read:

6 6.29 (1) No names may be added to a registration list for any election after the  
7 close of registration, except as authorized under this section or s. 6.28 (1), 6.55 (2),  
8 or 6.86 (3) (a) 2. Any person whose name is not on the registration list but who is  
9 otherwise a qualified elector is entitled to vote at the election upon compliance with  
10 this section, if the person complies with all other requirements for voting at the  
11 polling place.

12 **SECTION 14.** 6.55 (2) (b) of the statutes is amended to read:

13 6.55 (2) (b) Upon executing the registration form under par. (a), the person  
14 shall be required by a special registration deputy or inspector to present a valid  
15 operator's license issued to the person under ch. 343 that contains the photograph  
16 of the license holder or a valid identification card issued to the person under s. 343.50.  
17 If the identification presented is not acceptable proof of residence under sub. (7), the  
18 person shall also present acceptable proof of residence under sub. (7). ~~If the person~~  
19 ~~cannot supply such proof, the registration form shall be substantiated and signed by~~  
20 ~~one other elector who resides in the same municipality as the registering elector,~~  
21 ~~corroborating all the material statements therein. The corroborator shall then~~  
22 ~~provide acceptable proof of residence. The signing by the elector executing the~~  
23 ~~registration form and by any elector who corroborates the information in the form~~  
24 under par. (a) shall be in the presence of the special registration deputy or inspector.

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1 Upon compliance with this procedure and all other requirements for voting at the  
2 polling place, such person shall then be given the right to vote.

3 **SECTION 15.** 6.55 (2) (c) 1. of the statutes is amended to read:

4 6.55 (2) (c) 1. As an alternative to registration at the polling place under pars.  
5 (a) and (b), the board of election commissioners, or the governing body of any  
6 municipality in which registration is required may by resolution require a person  
7 who qualifies as an elector and who is not registered and desires to register on the  
8 day of an election to do so at another readily accessible location in the same building  
9 as the polling place serving the elector's residence or at an alternate polling place  
10 assigned under s. 5.25 (5) (b), instead of at the polling place serving the elector's  
11 residence. In such case, the municipal clerk shall prominently post a notice of the  
12 registration location at the polling place. The municipal clerk, deputy clerk, or  
13 special registration deputy at the registration location shall require such person to  
14 execute a registration form as prescribed under par. (a) and to present a valid  
15 operator's license issued to the person under ch. 343 that contains the photograph  
16 of the license holder or a valid identification card issued to the person under s. 343.50.  
17 If the identification presented is not acceptable proof of residence under sub. (7), the  
18 person shall also provide acceptable proof of residence as provided under sub. (7).  
19 ~~If the person cannot supply such proof, the registration form shall be corroborated~~  
20 ~~in the manner provided in par. (b).~~ The signing by the elector executing the  
21 registration form and by any corroborating elector as prescribed under par. (a) shall  
22 be in the presence of the municipal clerk, deputy clerk, or special registration deputy.  
23 Upon proper completion of registration, the municipal clerk, deputy clerk, or special  
24 registration deputy shall serially number the registration and give one copy to the

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1 elector for presentation at the polling place serving the elector's residence or an  
2 alternate polling place assigned under s. 5.25 (5) (b).

3 **SECTION 16.** 6.55 (2) (c) 2. of the statutes is amended to read:

4 6.55 (2) (c) 2. Upon compliance with the procedures under subd. 1., the  
5 municipal clerk or deputy clerk shall issue a certificate addressed to the inspectors  
6 of the proper polling place directing that the elector be permitted to cast his or her  
7 vote. ~~If the elector's registration is corroborated, the clerk shall enter the name and~~  
8 ~~address of the corroborator on the face of the certificate~~ if the elector complies with  
9 all requirements for voting at the polling place. The certificate shall be numbered  
10 serially and prepared in duplicate. The municipal clerk shall preserve one copy in his  
11 or her office.

12 **SECTION 17.** 6.55 (2) (d) of the statutes is amended to read:

13 6.55 (2) (d) A registered elector who has changed his or her name but resides  
14 at the same address, and has not notified the municipal clerk under s. 6.40 (1) (c),  
15 shall notify the inspector of the change before voting. The inspector shall then notify  
16 the municipal clerk at the time which materials are returned under s. 6.56 (1). If an  
17 elector ~~changes~~ has changed both a name and address, the elector shall ~~complete a~~  
18 ~~registration form~~ register at the polling place or other registration location under  
19 pars. (a) and (b).

20 **SECTION 18.** 6.55 (3) of the statutes is amended to read:

21 6.55 (3) Any qualified elector in the ward or election district where the elector  
22 desires to vote whose name does not appear on the registration list where  
23 registration is required but who claims to be registered to vote in the election may  
24 request permission to vote at the polling place for that ward or election district.  
25 When the request is made, the inspector shall require the person to give his or her

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1 name and address. If the elector is not at the polling place which serves the ward or  
2 election district where the elector resides, the inspector shall provide the elector with  
3 directions to the correct polling place. If the elector is at the correct polling place, the  
4 elector shall then execute the following written statement: "I, ..., hereby certify that  
5 to the best of my knowledge, I am a qualified elector, having resided at ... for at least  
6 10 days immediately preceding this election, and that I am not disqualified on any  
7 ground from voting, and I have not voted at this election and am properly registered  
8 to vote in this election." The person shall be required to ~~provide~~ present a valid  
9 operator's license issued to the person under ch. 343 that contains a photograph of  
10 the license holder or present a valid identification card issued to the person under  
11 s. 343.50. If any identification presented by the person is not acceptable proof of  
12 residence as provided under sub. (7), the person shall also present acceptable proof  
13 of residence as provided under sub. (7) and shall then be given the right to vote. If  
14 acceptable proof is presented, the elector need not have the information corroborated  
15 by any other elector. If acceptable proof is not presented, the statement shall be  
16 certified by the elector and shall be corroborated by another elector who resides in  
17 the municipality. The corroborator shall then provide acceptable proof of residence  
18 as provided in sub. (7). Whenever the question of identity or residence cannot be  
19 satisfactorily resolved and the elector cannot be permitted to vote, an inspector shall  
20 telephone the office of the municipal clerk to reconcile the records at the polling place  
21 with those at the office.

22 **SECTION 19.** 6.55 (7) (c) 1. of the statutes is amended to read:

23 6.55 (7) (c) 1. ~~A Wisconsin motor vehicle~~ An operator's license issued under ch.  
24 343.

25 **SECTION 20.** 6.55 (7) (c) 2. of the statutes is amended to read:

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1           6.55 (7) (c) 2. ~~A Wisconsin~~ An identification card issued under s. ~~125.08, 1987~~  
2 ~~stats. 343.50.~~

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

4           **SECTION 22.** 6.79 (1) of the statutes is amended to read:

5           6.79 (1) MUNICIPALITIES WITHOUT REGISTRATION. Except as provided in sub. (6)  
6 (a), where there is no registration, before being permitted to vote, each ~~person~~ elector  
7 shall state his or her full name and address and present to the officials a valid  
8 operator's license issued to the elector under ch. 343 that contains a photograph of  
9 the license holder or present a valid identification card issued to the elector under  
10 s. 343.50. The officials shall enter each name and address on a poll list in the same  
11 order as the votes are cast. If the residence of the elector does not have a number,  
12 the election officials shall, in the appropriate space, enter "none". Alternatively, the  
13 municipal clerk may maintain a poll list consisting of the full name and address of  
14 electors compiled from previous elections. Whenever an elector appears to vote, the  
15 officials shall verify the correctness of the elector's name and address, and shall enter  
16 a serial number next to the name of the elector in the order that the votes are cast,  
17 beginning with the number one. If the name and address of an elector do not appear  
18 on the prepared poll list, the officials shall enter the name, address and serial  
19 number of the elector at the bottom of the list. Except as provided in sub. (6), before  
20 being permitted to vote, each elector shall present to the officials a valid operator's  
21 license issued to the elector under ch. 343 that contains a photograph of the license  
22 holder or present a valid identification card issued to the elector under s. 343.50. The  
23 officials may require any elector to provide ~~identification, including acceptable proof~~  
24 ~~of residence, or to have another elector corroborate his or her information in~~  
25 ~~accordance with the procedure specified in s. 6.55 (2) (b)~~ under s. 6.55 (7) before

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1 permitting the elector to vote. ~~An elector who presents an identification card under~~  
2 ~~sub. (6) (a) is not required to provide separate identification.~~ The officials shall  
3 maintain a separate list of those persons voting under ss. 6.15 and 6.24.

4 **SECTION 23.** 6.79 (2) of the statutes is amended to read:

5 6.79 (2) MUNICIPALITIES WITH REGISTRATION. Except as provided in sub. (6) (b),  
6 where there is registration, each ~~person~~ elector, before receiving a voting number,  
7 shall state his or her full name and address and present to the officials a valid  
8 operator's license issued to the elector under ch. 343 that contains a photograph of  
9 the license holder or present a valid identification card issued to the elector under  
10 s. 343.50. Upon the prepared registration list, after the name of each elector, the  
11 officials shall enter the serial number of the vote as it is polled, beginning with  
12 number one. Each elector shall receive a slip bearing the same serial number. A  
13 separate list shall be maintained for electors who are voting under s. 6.15, 6.29 or  
14 6.55 (2) or (3) and electors who are reassigned from another polling place under s.  
15 5.25 (5) (b). Each such elector shall have his or her full name, address and serial  
16 number likewise entered and shall be given a slip bearing such number.

17 **SECTION 24.** 6.79 (3) (title) of the statutes is amended to read:

18 6.79 (3) (title) REFUSAL TO GIVE NAME AND ADDRESS AND FAILURE TO PRESENT  
19 IDENTIFICATION.

20 **SECTION 25.** 6.79 (3) of the statutes is renumbered 6.79 (3) (a).

21 **SECTION 26.** 6.79 (3) (b) of the statutes is created to read:

22 6.79 (3) (b) If identification is not provided or if the document that is provided  
23 cannot be verified by the officials, the officials shall offer the opportunity for the  
24 elector to vote under s. 6.97.

25 **SECTION 27.** 6.79 (4) of the statutes is amended to read:

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1           6.79 (4) SUPPLEMENTAL INFORMATION. ~~When any elector provides identification~~  
2 ~~under sub. (1) or s. 6.15, 6.29 or 6.55 (2) or (3), the election officials shall enter the~~  
3 ~~type of identification on the poll or registration list, or supplemental list maintained~~  
4 ~~under sub. (2). If the form of identification includes a number which applies only to~~  
5 ~~the individual holding that piece of identification, the election officials shall also~~  
6 ~~enter that number on the list. When any elector corroborates the registration~~  
7 ~~identity or residence of any person offering to vote under sub. (1) or s. 6.55 (2) (b) or~~  
8 ~~(c) or (3), or the registration identity or residence of any person registering on election~~  
9 ~~day under s. 6.86 (3) (a) 2., the name and address of the corroborator shall also be~~  
10 ~~entered next to the name of the elector whose information is being corroborated on~~  
11 ~~the registration or poll list, or the separate list maintained under sub. (2). When any~~  
12 ~~person offering to vote has been challenged and taken the oath, following the person's~~  
13 ~~name on the registration or poll list, the officials shall enter the word "Sworn".~~

14           **SECTION 28.** 6.79 (6) (title) of the statutes is repealed and recreated to read:

15           6.79 (6) (title) EXCEPTIONS REGARDING IDENTIFICATION.

16           **SECTION 29.** 6.79 (6) (a) of the statutes is amended to read:

17           6.79 (6) (a) In municipalities where there is no registration, an elector who has  
18 a confidential listing under s. 6.47 (2) may present an identification card issued  
19 under s. 6.47 (3) in lieu of providing his or her name and address and presenting  
20 identification under sub. (1). If the elector resides in the area served by the polling  
21 place, the inspectors shall then enter the elector's name and identification serial  
22 number on the poll list in a section following the other names, shall issue a voting  
23 serial number to the elector and shall record that number on the poll list and permit  
24 the elector to vote.

25           **SECTION 30.** 6.79 (6) (b) of the statutes is amended to read:

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1           6.79 (6) (b) In municipalities where registration is required, an elector who has  
2 a confidential listing under s. 6.47 (2) may present his or her identification card  
3 issued under s. 6.47 (3) or may give his or her name and identification serial number  
4 issued under s. 6.47 (3), in lieu of stating his or her name and address and presenting  
5 identification under sub. (2). If the elector's name and identification serial number  
6 appear on the confidential portion of the list, the inspectors shall issue a voting serial  
7 number to the elector, record that number on the registration list and permit the  
8 elector to vote.

9           **SECTION 31.** 6.82 (1) (a) of the statutes is amended to read:

10           6.82 (1) (a) When any inspectors are informed that an elector is at the entrance  
11 to the polling place who as a result of disability is unable to enter the polling place,  
12 they shall permit the elector to be assisted in marking a ballot by any individual  
13 selected by the elector, except the elector's employer or an agent of that employer or  
14 an officer or agent of a labor organization which represents the elector. The  
15 individual selected by the elector shall provide all information necessary for the  
16 elector to obtain a ballot under s. 6.79 (1) or (2). The inspectors shall then issue a  
17 ballot to the individual selected by the elector and shall accompany the individual  
18 to the polling place entrance where the assistance is to be given. If the ballot is a  
19 paper ballot, the assisting individual shall fold the ballot after the ballot is marked  
20 by the assisting individual. The assisting individual shall then immediately take the  
21 ballot into the polling place and give the ballot to an inspector. The inspector shall  
22 distinctly announce that he or she has "a ballot offered by ... (stating person's name),  
23 an elector who, as a result of disability, is unable to enter the polling place without  
24 assistance". The inspector shall then ask, "Does anyone object to the reception of this  
25 ballot?" If no objection is made, the inspectors shall record the elector's name under

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1 s. 6.79 and deposit the ballot in the ballot box, and shall make a notation on the  
2 registration or poll list: "Ballot received at poll entrance".

3 **SECTION 32.** 6.86 (1) (ar) of the statutes is amended to read:

4 6.86 (1) (ar) Except as authorized in s. 6.875 (6), the municipal clerk shall not  
5 issue an absentee ballot unless the clerk receives a written application therefor from  
6 a qualified elector of the municipality. The clerk shall retain each absentee ballot  
7 application until destruction is authorized under s. 7.23 (1). If an elector applies for  
8 an absentee ballot in person at the clerk's office, the clerk shall not issue the elector  
9 an absentee ballot unless the elector presents a valid operator's license issued to the  
10 elector under ch. 343 that contains a photograph of the license holder or presents a  
11 valid identification card issued to the elector under s. 343.50.

12 **SECTION 33.** 6.86 (3) (a) of the statutes is amended to read:

13 6.86 (3) (a) 1. Any elector who is registered, or otherwise qualified where  
14 registration is not required, and who is hospitalized, may apply for and obtain an  
15 official ballot by agent. The agent may apply for and obtain a ballot for the  
16 hospitalized absent elector by presenting a form prescribed by the board and  
17 containing the required information supplied by the hospitalized elector and signed  
18 by that elector ~~and any other elector residing in the same municipality as the~~  
19 ~~hospitalized elector, corroborating the information contained therein. The~~  
20 ~~corroborating elector shall state on the form his or her full name and address. The~~  
21 agent shall provide the identification required under sub. (1) (ar).

22 2. If a hospitalized elector is not registered where registration is required, the  
23 elector may register by agent under this subdivision at the same time that the elector  
24 applies for an official ballot by agent under subd. 1. To register the elector under this  
25 subdivision, the agent shall present a completed registration form that contains the

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1 required information supplied by the elector and the elector's signature, unless the  
2 elector is unable to sign due to physical disability. In this case, the elector may  
3 authorize another elector to sign on his or her behalf. Any elector signing a form on  
4 another elector's behalf shall attest to a statement that the application is made on  
5 request and by authorization of the named elector, who is unable to sign the form due  
6 to physical disability. The agent shall present this statement along with all other  
7 information required under this subdivision. ~~Except as otherwise provided in this~~  
8 ~~subdivision, the~~ The agent shall ~~in every case~~ present acceptable proof of the elector's  
9 residence under s. 6.55 (7). ~~If the agent cannot present this proof, the registration~~  
10 ~~form shall be signed and substantiated by another elector residing in the elector's~~  
11 ~~municipality of residence, corroborating the information in the form. The form shall~~  
12 ~~contain the full name and address of the corroborating elector. The agent shall then~~  
13 ~~present acceptable proof of the corroborating elector's residence under s. 6.55 (7).~~

14 **SECTION 34.** 6.869 of the statutes is created to read:

15 **6.869 Uniform instructions.** The board shall prescribe uniform instructions  
16 for absentee voters. The instructions shall include information concerning whether  
17 identification is required to be submitted and, if so, the form of identification that is  
18 required.

19 **SECTION 35.** 6.87 (3) (d) of the statutes is amended to read:

20 **6.87 (3) (d)** A municipal clerk of a municipality may, if the clerk is reliably  
21 informed by an absent elector of a facsimile transmission number or electronic mail  
22 address where the elector can receive an absentee ballot, transmit a facsimile or  
23 electronic copy of the absent elector's ballot to that elector in lieu of mailing under  
24 this subsection if, in the judgment of the clerk, the time required to send the ballot  
25 through the mail may not be sufficient to enable return of the ballot by the time

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1 provided under sub. (6). An elector may receive an absentee ballot under this  
2 subsection only if the elector has filed a valid application for the ballot under sub. (1).  
3 If the clerk transmits an absentee ballot under this paragraph, the clerk shall also  
4 transmit a facsimile or electronic copy of the text of the material that appears on the  
5 certificate envelope prescribed in sub. (2), together with instructions prescribed by  
6 the board. The instructions shall require the absent elector to make and subscribe  
7 to the certification as required under sub. (4) (b) and to enclose the absentee ballot  
8 in a separate envelope contained within a larger envelope, that shall include the  
9 completed certificate. The elector shall then mail the absentee ballot with postage  
10 prepaid to the municipal clerk. An absentee ballot received under this paragraph  
11 shall not be counted unless it is cast in the manner prescribed in this paragraph and  
12 in accordance with the instructions provided by the board.

13 **SECTION 36.** 6.87 (4) of the statutes is renumbered 6.87 (4) (b) and amended to  
14 read:

15 6.87 (4) (b) Except as otherwise provided in s. 6.875, the elector voting absentee  
16 shall make and subscribe to the certification before one witness. The absent elector,  
17 in the presence of the witness, shall mark the ballot in a manner that will not disclose  
18 how the elector's vote is cast. The elector shall then, still in the presence of the  
19 witness, fold the ballots if they are paper ballots so each is separate and so that the  
20 elector conceals the markings thereon and deposit them in the proper envelope. If  
21 a consolidated ballot under s. 5.655 is used, the elector shall fold the ballot if it is a  
22 paper ballot so that the elector conceals the markings thereon and deposit the ballot  
23 in the proper envelope. The elector shall enclose identification in the envelope,  
24 unless the elector is a military elector or an overseas elector, as defined in s. 6.87 (4)  
25 (a). The elector may receive assistance under sub. (5). The return envelope shall

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1 then be sealed. The witness may not be a candidate. The envelope shall be mailed  
2 by the elector, postage prepaid, or delivered in person, to the municipal clerk issuing  
3 the ballot or ballots. Failure to return an unused ballot in a primary does not  
4 invalidate the ballot on which the elector's votes are cast. Return of more than one  
5 marked ballot in a primary or return of a ballot prepared under s. 5.655 or a ballot  
6 used with an electronic voting system in a primary which is marked for candidates  
7 of more than one party invalidates all votes cast by the elector for candidates in the  
8 primary.

9 **SECTION 37.** 6.87 (4) (a) of the statutes is created to read:

10 6.87 (4) (a) In this paragraph:

11 1. "Military elector" means a member of a uniformed service on active duty who,  
12 by reason of that duty, is absent from the residence where the member is otherwise  
13 qualified to vote; a member of the merchant marine, as defined in s. 6.22 (1) (a), who,  
14 by reason of service in the merchant marine, is absent from the residence where the  
15 member is otherwise qualified to vote; or the spouse or dependent of any such  
16 member who, by reason of the duty or service of the member, is absent from the  
17 residence where the spouse or dependent is otherwise qualified to vote.

18 2. "Overseas elector" means an elector who resides outside the United States  
19 and who is qualified under federal law to vote in elections for national office in this  
20 state because the elector was last domiciled in this state immediately prior to the  
21 elector's departure from the United States.

22 **SECTION 38.** 6.88 (3) (a) of the statutes is amended to read:

23 6.88 (3) (a) Any time between the opening and closing of the polls on election  
24 day, the inspectors shall open the carrier envelope only, and announce the name of  
25 the absent elector or the identification serial number of the absent elector if the

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1 elector has a confidential listing under s. 6.47 (2). When the inspectors find that the  
2 certification has been properly executed, the applicant is a qualified elector of the  
3 ward or election district, and the applicant has not voted in the election, they shall  
4 enter an indication on the poll ~~or registration~~ list next to the applicant's name  
5 indicating an absentee ballot is cast by the elector. They shall then open the envelope  
6 containing the ballot in a manner so as not to deface or destroy the certification  
7 thereon. The inspectors shall take out the ballot without unfolding it or permitting  
8 it to be unfolded or examined. Unless the ballot is cast under s. 6.95, the inspectors  
9 shall verify that the ballot has been endorsed by the issuing clerk. If the elector is  
10 required to provide identification and no identification is enclosed or the name or  
11 address on the document that is provided cannot be verified by the inspectors, the  
12 elector's ballot may not be counted. The inspectors shall then deposit the ballot into  
13 the proper ballot box and enter the absent elector's name or voting number after his  
14 or her name on the poll ~~or registration~~ list in the same manner as if the elector had  
15 been present and voted in person.

16 **SECTION 39.** 6.97 of the statutes is created to read:

17 **6.97 Voting procedure for individuals not providing required**  
18 **identification.** Whenever any individual appears to vote at a polling place and  
19 cannot provide the required identification or inspectors cannot verify the document  
20 submitted by the individual, the inspectors shall offer the opportunity for the  
21 individual to vote under this section. If the individual wishes to vote, the inspectors  
22 shall require the individual to execute a written affirmation before the inspectors  
23 stating that the individual is a qualified elector of the ward or election district where  
24 he or she offers to vote and is eligible to vote in the election. The inspectors shall then  
25 give the individual a ballot. Before depositing the ballot, the inspectors shall write

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1 on the back of the ballot the serial number of the individual corresponding to the  
2 number kept at the election on the poll list or other list maintained under s. 6.79.  
3 If voting machines are used in the municipality where the individual is voting, the  
4 individual's vote may be received only upon an absentee ballot furnished by the  
5 municipal clerk which shall have the corresponding number from the poll list or  
6 other list maintained under s. 6.79 written on the back of the ballot before the ballot  
7 is deposited. The inspectors shall indicate on the list the fact that the individual did  
8 not provide identification or the document submitted by the individual could not be  
9 verified by the inspectors. The inspectors shall notify the individual that he or she  
10 may provide to the municipal clerk a valid operator's license issued to the individual  
11 under ch. 343 that contains a photograph of the license holder or present a valid  
12 identification card issued to the individual under s. 343.50. The inspectors shall also  
13 promptly notify the municipal clerk of the name, address, and serial number of the  
14 individual. If by 4 p.m. or the close of business, whichever is later, on the day after  
15 the election the elector provides a valid license or identification card to the the  
16 municipal clerk, the municipal clerk shall promptly notify the board of canvassers  
17 that the individual is qualified to vote in the ward or election district where the  
18 individual's ballot was cast, and the vote of the individual shall be counted.  
19 Otherwise, the vote of the individual may not be counted.

20 **SECTION 40.** 10.02 (3) (a) of the statutes is amended to read:

21 10.02 (3) (a) Upon entering the polling place and before being permitted to vote,  
22 an elector shall give state his or her name and address ~~before being permitted to vote~~  
23 and shall present identification as required by law. Where ballots are distributed to  
24 electors, the initials of 2 inspectors must appear on the ballot. Upon being permitted  
25 to vote, the elector shall retire alone to a voting booth or machine and cast his or her

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1 ballot, except that an elector who is a parent or guardian may be accompanied by the  
2 elector's minor child or minor ward. An election official may inform the elector of the  
3 proper manner for casting a vote, but the official may not in any manner advise or  
4 indicate a particular voting choice.

5 **SECTION 41.** 20.395 (5) (cr) of the statutes is created to read:

6 20.395 (5) (cr) *Identification cards, state funds.* A sum sufficient from moneys  
7 lapsed to the transportation fund as a result of 2001 Wisconsin Act 16, section 9152  
8 (2cd) (b), equal to the amount of fees not collected under s. 343.50 (5) and (6) for the  
9 issuance or renewal of identification cards without charge, for the purpose of issuing  
10 or renewing such identification cards.

11 **SECTION 42.** 20.395 (5) (cr) of the statutes, as created by 2003 Wisconsin Act  
12 .... (this act), is repealed.

13 **SECTION 43.** 343.50 (5) of the statutes is amended to read:

14 343.50 (5) VALID PERIOD; FEES. The fee for an original card and for the  
15 reinstatement of an identification card after cancellation under sub. (10) shall be \$9  
16 or, upon request of the applicant, without charge. The card shall be valid for the  
17 succeeding period of 4 years from the applicant's next birthday after the date of  
18 issuance.

19 **SECTION 44.** 343.50 (6) of the statutes is amended to read:

20 343.50 (6) RENEWAL. At least 30 days prior to the expiration of the card, the  
21 department shall mail a renewal application to the last-known address of each  
22 identification card holder. The department shall include with the application  
23 information, as developed by all organ procurement organizations in cooperation  
24 with the department, that promotes anatomical donations and which relates to the  
25 anatomical donation opportunity available under s. 343.175. The fee for a renewal

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1 identification card shall be \$9, ~~which~~ or, upon request of the identification card  
2 holder, without charge. The renewal identification card shall be valid for 4 years.

3 **SECTION 45. Effective dates.** This act takes effect on the day after publication,  
4 except as follows:

5 (1) The repeal of section 20.395 (5) (cr) of the statutes takes effect on the first  
6 day of the 13th month beginning after publication.

7 (END)