



2009 ASSEMBLY BILL 947

April 12, 2010 – Introduced by Representatives STONE, PRIDEMORE, ROTH, DAVIS, LEMAHIEU, VUKMIR, LOTHIAN, HUEBSCH, VAN ROY, GUNDERSON, SUDER, GOTTLIEB, PETERSEN, HONADEL, SPANBAUER, KESTELL, ZIPPERER, KAUFERT, KLEEFISCH, KRAMER, VOS, KERKMAN, A. OTT, MONTGOMERY, KNODL, BALLWEG, GUNDRUM and J. OTT, cosponsored by Senators LEIBHAM, LAZICH, A. LASEE, KEDZIE, OLSEN, KANAVAS, DARLING, HARSDDORF, SCHULTZ and HOPPER. Referred to Committee on Elections and Campaign Reform.

1 **AN ACT to repeal** 6.56 (5), 12.13 (3) (v) and 343.50 (4g); **to renumber** 6.79 (3);
2 **to renumber and amend** 6.87 (4) and 6.97 (3); **to amend** 5.35 (6) (a) 2., 5.35
3 (6) (a) 4a., 5.35 (6) (a) 4a., 6.15 (2) (bm), 6.15 (2) (d) 1g., 6.15 (2) (d) 1r., 6.15 (3),
4 6.15 (3), 6.29 (1), 6.29 (2) (a), 6.33 (1), 6.33 (2) (b), 6.34 (2), 6.55 (2) (b), 6.55 (2)
5 (b), 6.55 (2) (c) 1., 6.55 (2) (c) 1., 6.55 (2) (c) 2., 6.79 (2) (a), 6.79 (2) (a), 6.79 (2)
6 (d), 6.79 (2) (d), 6.79 (3) (title), 6.79 (3) (title), 6.79 (3) (b), 6.79 (4), 6.79 (6), 6.79
7 (6), 6.82 (1) (a), 6.82 (1) (a), 6.86 (1) (ac), 6.86 (1) (ar), 6.86 (1) (ar), 6.86 (3) (a)
8 1., 6.86 (3) (a) 1., 6.86 (3) (a) 2., 6.869, 6.869, 6.87 (3) (d), 6.87 (4) (b) 1., 6.87 (4)
9 (b) 2., 6.87 (4) (b) 3., 6.87 (4) (b) 5., 6.875 (title), 6.875 (2) (a), 6.875 (3) and (4),
10 6.875 (6) (a) and (b), 6.875 (6) (c) 1., 6.875 (6) (c) 1., 6.875 (6) (c) 2., 6.875 (6) (e),
11 6.875 (7), 6.88 (3) (a), 6.88 (3) (a), 6.97 (title), 6.97 (1), 6.97 (1), 6.97 (2), 6.97 (2),
12 6.97 (3) (a), 6.97 (3) (b), 6.97 (3) (c), 7.08 (8) (title), 7.08 (12), 7.52 (3) (a), 7.52 (3)
13 (a), 10.02 (3) (form) (a), 10.02 (3) (form) (a), 12.03 (2) (b) 3., 12.13 (2) (b) 6m.,
14 85.103 (2), 134.71 (8) (a) 2., 139.30 (4n), 343.19 (title), 343.19 (2) (intro.),

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1 343.235 (title), 343.237 (title), 343.237 (6), 343.43 (2), 343.50 (3), 343.50 (4),
2 343.50 (5) (a) 1. and 343.50 (6); **to repeal and recreate** 343.19 (1), 343.22 (2),
3 343.22 (2m), 343.22 (3), 343.237 (2), 343.237 (3) (intro.), 343.50 (3), 343.50 (4),
4 343.50 (5) (a) 1. and 343.50 (6); and **to create** 6.15 (2) (bm), 6.15 (2) (d) 1g., 6.79
5 (3) (b), 6.79 (7), 6.87 (4) (a), 6.87 (4) (b) 2., 6.87 (4) (b) 3., 6.87 (4) (b) 4., 6.87 (4)
6 (b) 5., 6.875 (1) (ap) and (asm), 6.875 (2) (d), 6.965, 6.97 (3) (a), 6.97 (3) (c), 7.08
7 (12), 125.085 (1) (f), 343.19 (2) (c), 343.50 (4g) and 343.505 of the statutes;
8 **relating to:** requiring certain identification in order to vote at a polling place
9 or obtain an absentee ballot, verification of the addresses of electors, absentee
10 voting procedure in certain residential care apartment complexes and adult
11 family homes, identification cards issued by the Department of Transportation,
12 creating an identification certificate issued by the Department of
13 Transportation, requiring the exercise of rule-making authority, and providing
14 a penalty.

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 the elector is not registered, the elector must provide a specified form of proof of residence in order to register. If an elector is not able to present any required proof of residence, as an alternative, current law permits an elector's registration information to be corroborated by another qualified elector who resides in the same municipality. In addition, an elector other than a military elector or an overseas elector, as defined by federal law, who registers by mail and who has not voted in an election in this state must provide one of the forms of identification specified by federal law, or a copy thereof if voting by absentee ballot, in order to be permitted to vote. Corroboration may not be substituted for this identification requirement, but an elector who cannot provide the required identification may cast a provisional ballot. The municipal clerk or board of election commissioners must determine whether electors casting provisional ballots are qualified to vote by 4 p.m. on the day after an election.

With certain limited exceptions, this bill requires each person attempting to register or vote at the polls on election day to present a valid Wisconsin driver's license issued to the person by the Department of Transportation (DOT), a valid,

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current identification card issued to the person by a U.S. uniformed service, or a valid Wisconsin identification card issued to the person by DOT or, if DOT implements the provisions of the federal REAL ID Act, an identification certificate issued to the person by DOT (see below). A person whose address is confidential as a result of domestic abuse 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. 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, must provide a copy of the license or identification card, unless: 1) the person has already provided a copy of his or her license or identification card 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 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 provide proof of residence in order to register or to vote, but discontinues the use of corroborating electors to verify residence. If a person votes at a polling place fails to provide a license or identification card, the person may vote provisionally. If a person votes by absentee ballot and fails to provide a copy of the license or identification card, unless exempted from the requirement, 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 person may then provide the required identification either at the polling place before the closing hour or at the office of the clerk or board. If the person does not provide the required identification to the clerk or board by 4 p.m. on the day following the election, the person's vote is not counted. 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 operator'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 operator's license in lieu of his or her operator'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 operator's license. In this case, the bill provides that the elector's ballot is received and counted if otherwise valid, but the ballot is marked so it can be identified during the canvassing and recount process if the validity of the ballot is questioned.

The bill also directs the Government Accountability Board, in conjunction with the first regularly scheduled primary and election at which the voter identification requirements created by the bill initially apply, to conduct a public informational campaign for the purpose of informing prospective voters of the voter identification requirements created by the bill. In addition, the bill directs the board to conduct

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an ongoing outreach effort to identify and contact groups of electors who may need assistance in obtaining or renewing licenses or identification cards for voting purposes and to provide assistance in obtaining or renewing those licenses or identification cards.

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. The bill permits an applicant to receive a Wisconsin identification card without a photograph being taken, as currently required, if the applicant provides an affidavit stating that he or she has sincerely held religious beliefs against being photographed, that he or she is a member of a religious organization or identifies with the tenets of a religious organization and names that organization, that the religious tenets of that organization prohibit such photographing, and that he or she requests the identification card for the purpose of voting.

Under 2007 Wisconsin Act 20 (the biennial budget bill), certain provisions specified in the federal REAL ID Act are incorporated into state law as of May 11, 2008 or as of the date specified in a notice from DOT stating that DOT is ready to implement the federal REAL ID Act and providing the date of implementation, whichever date is later. Among these provisions is the requirement that each operator's license and identification card include a photograph.

This bill creates an identification certificate to be issued by DOT beginning at the time that DOT implements the provisions of the federal REAL ID Act. A person is eligible for an identification certificate if the person provides the same information that an elector is required to provide in order to register to vote and signs a statement affirming that the information is correct. Identification certificates must be the same size as an operator's license but must be of a design that is readily distinguishable from the design of operator's licenses and identification cards. Each identification certificate must bear the words "IDENTIFICATION CERTIFICATE." As required by the federal REAL ID Act, identification certificates must clearly state on their face that they may not be accepted by any federal agency for federal identification or any other official purpose and must use a unique design or color indicator to alert federal agency and other law enforcement personnel that they may not be accepted for any such purpose. Each identification certificate must include a color photograph unless the identification certificate applicant provides an affidavit containing specified information, including that the applicant has a sincerely held religious belief against being photographed. An identification certificate is valid for eight years and the fee for an identification certificate is \$18 unless the applicant requests that the identification certificate be issued without charge.

The bill treats an identification certificate similarly to an identification card for some purposes and differently from an identification card for other purposes. The security standards for issuance of an identification certificate are not as strict as the standards applicable to an identification card after implementation of the federal REAL ID Act. However, when used for purposes of voting, an identification certificate has the same status as an identification card, as described above. Upon implementation of the provisions of the federal REAL ID Act, DOT may no longer

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issue an identification card without a photograph and a person may no longer obtain an identification card from DOT free of charge.

Currently, municipalities must send two special voting deputies (one designated by each major political party if the party wishes) to conduct absentee voting in nursing homes. Municipalities may also send the deputies to conduct absentee voting in community-based residential facilities and retirement homes that qualify for the service in accordance with standards prescribed by law. This bill permits municipal clerks and boards of election commissioners to send two special voting deputies to conduct absentee voting in adult family homes and residential care apartment complexes that qualify for the service in accordance with similar standards prescribed by law.

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

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

1 **SECTION 1.** 5.35 (6) (a) 2. of the statutes is amended to read:

2 5.35 (6) (a) 2. A copy of the election fraud laws provided in s. 12.13 (1) and (3)
3 (intro), (d), (f), (g), (k), (L), (o), (q), (r), (u), (~~v~~) and (x), together with the applicable
4 penalties provided in s. 12.60 (1).

5 **SECTION 2.** 5.35 (6) (a) 4a. of the statutes is amended to read:

6 5.35 (6) (a) 4a. Instructions prescribed by the board for electors for whom a
7 license or identification card is required under s. 6.79 (2) or for whom proof of
8 residence under s. 6.34 is required under s. 6.55 (2).

9 **SECTION 3.** 5.35 (6) (a) 4a. of the statutes, as affected by 2009 Wisconsin Act
10 (this act), is amended to read:

11 5.35 (6) (a) 4a. Instructions prescribed by the board for electors for whom a
12 license or, identification card, or identification certificate is required under s. 6.79 (2)
13 or for whom proof of residence under s. 6.34 is required under s. 6.55 (2).

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

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1 6.15 (2) (bm) Except as authorized in s. 6.79 (7), when making application in
2 person at the office of the municipal clerk, each applicant shall present a valid
3 operator's license issued to the person under ch. 343, a valid, current identification
4 card issued to the person by a U.S. uniformed service, or a valid identification card
5 issued to the person under s. 343.50. If any document presented by the applicant is
6 not proof of residence under s. 6.34, the applicant shall also present proof of residence
7 under s. 6.34.

8 **SECTION 5.** 6.15 (2) (bm) of the statutes, as created by 2009 Wisconsin Act
9 (this act), is amended to read:

10 6.15 (2) (bm) Except as authorized in s. 6.79 (7), when making application in
11 person at the office of the municipal clerk, each applicant shall present a valid
12 operator's license issued to the person under ch. 343, a valid, current identification
13 card issued to the person by a U.S. uniformed service, ~~or~~ a valid identification card
14 issued to the person under s. 343.50, or a valid identification certificate issued to the
15 person under s. 343.505. If any document presented by the applicant is not proof of
16 residence under s. 6.34, the applicant shall also present proof of residence under s.
17 6.34.

18 **SECTION 6.** 6.15 (2) (d) 1g. of the statutes is created to read:

19 6.15 (2) (d) 1g. If the elector makes application in person at the office of the
20 municipal clerk, the clerk shall verify that the name on the license or identification
21 card provided by the elector under par. (bm) is the same as the name on the elector's
22 application and shall verify that any photograph appearing on that document
23 reasonably resembles the elector.

24 **SECTION 7.** 6.15 (2) (d) 1g. of the statutes, as created by 2009 Wisconsin Act
25 (this act), is amended to read:

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1 6.15 (2) (d) 1g. If the elector makes application in person at the office of the
2 municipal clerk, the clerk shall verify that the name on the license or identification
3 card, or identification certificate provided by the elector under par. (bm) is the same
4 as the name on the elector's application and shall verify that any photograph
5 appearing on that document reasonably resembles the elector.

6 **SECTION 8.** 6.15 (2) (d) 1r. of the statutes is amended to read:

7 6.15 (2) (d) 1r. Upon proper completion of the application and cancellation card,
8 the municipal clerk shall ~~require the elector to provide proof of residence under s.~~
9 ~~6.34. If the elector cannot provide proof of residence, the elector may have his or her~~
10 ~~residence corroborated in a statement that is signed by another elector of the~~
11 ~~municipality and that contains the current street address of the corroborating~~
12 ~~elector. If the residence is corroborated by another elector, that elector shall then~~
13 ~~provide proof of residence under s. 6.34~~ permit the elector to cast his or her ballot for
14 president and vice president. The elector shall then mark the ballot in the clerk's
15 presence in a manner that will not disclose his or her vote. The elector shall then fold
16 the ballot so as to conceal his or her vote. The clerk or elector shall then place the
17 ballot in an envelope furnished by the clerk.

18 **SECTION 9.** 6.15 (3) of the statutes is amended to read:

19 6.15 (3) PROCEDURE AT POLLING PLACE. An eligible elector may appear at the
20 polling place for the ward or election district where he or she resides and make
21 application for a ballot under sub. (2). Except as otherwise provided in this
22 subsection, an elector who casts a ballot under this subsection shall follow the same
23 procedure required for casting a ballot at the municipal clerk's office under sub. (2).
24 The inspectors shall perform the duties of the municipal clerk, except that the
25 inspectors shall return the cancellation card under sub. (2) (b) to the municipal clerk

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1 and the clerk shall forward the card as provided in sub. (2) (c) if required. Upon
2 proper completion of the application and cancellation card and ~~submittal of proof of~~
3 ~~residence under s. 6.34 or providing corroboration of residence~~ verification of the
4 elector's license or identification card as provided in sub. (2) (d) 1g., the inspectors
5 shall permit the elector to cast his or her ballot for president and vice president. The
6 elector shall mark the ballot and, unless the ballot is utilized with an electronic
7 voting system, the elector shall fold the ballot, and deposit the ballot into the ballot
8 box or give it to the inspector. The inspector shall deposit it directly into the ballot
9 box. Voting machines or ballots utilized with electronic voting systems may only be
10 used by electors voting under this section if they permit voting for president and vice
11 president only.

12 **SECTION 10.** 6.15 (3) of the statutes, as affected by 2009 Wisconsin Act (this
13 act), is amended to read:

14 6.15 (3) PROCEDURE AT POLLING PLACE. An eligible elector may appear at the
15 polling place for the ward or election district where he or she resides and make
16 application for a ballot under sub. (2). Except as otherwise provided in this
17 subsection, an elector who casts a ballot under this subsection shall follow the same
18 procedure required for casting a ballot at the municipal clerk's office under sub. (2).
19 The inspectors shall perform the duties of the municipal clerk, except that the
20 inspectors shall return the cancellation card under sub. (2) (b) to the municipal clerk
21 and the clerk shall forward the card as provided in sub. (2) (c) if required. Upon
22 proper completion of the application and cancellation card and verification of the
23 elector's license ~~or~~ identification card, or identification certificate as provided in sub.
24 (2) (d) 1g., the inspectors shall permit the elector to cast his or her ballot for president
25 and vice president. The elector shall mark the ballot and, unless the ballot is utilized

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1 with an electronic voting system, the elector shall fold the ballot, and deposit the
2 ballot into the ballot box or give it to the inspector. The inspector shall deposit it
3 directly into the ballot box. Voting machines or ballots utilized with electronic voting
4 systems may only be used by electors voting under this section if they permit voting
5 for president and vice president only.

6 **SECTION 11.** 6.29 (1) of the statutes is amended to read:

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

12 **SECTION 12.** 6.29 (2) (a) of the statutes is amended to read:

13 6.29 (2) (a) Any qualified elector of a municipality who has not previously filed
14 a registration form or whose name does not appear on the registration list of the
15 municipality may register after the close of registration but not later than 5 p.m. or
16 the close of business, whichever is later, on the day before an election at the office of
17 the municipal clerk and at the office of the clerk's agent if the clerk delegates
18 responsibility for electronic maintenance of the registration list to an agent under
19 s. 6.33 (5) (b). The elector shall complete, in the manner provided under s. 6.33 (2),
20 a registration form containing all information required under s. 6.33 (1). The
21 registration form shall also contain the following certification: "I, ..., hereby certify
22 that, to the best of my knowledge, I am a qualified elector, having resided at ... for
23 at least 10 days immediately preceding this election, and I have not voted at this
24 election". The elector shall also provide proof of residence under s. 6.34.
25 ~~Alternatively, if the elector is unable to provide proof of residence under s. 6.34, the~~

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1 ~~information contained in the registration form shall be corroborated in a statement~~
2 ~~that is signed by any other elector of the municipality and that contains the current~~
3 ~~street address of the corroborating elector. The corroborating elector shall then~~
4 ~~provide proof of residence under s. 6.34.~~ If the elector is registering after the close
5 of registration for the general election and the elector presents a valid driver's license
6 issued by another state, the municipal clerk or agent shall record on a separate list
7 the name and address of the elector, the name of the state, and the license number
8 and expiration date of the license.

9 **SECTION 13.** 6.33 (1) of the statutes is amended to read:

10 6.33 (1) The board shall prescribe the format, size, and shape of registration
11 forms. All forms shall be printed on cards and each item of information shall be of
12 uniform font size, as prescribed by the board. The municipal clerk shall supply
13 sufficient forms to meet voter registration needs. The forms shall be designed to
14 obtain from each applicant information as to name; date; residence location;
15 citizenship; date of birth; age; the number of a valid operator's license issued to the
16 elector under ch. 343 or the last 4 digits of the elector's social security account
17 number; whether the applicant has resided within the ward or election district for
18 at least 10 days; whether the applicant has been convicted of a felony for which he
19 or she has not been pardoned, and if so, whether the applicant is incarcerated, or on
20 parole, probation, or extended supervision; whether the applicant is disqualified on
21 any other ground from voting; and whether the applicant is currently registered to
22 vote at any other location. The form shall include a space for the applicant's
23 signature ~~and the signature of any corroborating elector.~~ The form shall include a
24 space to enter the name of any special registration deputy under s. 6.26 or 6.55 (6)
25 or inspector, municipal clerk, or deputy clerk under s. 6.55 (2) who obtains the form

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1 and a space for the deputy, inspector, clerk, or deputy clerk to sign his or her name,
2 affirming that the deputy, inspector, clerk, or deputy clerk has accepted the form.
3 The form shall include a space for entry of the ward and aldermanic district, if any,
4 where the elector resides and any other information required to determine the offices
5 and referenda for which the elector is certified to vote. The form shall also include
6 a space where the clerk may record an indication of whether the form is received by
7 mail, a space where the clerk may record an indication of the type of identifying
8 document submitted by the elector as proof of residence under s. 6.34, whenever
9 required, and a space where the clerk, for any applicant who possesses a valid voting
10 identification card issued to the person under s. 6.47 (3), may record the
11 identification serial number appearing on the voting identification card. Each
12 county clerk shall obtain sufficient registration forms for completion by an elector
13 who desires to register to vote at the office of the county clerk under s. 6.28 (4).

14 **SECTION 14.** 6.33 (2) (b) of the statutes is amended to read:

15 6.33 (2) (b) Except as provided in s. 6.86 (3) (a) 2., the registration form shall
16 be signed by the registering elector ~~and any corroborating elector under s. 6.29 (2)~~
17 ~~(a) or 6.55 (2)~~ before the clerk, issuing officer or registration deputy. The form shall
18 contain a certification by the registering elector that all statements are true and
19 correct.

20 **SECTION 15.** 6.34 (2) of the statutes is amended to read:

21 6.34 (2) ~~Except as authorized in ss. 6.29 (2) (a) and 6.86 (3) (a) 2., upon Upon~~
22 completion of a registration form prescribed under s. 6.33, each elector who is
23 required to register under s. 6.27, who is not a military elector or an overseas elector
24 and who registers after the close of registration under s. 6.29 or 6.86 (3) (a) 2., shall
25 provide an identifying document that establishes proof of residence under sub. (3).

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1 Each elector who is required to register under s. 6.27 who is not a military elector or
2 an overseas elector who registers by mail, and who has not voted in an election in this
3 state shall, if voting in person, provide an identifying document that establishes
4 proof of residence under sub. (3) or, if voting by absentee ballot, provide a copy of an
5 identifying document that establishes proof of residence under sub. (3). If the elector
6 registered by mail, the identifying document may not be a residential lease.

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

8 6.55 (2) (b) Upon executing the registration form under par. (a), except as
9 authorized under s. 6.79 (7), the elector shall be required by a special registration
10 deputy or inspector to present a valid operator's license issued to the elector under
11 ch. 343, a valid, current identification card issued to the elector by a U.S. uniformed
12 service, or a valid identification card issued to the elector under s. 343.50. If any
13 document presented is not proof of residence under s. 6.34, the elector shall also
14 provide proof of residence under s. 6.34. ~~If the elector cannot provide proof of~~
15 ~~residence, the information contained in the registration form shall be corroborated~~
16 ~~in a statement that is signed by any elector who resides in the same municipality as~~
17 ~~the registering elector and that contains the current street address of the~~
18 ~~corroborating elector. The corroborator shall then provide proof of residence as~~
19 ~~provided in s. 6.34.~~ If the elector is registering to vote in the general election and the
20 elector presents a valid driver's license issued by another state, the inspector or
21 deputy shall record on a separate list the name and address of the elector, the name
22 of the state, and the license number and expiration date of the license. The signing
23 by the elector executing the registration form and by any corroborator shall be in the
24 presence of the special registration deputy or inspector who shall then print his or
25 her name on and sign the form, indicating that the deputy or inspector has accepted

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1 the form. Upon compliance with this procedure, the elector shall be permitted to cast
2 his or her vote, if the elector complies with all other requirements for voting at the
3 polling place.

4 **SECTION 17.** 6.55 (2) (b) of the statutes, as affected by 2009 Wisconsin Act ...
5 (this act), is amended to read:

6 6.55 (2) (b) Upon executing the registration form under par. (a), except as
7 authorized under s. 6.79 (7), the elector shall be required by a special registration
8 deputy or inspector to present a valid operator's license issued to the elector under
9 ch. 343, a valid, current identification card issued to the elector by a U.S. uniformed
10 service, ~~or~~ a valid identification card issued to the elector under s. 343.50, or a valid
11 identification certificate issued to the elector under s. 343.505. If any document
12 presented is not proof of residence under s. 6.34, the elector shall also provide proof
13 of residence under s. 6.34. If the elector is registering to vote in the general election
14 and the elector presents a valid driver's license issued by another state, the inspector
15 or deputy shall record on a separate list the name and address of the elector, the name
16 of the state, and the license number and expiration date of the license. The signing
17 by the elector executing the registration form and by any corroborator shall be in the
18 presence of the special registration deputy or inspector who shall then print his or
19 her name on and sign the form, indicating that the deputy or inspector has accepted
20 the form. Upon compliance with this procedure, the elector shall be permitted to cast
21 his or her vote, if the elector complies with all other requirements for voting at the
22 polling place.

23 **SECTION 18.** 6.55 (2) (c) 1. of the statutes is amended to read:

24 6.55 (2) (c) 1. As an alternative to registration at the polling place under pars.
25 (a) and (b), the board of election commissioners, or the governing body of any

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1 municipality may by resolution require a person who qualifies as an elector and who
2 is not registered and desires to register on the day of an election to do so at another
3 readily accessible location in the same building as the polling place serving the
4 elector's residence or at an alternate polling place assigned under s. 5.25 (5) (b),
5 instead of at the polling place serving the elector's residence. In such case, the
6 municipal clerk shall prominently post a notice of the registration location at the
7 polling place. The elector who desires to register shall execute a registration form
8 as prescribed under par. (a) and, except as authorized in s. 6.79 (7), present a valid
9 operator's license issued to the person under ch. 343, a valid, current identification
10 card issued to the person by a U.S. uniformed service, or a valid identification card
11 issued to the person under s. 343.50. If any document presented by the person is not
12 acceptable proof of residence under s. 6.34, the person shall also provide proof of
13 residence as provided under s. 6.34. If the elector cannot provide proof of residence,
14 the information contained in the registration form shall be corroborated in the
15 manner provided in par. (b). If the elector a person is registering to vote in the general
16 election and the elector person presents a valid driver's license issued by another
17 state, the municipal clerk, deputy clerk, or special registration deputy shall record
18 on a separate list the name and address of the elector person, the name of the state,
19 and the license number and expiration date of the license. The signing by the elector
20 person executing the registration form and by any corroborator, except as provided
21 under par. (a), shall be in the presence of the municipal clerk, deputy clerk or special
22 registration deputy. The municipal clerk, the deputy clerk, or the special registration
23 deputy shall then print his or her name and sign the form, indicating that the clerk,
24 deputy clerk, or deputy has accepted the form. Upon proper completion of
25 registration, the municipal clerk, deputy clerk or special registration deputy shall

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1 serially number the registration and give one copy to the elector person for
2 presentation at the polling place serving the elector's person's residence or an
3 alternate polling place assigned under s. 5.25 (5) (b).

4 **SECTION 19.** 6.55 (2) (c) 1. of the statutes, as affected by 2009 Wisconsin Act
5 (this act), is amended to read:

6 6.55 (2) (c) 1. As an alternative to registration at the polling place under pars.
7 (a) and (b), the board of election commissioners, or the governing body of any
8 municipality may by resolution require a person who qualifies as an elector and who
9 is not registered and desires to register on the day of an election to do so at another
10 readily accessible location in the same building as the polling place serving the
11 elector's residence or at an alternate polling place assigned under s. 5.25 (5) (b),
12 instead of at the polling place serving the elector's residence. In such case, the
13 municipal clerk shall prominently post a notice of the registration location at the
14 polling place. The elector who desires to register shall execute a registration form
15 as prescribed under par. (a) and, except as authorized in s. 6.79 (7), present a valid
16 operator's license issued to the person under ch. 343, a valid, current identification
17 card issued to the person by a U.S. uniformed service, ~~or~~ a valid identification card
18 issued to the person under s. 343.50, or a valid identification certificate issued to the
19 person under s. 343.505. If any document presented by the person is not acceptable
20 proof of residence under s. 6.34, the person shall also provide proof of residence as
21 provided under s. 6.34. If a person is registering to vote in the general election and
22 the person presents a valid driver's license issued by another state, the municipal
23 clerk, deputy clerk, or special registration deputy shall record on a separate list the
24 name and address of the person, the name of the state, and the license number and
25 expiration date of the license. The signing by the person executing the registration

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1 form, except as provided under par. (a), shall be in the presence of the municipal
2 clerk, deputy clerk or special registration deputy. The municipal clerk, the deputy
3 clerk, or the special registration deputy shall then print his or her name and sign the
4 form, indicating that the clerk, deputy clerk, or deputy has accepted the form. Upon
5 proper completion of registration, the municipal clerk, deputy clerk or special
6 registration deputy shall serially number the registration and give one copy to the
7 person for presentation at the polling place serving the person's residence or an
8 alternate polling place assigned under s. 5.25 (5) (b).

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

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

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

20 **SECTION 22.** 6.79 (2) (a) of the statutes is amended to read:

21 6.79 (2) (a) Unless information on the poll list is entered electronically, the
22 municipal clerk shall supply the inspectors with 2 copies of the most current official
23 registration list or lists prepared under s. 6.36 (2) (a) for use as poll lists at the polling
24 place. Except as provided in ~~sub.~~ subs. (6) and (7), each ~~person~~ elector, before
25 receiving a serial number, shall state his or her full name and address and present

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1 to the officials a valid operator's license issued to the elector under ch. 343, a valid,
2 current identification card issued to the elector by a U.S. uniformed service, or a valid
3 identification card issued to the elector under s. 343.50. The officials shall verify that
4 the name and address ~~provided~~ stated by the ~~person~~ elector are the same as the
5 ~~person's~~ elector's name and address on the poll list.

6 **SECTION 23.** 6.79 (2) (a) of the statutes, as affected by 2009 Wisconsin Act ...
7 (this act), is amended to read:

8 6.79 (2) (a) Unless information on the poll list is entered electronically, the
9 municipal clerk shall supply the inspectors with 2 copies of the most current official
10 registration list or lists prepared under s. 6.36 (2) (a) for use as poll lists at the polling
11 place. Except as provided in subs. (6) and (7), each elector, before receiving a serial
12 number, shall state his or her full name and address and present to the officials a
13 valid operator's license issued to the elector under ch. 343, a valid, current
14 identification card issued to the elector by a U.S. uniformed service, ~~or~~ a valid
15 identification card issued to the elector under s. 343.50, or a valid identification
16 certificate issued to the elector under s. 343.505. The officials shall verify that the
17 name and address stated by the elector are the same as the elector's name and
18 address on the poll list.

19 **SECTION 24.** 6.79 (2) (d) of the statutes is amended to read:

20 6.79 (2) (d) If the poll list indicates that proof of residence under s. 6.34 is
21 required and the document provided by the elector under par. (a) does not constitute
22 proof of residence under s. 6.34, the officials shall require the elector to provide proof
23 of residence. If proof of residence is provided, the officials shall verify that the name
24 and address on the identification document submitted as proof of residence provided
25 is the same as the name and address shown on the registration list. If proof of

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1 residence is required and not provided, or if the elector does not present a license or
2 identification card under par. (a), whenever required, the officials shall offer the
3 opportunity for the elector to vote under s. 6.97.

4 **SECTION 25.** 6.79 (2) (d) of the statutes, as affected by 2009 Wisconsin Act
5 (this act), is amended to read:

6 6.79 (2) (d) If the poll list indicates that proof of residence under s. 6.34 is
7 required and the document provided by the elector under par. (a) does not constitute
8 proof of residence under s. 6.34, the officials shall require the elector to provide proof
9 of residence. If proof of residence is provided, the officials shall verify that the name
10 and address on the document submitted as proof of residence provided is the same
11 as the name and address shown on the registration list. If proof of residence is
12 required and not provided, or if the elector does not present a license or, identification
13 card, or identification certificate under par. (a), whenever required, the officials shall
14 offer the opportunity for the elector to vote under s. 6.97.

15 **SECTION 26.** 6.79 (3) (title) of the statutes is amended to read:

16 6.79 (3) (title) ~~REFUSAL TO GIVE NAME AND ADDRESS~~ PROVIDE NAME, ADDRESS,
17 LICENSE, OR IDENTIFICATION CARD.

18 **SECTION 27.** 6.79 (3) (title) of the statutes, as affected by 2009 Wisconsin Act
19 (this act), is amended to read:

20 6.79 (3) (title) ~~REFUSAL TO PROVIDE NAME, ADDRESS, LICENSE, OR IDENTIFICATION~~
21 ~~CARD OR CERTIFICATE.~~

22 **SECTION 28.** 6.79 (3) of the statutes is renumbered 6.79 (3) (a).

23 **SECTION 29.** 6.79 (3) (b) of the statutes is created to read:

24 6.79 (3) (b) If a license or identification card under sub. (2) is not provided by
25 the elector or if the name or any photograph appearing on the document that is

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1 provided cannot be verified by the officials, the elector shall not be permitted to vote,
2 except as authorized under sub. (6) or (7), but if the elector is entitled to cast a
3 provisional ballot under s. 6.97, the officials shall offer the opportunity for the elector
4 to vote under s. 6.97.

5 **SECTION 30.** 6.79 (3) (b) of the statutes, as created by 2009 Wisconsin Act ...
6 (this act), is amended to read:

7 6.79 (3) (b) If a license ~~or~~ identification card, or identification certificate under
8 sub. (2) is not provided by the elector or if the name or any photograph appearing on
9 the document that is provided cannot be verified by the officials, the elector shall not
10 be permitted to vote, except as authorized under sub. (6) or (7), but if the elector is
11 entitled to cast a provisional ballot under s. 6.97, the officials shall offer the
12 opportunity for the elector to vote under s. 6.97.

13 **SECTION 31.** 6.79 (4) of the statutes is amended to read:

14 6.79 (4) SUPPLEMENTAL INFORMATION. When any elector provides proof of
15 residence under s. 6.15, 6.29 or 6.55 (2), the election officials shall enter the type of
16 identifying document provided on the poll list, or separate list maintained under sub.
17 (2) (c). If the document submitted as proof of identity or residence includes a number
18 which applies only to the individual holding that document, the election officials
19 shall also enter that number on the list. ~~When any elector corroborates the~~
20 ~~registration identity or residence of any person offering to vote under s. 6.55 (2) (b)~~
21 ~~or (c), or the registration identity or residence of any person registering on election~~
22 ~~day under s. 6.86 (3) (a) 2., the election officials shall also enter the name and address~~
23 ~~of the corroborator next to the name of the elector whose information is being~~
24 ~~corroborated on the poll list, or the separate list maintained under sub. (2) (c). When~~

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1 any person offering to vote has been challenged and taken the oath, following the
2 person's name on the poll list, the officials shall enter the word "Sworn".

3 **SECTION 32.** 6.79 (6) of the statutes is amended to read:

4 6.79 (6) CONFIDENTIAL NAMES AND ADDRESSES. An elector who has a confidential
5 listing under s. 6.47 (2) may present his or her identification card issued under s. 6.47
6 (3), or give his or her name and identification serial number issued under s. 6.47 (3),
7 in lieu of stating his or her name and address and presenting a license or
8 identification card under sub. (2). If the elector's name and identification serial
9 number appear on the confidential portion of the list, the inspectors shall issue a
10 voting serial number to the elector, record that number on the poll list and permit
11 the elector to vote.

12 **SECTION 33.** 6.79 (6) of the statutes, as affected by 2009 Wisconsin Act (this
13 act), is amended to read:

14 6.79 (6) CONFIDENTIAL NAMES AND ADDRESSES. An elector who has a confidential
15 listing under s. 6.47 (2) may present his or her identification card issued under s. 6.47
16 (3), or give his or her name and identification serial number issued under s. 6.47 (3),
17 in lieu of stating his or her name and address and presenting a license or,
18 identification card, or identification certificate under sub. (2). If the elector's name
19 and identification serial number appear on the confidential portion of the list, the
20 inspectors shall issue a voting serial number to the elector, record that number on
21 the poll list and permit the elector to vote.

22 **SECTION 34.** 6.79 (7) of the statutes is created to read:

23 6.79 (7) LICENSE SURRENDER. If an elector receives a citation or notice of intent
24 to revoke or suspend an operator's license from a law enforcement officer in any
25 jurisdiction that is dated within 60 days of the date of an election and is required to

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1 surrender his or her operator's license issued to the elector under ch. 343 at the time
2 the citation or notice is issued, the elector may present an original copy of the citation
3 or notice in lieu of an operator's license under ch. 343. In such case, the elector shall
4 cast his or her ballot under s. 6.965.

5 **SECTION 35.** 6.82 (1) (a) of the statutes is amended to read:

6 6.82 (1) (a) When any inspectors are informed that an elector is at the entrance
7 to the polling place who as a result of disability is unable to enter the polling place,
8 they shall permit the elector to be assisted in marking a ballot by any individual
9 selected by the elector, except the elector's employer or an agent of that employer or
10 an officer or agent of a labor organization which represents the elector. The Except
11 as authorized in s. 6.79 (6) and (7), the individual selected by the elector shall present
12 to the inspectors a valid operator's license issued to the elector under ch. 343, a valid,
13 current identification card issued to the elector by a U.S. uniformed service, or a valid
14 identification card issued to the elector under s. 343.50 and, if the license or
15 identification card does not constitute proof of residence under s. 6.34, shall also
16 provide proof of residence under s. 6.34 for the assisted elector, whenever required,
17 and all other information necessary for the elector to obtain a ballot under s. 6.79 (2).
18 The inspectors shall issue a ballot to the individual selected by the elector and shall
19 accompany the individual to the polling place entrance where the assistance is to be
20 given. If the ballot is a paper ballot, the assisting individual shall fold the ballot after
21 the ballot is marked by the assisting individual. The assisting individual shall then
22 immediately take the ballot into the polling place and give the ballot to an inspector.
23 The inspector shall distinctly announce that he or she has "a ballot offered by ...
24 (stating person's name), an elector who, as a result of disability, is unable to enter the
25 polling place without assistance". The inspector shall then ask, "Does anyone object

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1 to the reception of this ballot?” If no objection is made, the inspectors shall record
2 the elector’s name under s. 6.79 and deposit the ballot in the ballot box, and shall
3 make a notation on the poll list: “Ballot received at poll entrance”.

4 **SECTION 36.** 6.82 (1) (a) of the statutes, as affected by 2009 Wisconsin Act
5 (this act), is amended to read:

6 6.82 (1) (a) When any inspectors are informed that an elector is at the entrance
7 to the polling place who as a result of disability is unable to enter the polling place,
8 they shall permit the elector to be assisted in marking a ballot by any individual
9 selected by the elector, except the elector’s employer or an agent of that employer or
10 an officer or agent of a labor organization which represents the elector. Except as
11 authorized in s. 6.79 (6) and (7), the individual selected by the elector shall present
12 to the inspectors a valid operator’s license issued to the elector under ch. 343, a valid,
13 current identification card issued to the elector by a U.S. uniformed service, ~~or~~ a valid
14 identification card issued to the elector under s. 343.50, or a valid identification
15 certificate issued to the elector under s. 343.505 and, if the license ~~or~~, identification
16 card, or identification certificate does not constitute proof of residence under s. 6.34,
17 shall also provide proof of residence under s. 6.34 for the assisted elector, whenever
18 required, and all other information necessary for the elector to obtain a ballot under
19 s. 6.79 (2). The inspectors shall issue a ballot to the individual selected by the elector
20 and shall accompany the individual to the polling place entrance where the
21 assistance is to be given. If the ballot is a paper ballot, the assisting individual shall
22 fold the ballot after the ballot is marked by the assisting individual. The assisting
23 individual shall then immediately take the ballot into the polling place and give the
24 ballot to an inspector. The inspector shall distinctly announce that he or she has “a
25 ballot offered by (stating person’s name), an elector who, as a result of disability,

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1 is unable to enter the polling place without assistance”. The inspector shall then ask,
2 “Does anyone object to the reception of this ballot?” If no objection is made, the
3 inspectors shall record the elector’s name under s. 6.79 and deposit the ballot in the
4 ballot box, and shall make a notation on the poll list: “Ballot received at poll
5 entrance”.

6 **SECTION 37.** 6.86 (1) (ac) of the statutes is amended to read:

7 6.86 (1) (ac) Any elector qualifying under par. (a) may make written application
8 to the municipal clerk for an official ballot by means of facsimile transmission or
9 electronic mail. Any application under this paragraph shall contain a copy of the
10 applicant’s original signature. An elector requesting a ballot under this paragraph
11 shall return with the voted ballot a copy of the request bearing an original signature
12 of the elector as provided in s. 6.87 (4) (b).

13 **SECTION 38.** 6.86 (1) (ar) of the statutes is amended to read:

14 6.86 (1) (ar) Except as authorized in s. 6.875 (6), the municipal clerk shall not
15 issue an absentee ballot unless the clerk receives a written application therefor from
16 a qualified elector of the municipality. The clerk shall retain each absentee ballot
17 application until destruction is authorized under s. 7.23 (1). Except as authorized
18 in s. 6.79 (6) and (7), if an elector applies for an absentee ballot in person at the clerk’s
19 office, the clerk shall not issue the elector an absentee ballot unless the elector
20 presents a valid operator’s license issued to the elector under ch. 343, a valid, current
21 identification card issued to the elector by a U.S. uniformed service, or a valid
22 identification card issued to the elector under s. 343.50. The clerk shall make a copy
23 of the document presented by the elector and shall enclose the copy in the certificate
24 envelope.

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1 **SECTION 39.** 6.86 (1) (ar) of the statutes, as affected by 2009 Wisconsin Act ...
2 (this act), is amended to read:

3 6.86 (1) (ar) Except as authorized in s. 6.875 (6), the municipal clerk shall not
4 issue an absentee ballot unless the clerk receives a written application therefor from
5 a qualified elector of the municipality. The clerk shall retain each absentee ballot
6 application until destruction is authorized under s. 7.23 (1). Except as authorized
7 in s. 6.79 (6) and (7), if an elector applies for an absentee ballot in person at the clerk's
8 office, the clerk shall not issue the elector an absentee ballot unless the elector
9 presents a valid operator's license issued to the elector under ch. 343, a valid, current
10 identification card issued to the elector by a U.S. uniformed service, ~~or~~ a valid
11 identification card issued to the elector under s. 343.50, or a valid identification
12 certificate issued to the elector under s. 343.505. The clerk shall make a copy of the
13 document presented by the elector and shall enclose the copy in the certificate
14 envelope.

15 **SECTION 40.** 6.86 (3) (a) 1. of the statutes is amended to read:

16 6.86 (3) (a) 1. Any elector who is registered and who is hospitalized, may apply
17 for and obtain an official ballot by agent. The agent may apply for and obtain a ballot
18 for the hospitalized absent elector by presenting a form prescribed by the board and
19 containing the required information supplied by the hospitalized elector and signed
20 by that elector ~~and any other elector residing in the same municipality as the~~
21 ~~hospitalized elector, corroborating the information contained therein. The~~
22 ~~corroborating elector shall state on the form his or her full name and address. Except~~
23 as authorized for an elector who has a confidential listing under s. 6.47 (2) or as
24 authorized in s. 6.87 (4) (b) 4., the agent shall present the license or identification

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1 card required under sub. (1) (ar). The clerk shall make a copy of the document
2 presented by the agent and shall enclose the copy in the certificate envelope.

3 **SECTION 41.** 6.86 (3) (a) 1. of the statutes, as affected by 2009 Wisconsin Act
4 (this act), is amended to read:

5 6.86 (3) (a) 1. Any elector who is registered and who is hospitalized, may apply
6 for and obtain an official ballot by agent. The agent may apply for and obtain a ballot
7 for the hospitalized absent elector by presenting a form prescribed by the board and
8 containing the required information supplied by the hospitalized elector and signed
9 by that elector. Except as authorized for an elector who has a confidential listing
10 under s. 6.47 (2) or as authorized in s. 6.87 (4) (b) 4., the agent shall present the
11 license or identification card, or identification certificate required under sub. (1) (ar).
12 The clerk shall make a copy of the document presented by the agent and shall enclose
13 the copy in the certificate envelope.

14 **SECTION 42.** 6.86 (3) (a) 2. of the statutes is amended to read:

15 6.86 (3) (a) 2. If a hospitalized elector is not registered, the elector may register
16 by agent under this subdivision at the same time that the elector applies for an
17 official ballot by agent under subd. 1. To register the elector under this subdivision,
18 the agent shall present a completed registration form that contains the required
19 information supplied by the elector and the elector's signature, unless the elector is
20 unable to sign due to physical disability. In this case, the elector may authorize
21 another elector to sign on his or her behalf. Any elector signing a form on another
22 elector's behalf shall attest to a statement that the application is made on request
23 and by authorization of the named elector, who is unable to sign the form due to
24 physical disability. The agent shall present this statement along with all other
25 information required under this subdivision. ~~Except as otherwise provided in this~~

ASSEMBLY BILL 947**SECTION 42**

1 ~~subdivision, the~~ The agent shall in every case provide proof of the elector's residence
2 under s. 6.34. If the elector is registering to vote in the general election and the agent
3 presents a valid driver's license issued to the elector by another state, the municipal
4 clerk shall record on a separate list the name and address of the elector, the name
5 of the state, and the license number and expiration date of the license. ~~If the agent~~
6 ~~cannot present proof of residence, the registration form shall be signed and~~
7 ~~substantiated by another elector residing in the elector's municipality of residence,~~
8 ~~corroborating the information in the form. The form shall contain the full name and~~
9 ~~address of the corroborating elector. The agent shall then present proof of the~~
10 ~~corroborating elector's residence under s. 6.34.~~

11 **SECTION 43.** 6.869 of the statutes is amended to read:

12 **6.869 Uniform instructions.** The board shall prescribe uniform instructions
13 for absentee voters. The instructions shall include information concerning whether
14 a copy of a license or identification card is required under s. 6.86 (1) (ar) or 6.87 (4)
15 (b) and information concerning the procedure for correcting errors in marking a
16 ballot and obtaining a replacement for a spoiled ballot. The procedure shall, to the
17 extent possible, respect the privacy of each elector and preserve the confidentiality
18 of each elector's vote.

19 **SECTION 44.** 6.869 of the statutes, as affected by 2009 Wisconsin Act(this
20 act), is amended to read:

21 **6.869 Uniform instructions.** The board shall prescribe uniform instructions
22 for absentee voters. The instructions shall include information concerning whether
23 a copy of a license ~~or~~, identification card, or identification certificate is required under
24 s. 6.86 (1) (ar) or 6.87 (4) (b) and information concerning the procedure for correcting
25 errors in marking a ballot and obtaining a replacement for a spoiled ballot. The

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1 procedure shall, to the extent possible, respect the privacy of each elector and
2 preserve the confidentiality of each elector's vote.

3 **SECTION 45.** 6.87 (3) (d) of the statutes is amended to read:

4 6.87 (3) (d) A municipal clerk may, if the clerk is reliably informed by an absent
5 elector of a facsimile transmission number or electronic mail address where the
6 elector can receive an absentee ballot, transmit a facsimile or electronic copy of the
7 absent elector's ballot to that elector in lieu of mailing under this subsection if, in the
8 judgment of the clerk, the time required to send the ballot through the mail may not
9 be sufficient to enable return of the ballot by the time provided under sub. (6). An
10 elector may receive an absentee ballot under this subsection only if the elector has
11 filed a valid application for the ballot under s. 6.86 (1). If the clerk transmits an
12 absentee ballot under this paragraph, the clerk shall also transmit a facsimile or
13 electronic copy of the text of the material that appears on the certificate envelope
14 prescribed in sub. (2), together with instructions prescribed by the board. The
15 instructions shall require the absent elector to make and subscribe to the
16 certification as required under sub. (4) (b) and to enclose the absentee ballot in a
17 separate envelope contained within a larger envelope, that shall include the
18 completed certificate. The elector shall then affix sufficient postage unless the
19 absentee ballot qualifies for mailing free of postage under federal free postage laws
20 and shall mail the absentee ballot to the municipal clerk. Except as authorized in
21 s. 6.97 (2), an absentee ballot received under this paragraph shall not be counted
22 unless it is cast in the manner prescribed in this paragraph and in accordance with
23 the instructions provided by the board.

24 **SECTION 46.** 6.87 (4) of the statutes is renumbered 6.87 (4) (b) 1. and amended
25 to read:

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1 6.87 (4) (b) 1. Except as otherwise provided in s. 6.875, the elector voting
2 absentee shall make and subscribe to the certification before one witness who is an
3 adult U.S. citizen. The absent elector, in the presence of the witness, shall mark the
4 ballot in a manner that will not disclose how the elector's vote is cast. The elector
5 shall then, still in the presence of the witness, fold the ballots so each is separate and
6 so that the elector conceals the markings thereon and deposit them in the proper
7 envelope. If a consolidated ballot under s. 5.655 is used, the elector shall fold the
8 ballot so that the elector conceals the markings thereon and deposit the ballot in the
9 proper envelope. If proof of residence is required Except as authorized in subds. 2.
10 to 5. and s. 6.875 (6) and notwithstanding s. 343.43 (1) (f), the elector shall enclose
11 a copy of the license or identification card required under s. 6.86 (1) (ar) in the
12 envelope, unless the elector is a military elector or an overseas elector or the elector
13 has a confidential listing under s. 6.47 (2). If proof of residence under s. 6.34 is
14 required and the document enclosed by the elector under this subdivision does not
15 constitute proof of residence under s. 6.34, the elector shall also enclose proof of
16 residence under s. 6.34 in the envelope. Proof of residence is required if the elector
17 is not a military elector or an overseas elector, ~~as defined in s. 6.34 (1),~~ and the elector
18 registered by mail and has not voted in an election in this state. If the elector
19 requested a ballot by means of facsimile transmission or electronic mail under s. 6.86
20 (1) (ac), the elector shall enclose in the envelope a copy of the request which bears an
21 original signature of the elector. The elector may receive assistance under sub. (5).
22 The return envelope shall then be sealed. The witness may not be a candidate. The
23 envelope shall be mailed by the elector, or delivered in person, to the municipal clerk
24 issuing the ballot or ballots. If the envelope is mailed from a location outside the
25 United States, the elector shall affix sufficient postage unless the ballot qualifies for

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1 delivery free of postage under federal law. Failure to return an unused ballot in a
2 primary does not invalidate the ballot on which the elector's votes are cast. Return
3 of more than one marked ballot in a primary or return of a ballot prepared under s.
4 5.655 or a ballot used with an electronic voting system in a primary which is marked
5 for candidates of more than one party invalidates all votes cast by the elector for
6 candidates in the primary.

7 **SECTION 47.** 6.87 (4) (a) of the statutes is created to read:

8 6.87 (4) (a) In this subsection:

- 9 1. "Military elector" has the meaning given in s. 6.34 (1) (a).
- 10 2. "Overseas elector" has the meaning given in s. 6.34 (1) (b).

11 **SECTION 48.** 6.87 (4) (b) 1. of the statutes, as affected by 2009 Wisconsin Act
12 (this act), is amended to read:

13 6.87 (4) (b) 1. Except as otherwise provided in s. 6.875, the elector voting
14 absentee shall make and subscribe to the certification before one witness who is an
15 adult U.S. citizen. The absent elector, in the presence of the witness, shall mark the
16 ballot in a manner that will not disclose how the elector's vote is cast. The elector
17 shall then, still in the presence of the witness, fold the ballots so each is separate and
18 so that the elector conceals the markings thereon and deposit them in the proper
19 envelope. If a consolidated ballot under s. 5.655 is used, the elector shall fold the
20 ballot so that the elector conceals the markings thereon and deposit the ballot in the
21 proper envelope. Except as authorized in subds. 2. to 5. and s. 6.875 (6) and
22 notwithstanding s. 343.43 (1) (f), the elector shall enclose a copy of the license or,
23 identification card, or identification certificate required under s. 6.86 (1) (ar) in the
24 envelope, unless the elector is a military elector or an overseas elector or the elector
25 has a confidential listing under s. 6.47 (2). If proof of residence under s. 6.34 is

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1 required and the document enclosed by the elector under this subdivision does not
2 constitute proof of residence under s. 6.34, the elector shall also enclose proof of
3 residence under s. 6.34 in the envelope. Proof of residence is required if the elector
4 is not a military elector or an overseas elector and the elector registered by mail and
5 has not voted in an election in this state. If the elector requested a ballot by means
6 of facsimile transmission or electronic mail under s. 6.86 (1) (ac), the elector shall
7 enclose in the envelope a copy of the request which bears an original signature of the
8 elector. The elector may receive assistance under sub. (5). The return envelope shall
9 then be sealed. The witness may not be a candidate. The envelope shall be mailed
10 by the elector, or delivered in person, to the municipal clerk issuing the ballot or
11 ballots. If the envelope is mailed from a location outside the United States, the
12 elector shall affix sufficient postage unless the ballot qualifies for delivery free of
13 postage under federal law. Failure to return an unused ballot in a primary does not
14 invalidate the ballot on which the elector's votes are cast. Return of more than one
15 marked ballot in a primary or return of a ballot prepared under s. 5.655 or a ballot
16 used with an electronic voting system in a primary which is marked for candidates
17 of more than one party invalidates all votes cast by the elector for candidates in the
18 primary.

19 **SECTION 49.** 6.87 (4) (b) 2. of the statutes is created to read:

20 6.87 (4) (b) 2. Unless subd. 3. applies, if the absentee elector has applied for and
21 qualified to receive absentee ballots automatically under s. 6.86 (2) (a), the elector
22 may, in lieu of providing a copy of a license or identification card required under s.
23 6.86 (1) (ar), submit with his or her absentee ballot a statement signed by the same
24 individual who witnesses voting of the ballot which contains the name and address
25 of the elector and verifies that the name and address are correct.

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1 **SECTION 50.** 6.87 (4) (b) 2. of the statutes, as created by 2009 Wisconsin Act ...
2 (this act), is amended to read:

3 6.87 (4) (b) 2. Unless subd. 3. applies, if the absentee elector has applied for and
4 qualified to receive absentee ballots automatically under s. 6.86 (2) (a), the elector
5 may, in lieu of providing a copy of a license or, identification card, or identification
6 certificate required under s. 6.86 (1) (ar), submit with his or her absentee ballot a
7 statement signed by the same individual who witnesses voting of the ballot which
8 contains the name and address of the elector and verifies that the name and address
9 are correct.

10 **SECTION 51.** 6.87 (4) (b) 3. of the statutes is created to read:

11 6.87 (4) (b) 3. If the absentee elector has received an absentee ballot from the
12 municipal clerk by mail for a previous election, has provided a copy of a license or
13 identification card required under s. 6.86 (1) (ar) with that ballot, and has not
14 changed his or her name or address since providing that identification, the elector
15 is not required to provide a copy of the identification required under s. 6.86 (1) (ar).

16 **SECTION 52.** 6.87 (4) (b) 3. of the statutes, as created by 2009 Wisconsin Act ...
17 (this act), is amended to read:

18 6.87 (4) (b) 3. If the absentee elector has received an absentee ballot from the
19 municipal clerk by mail for a previous election, has provided a copy of a license or,
20 identification card, or identification certificate required under s. 6.86 (1) (ar) with
21 that ballot, and has not changed his or her name or address since providing that
22 identification, the elector is not required to provide a copy of the identification
23 required under s. 6.86 (1) (ar).

24 **SECTION 53.** 6.87 (4) (b) 4. of the statutes is created to read:

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1 6.87 (4) (b) 4. If the absentee elector has received a citation or notice of intent
2 to revoke or suspend an operator’s license from a law enforcement officer in any
3 jurisdiction that is dated within 60 days of the date of the election and is required
4 to surrender his or her operator’s license issued to the elector under ch. 343 at the
5 time the citation or notice is issued, the elector may enclose a copy of the citation or
6 notice in lieu of a copy of an operator’s license under ch. 343 if the elector is voting
7 by mail, or may present an original copy of the citation or notice in lieu of an
8 operator’s license under ch. 343 if the elector is voting at the office of the municipal
9 clerk.

10 **SECTION 54.** 6.87 (4) (b) 5. of the statutes is created to read:

11 6.87 (4) (b) 5. Unless subd. 3. or 4. applies, if the absentee elector resides in a
12 qualified retirement home, as defined in s. 6.875 (1) (at), a qualified
13 community-based residential facility, as defined in s. 6.875 (1) (as), a residential care
14 apartment complex that is certified or registered under s. 50.034 (1), or an adult
15 family home that is certified under s. 50.032 and the municipal clerk or board of
16 election commissioners of the municipality where the complex, facility, or home is
17 located does not send special voting deputies to visit the complex, facility, or home
18 at the election under s. 6.875, the elector may, in lieu of providing a copy of a license
19 or identification card required under s. 6.86 (1) (ar), submit with his or her absentee
20 ballot a statement signed by the same individual who witnesses voting of the ballot
21 that contains the certification of the manager of the complex, facility, or home that
22 the elector resides in the complex, facility, or home and the complex, facility, or home
23 is certified or registered as required by law, that contains the name and address of
24 the elector, and that verifies that the name and address are correct.

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1 **SECTION 55.** 6.87 (4) (b) 5. of the statutes, as created by 2009 Wisconsin Act ...
2 (this act), is amended to read:

3 6.87 (4) (b) 5. Unless subd. 3. or 4. applies, if the absentee elector resides in a
4 residential care apartment complex that is certified or registered under s. 50.034 (1)
5 or an adult family home that is certified under s. 50.032 and the municipal clerk or
6 board of election commissioners of the municipality where the complex or home is
7 located does not send special voting deputies to visit the complex or home at the
8 election under s. 6.875, the elector may, in lieu of providing a copy of a license or
9 identification card, or identification certificate required under s. 6.86 (1) (ar), submit
10 with his or her absentee ballot a statement signed by the same individual who
11 witnesses voting of the ballot that contains the certification of the manager of the
12 complex or home that the elector resides in the complex or home and the complex or
13 home is certified or registered as required by law, that contains the name and address
14 of the elector, and that verifies that the name and address are correct.

15 **SECTION 56.** 6.875 (title) of the statutes is amended to read:

16 **6.875 (title) Absentee voting in nursing and retirement certain homes**
17 **and certain community-based residential, facilities, and complexes.**

18 **SECTION 57.** 6.875 (1) (ap) and (asm) of the statutes are created to read:

19 6.875 (1) (ap) “Qualified adult family home” means a facility that is certified
20 to operate as an adult family home under s. 50.032 that qualifies under sub. (2) (d)
21 to utilize the procedures under this section.

22 (asm) “Qualified residential care apartment complex” means a facility that is
23 certified or registered to operate as a residential care apartment complex under s.
24 50.034 (1) that qualifies under sub. (2) (d) to utilize the procedures under this section.

25 **SECTION 58.** 6.875 (2) (a) of the statutes is amended to read:

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1 6.875 (2) (a) The procedures prescribed in this section are the exclusive means
2 of absentee voting for electors who are occupants of nursing homes, qualified
3 community-based residential facilities ~~or~~, qualified retirement homes, qualified
4 residential care apartment complexes, and qualified adult family homes.

5 **SECTION 59.** 6.875 (2) (d) of the statutes is created to read:

6 6.875 (2) (d) The municipal clerk or board of election commissioners of any
7 municipality where a residential care apartment complex certified or registered
8 under s. 50.034 (1) or an adult family home certified under s. 50.032 is located may
9 adopt the procedures under this section for absentee voting in any such residential
10 care apartment complex or adult family home located in the municipality if the
11 municipal clerk or board of election commissioners finds that there are a significant
12 number of the occupants of the complex or home who lack adequate transportation
13 to the appropriate polling place, a significant number of the occupants of the complex
14 or home may need assistance in voting, there are a significant number of the
15 occupants of the complex or home aged 60 or over, or there are a significant number
16 of indefinitely confined electors who are occupants of the complex or home.

17 **SECTION 60.** 6.875 (3) and (4) of the statutes are amended to read:

18 6.875 (3) An occupant of a nursing home or qualified retirement home ~~or~~,
19 qualified community-based residential facility, qualified residential care apartment
20 complex, or qualified adult family home who qualifies as an absent elector and
21 desires to receive an absentee ballot shall make application under s. 6.86 (1), (2), or
22 (2m) with the municipal clerk or board of election commissioners of the municipality
23 in which the elector is a resident. The clerk or board of election commissioners of a
24 municipality receiving an application from an elector who is an occupant of a nursing
25 home or qualified retirement home ~~or~~, qualified community-based residential

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1 ~~facility, qualified residential care apartment complex, or qualified adult family home~~
2 located in a different municipality shall, as soon as possible, notify and transmit an
3 absentee ballot for the elector to the clerk or board of election commissioners of the
4 municipality in which the home ~~or qualified community-based residential, facility~~
5 or complex is located. The clerk or board of election commissioners of a municipality
6 receiving an application from an elector who is an occupant of a nursing home or
7 qualified retirement home ~~or, qualified community-based residential facility,~~
8 qualified residential care apartment complex, or qualified adult family home located
9 in the municipality but who is a resident of a different municipality shall, as soon as
10 possible, notify and request transmission of an absentee ballot from the clerk or
11 board of election commissioners of the municipality in which the elector is a resident.
12 The clerk or board of election commissioners shall make a record of all absentee
13 ballots to be transmitted, delivered, and voted under this section.

14 (4) (a) For the purpose of absentee voting in nursing homes ~~and, qualified~~
15 retirement homes ~~and, qualified community-based residential facilities, qualified~~
16 residential care apartment complexes, and qualified adult family homes, the
17 municipal clerk or board of election commissioners of each municipality in which one
18 or more nursing homes ~~or, qualified retirement homes or, qualified~~
19 community-based residential facilities, qualified residential care apartment
20 complexes, or qualified adult family homes are located shall appoint at least 2 special
21 voting deputies for the municipality. Upon application under s. 6.86 (1), (2), or (2m)
22 by one or more qualified electors who are occupants of a nursing home ~~or qualified~~
23 ~~retirement home or qualified community-based residential, facility, or complex~~, the
24 municipal clerk or board of election commissioners of the municipality in which the
25 home ~~or, facility, or complex~~ is located shall dispatch 2 special voting deputies to visit

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1 the home ~~or qualified community-based residential,~~ facility, or complex for the
2 purpose of supervising absentee voting procedure by occupants of the home ~~or~~
3 ~~qualified community-based residential,~~ facility, or complex. The clerk shall
4 maintain a list, available to the public upon request, of each ~~nursing home or~~
5 ~~qualified retirement home or qualified community-based residential,~~ facility, or
6 complex where an elector has requested an absentee ballot. The list shall include the
7 date and time the deputies intend to visit each home or facility. The 2 deputies
8 designated to visit each nursing home ~~or,~~ qualified retirement home ~~or,~~ qualified
9 community-based residential facility, qualified residential care apartment complex,
10 and qualified adult family home shall be affiliated with different political parties
11 whenever deputies representing different parties are available.

12 (b) Nominations for the special voting deputy positions described in par. (a)
13 may be submitted by the 2 recognized political parties whose candidates for governor
14 or president received the greatest numbers of votes in the municipality at the most
15 recent general election. The deputies shall be specially appointed to carry out the
16 duties under par. (a) for the period specified in s. 7.30 (6) (a). The clerk or board of
17 election commissioners may revoke an appointment at any time. No individual who
18 is employed or retained, or within the 2 years preceding appointment has been
19 employed or retained, at a nursing home ~~or,~~ qualified retirement home ~~or,~~ qualified
20 community-based residential facility, qualified residential care apartment complex,
21 or qualified adult family home in the municipality, or any member of the individual's
22 immediate family, as defined in s. 19.42 (7), may be appointed to serve as a deputy.

23 **SECTION 61.** 6.875 (6) (a) and (b) of the statutes are amended to read:

24 6.875 (6) (a) Special voting deputies in each municipality shall, not later than
25 5 p.m. on the Friday preceding an election, arrange one or more convenient times

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1 with the administrator of each nursing home, qualified retirement home, and
2 qualified community-based residential facility, qualified residential care apartment
3 complex, and qualified adult family home in the municipality from which one or more
4 occupants have filed an application under s. 6.86 to conduct absentee voting for the
5 election. The time may be no earlier than the 4th Monday preceding the election and
6 no later than 5 p.m. on the Monday preceding the election. The municipal clerk shall
7 post a notice at the home ~~or~~, facility, or complex indicating the date and time that
8 absentee voting will take place at that home ~~or~~, facility, or complex. The notice shall
9 be posted as soon as practicable after arranging the visit but in no case less than 24
10 hours before the visit. At the designated time, 2 deputies appointed under sub. (4)
11 shall visit the home ~~or~~, facility, or complex.

12 (b) The municipal clerk or executive director of the board of election
13 commissioners shall issue a supply of absentee ballots to the deputies sufficient to
14 provide for the number of valid applications for an absentee ballot received by the
15 clerk, and a reasonable additional number of ballots. The deputies may exercise the
16 authority granted to the chief inspector under s. 7.41 to regulate the conduct of
17 observers. For purposes of the application of s. 7.41, the home ~~or~~, facility, or complex
18 shall be treated as a polling place. The municipal clerk or executive director shall
19 keep a careful record of all ballots issued to the deputies and shall require the
20 deputies to return every ballot issued to them.

21 **SECTION 62.** 6.875 (6) (c) 1. of the statutes is amended to read:

22 6.875 (6) (c) 1. Upon their visit to the home ~~or~~, facility, or complex under par.
23 (a), the deputies shall personally offer each elector who has filed a proper application
24 for an absentee ballot the opportunity to cast his or her absentee ballot. In lieu of
25 providing a copy of a license or identification card under s. 6.87 (4) (b) 1. with his or

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1 her absentee ballot, the elector may submit with his or her ballot a statement signed
2 by both deputies that contains the name and address of the elector and verifies that
3 the name and address are correct. The deputies shall enclose the statement in the
4 certificate envelope. If an elector presents a license or identification card under s.
5 6.87 (4) (b) 1., the deputies shall make a copy of the document presented by the elector
6 and shall enclose the copy in the certificate envelope. If an elector is present who has
7 not filed a proper application for an absentee ballot, the 2 deputies may accept an
8 application from the elector and shall issue a ballot to the elector if the elector is
9 qualified, the elector presents a license or identification card, whenever required, or
10 submits a statement containing his or her name and address under this subdivision,
11 and the application is proper. The deputies shall each witness the certification and
12 may, upon request of the elector, assist the elector in marking the elector's ballot. All
13 voting shall be conducted in the presence of the deputies. Upon request of the elector,
14 a relative of the elector who is present in the room may assist the elector in marking
15 the elector's ballot. No individual other than a deputy may witness the certification
16 and no individual other than a deputy or relative of an elector may render voting
17 assistance to the elector.

18 **SECTION 63.** 6.875 (6) (c) 1. of the statutes, as affected by 2009 Wisconsin Act
19 (this act), is amended to read:

20 6.875 (6) (c) 1. Upon their visit to the home, facility, or complex under par. (a),
21 the deputies shall personally offer each elector who has filed a proper application for
22 an absentee ballot the opportunity to cast his or her absentee ballot. In lieu of
23 providing a copy of a license ~~or~~ identification card, or identification certificate under
24 s. 6.87 (4) (b) 1. with his or her absentee ballot, the elector may submit with his or
25 her ballot a statement signed by both deputies that contains the name and address

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1 of the elector and verifies that the name and address are correct. The deputies shall
2 enclose the statement in the certificate envelope. If an elector presents a license ~~or,~~
3 identification card, or identification certificate under s. 6.87 (4) (b) 1., the deputies
4 shall make a copy of the document presented by the elector and shall enclose the copy
5 in the certificate envelope. If an elector is present who has not filed a proper
6 application for an absentee ballot, the 2 deputies may accept an application from the
7 elector and shall issue a ballot to the elector if the elector is qualified, the elector
8 presents a license ~~or,~~ identification card, or identification certificate, whenever
9 required, or submits a statement containing his or her name and address under this
10 subsection, and the application is proper. The deputies shall each witness the
11 certification and may, upon request of the elector, assist the elector in marking the
12 elector's ballot. All voting shall be conducted in the presence of the deputies. Upon
13 request of the elector, a relative of the elector who is present in the room may assist
14 the elector in marking the elector's ballot. No individual other than a deputy may
15 witness the certification and no individual other than a deputy or relative of an
16 elector may render voting assistance to the elector.

17 **SECTION 64.** 6.875 (6) (c) 2. of the statutes is amended to read:

18 6.875 (6) (c) 2. Upon the request of a relative of an occupant of a nursing home
19 ~~or,~~ qualified retirement home or, qualified community-based residential facility,
20 qualified residential care apartment complex, or qualified adult family home, the
21 administrator of the home ~~or,~~ facility, or complex may notify the relative of the time
22 or times at which special voting deputies will conduct absentee voting at the home
23 ~~or,~~ facility, or complex and permit the relative to be present in the room where the
24 voting is conducted.

25 **SECTION 65.** 6.875 (6) (e) of the statutes is amended to read:

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1 6.875 (6) (e) If a qualified elector is not able to cast his or her ballot on 2 separate
2 visits by the deputies to the home ~~or~~, facility, or complex, the deputies shall so inform
3 the municipal clerk or executive director of the board of election commissioners, who
4 may then send the ballot to the elector no later than 5 p.m. on the Friday preceding
5 the election.

6 **SECTION 66.** 6.875 (7) of the statutes is amended to read:

7 6.875 (7) One observer from each of the 2 recognized political parties whose
8 candidate for governor or president received the greatest number of votes in the
9 municipality at the most recent general election may accompany the deputies to each
10 home ~~or~~, facility, or complex where absentee voting will take place under this section.
11 The observers may observe the process of absentee ballot distribution in the common
12 areas of the home ~~or~~, facility, or complex. Each party wishing to have an observer
13 present shall submit the name of the observer to the clerk or board of election
14 commissioners no later than the close of business on the last business day prior to
15 the visit.

16 **SECTION 67.** 6.88 (3) (a) of the statutes is amended to read:

17 6.88 (3) (a) Except in municipalities where absentee ballots are canvassed
18 under s. 7.52, at any time between the opening and closing of the polls on election day,
19 the inspectors shall, in the same room where votes are being cast, in such a manner
20 that members of the public can hear and see the procedures, open the carrier
21 envelope only, and announce the name of the absent elector or the identification
22 serial number of the absent elector if the elector has a confidential listing under s.
23 6.47 (2). When the inspectors find that the certification has been properly executed,
24 the applicant is a qualified elector of the ward or election district, and the applicant
25 has not voted in the election, they shall enter an indication on the poll list next to the

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1 applicant's name indicating an absentee ballot is cast by the elector. They shall then
2 open the envelope containing the ballot in a manner so as not to deface or destroy the
3 certification thereon. The inspectors shall take out the ballot without unfolding it
4 or permitting it to be unfolded or examined. Unless the ballot is cast under s. 6.95,
5 the inspectors shall verify that the ballot has been endorsed by the issuing clerk. If
6 the poll list indicates that proof of residence under s. 6.34 is required and no proof
7 of residence is enclosed or the name or address on the document that is provided is
8 not the same as the name and address shown on the poll list, or if the elector is not
9 a military elector or an overseas elector, as defined in s. 6.34 (1), and the elector is
10 required to provide, or to provide a copy of, a license or identification card under s.
11 6.86 (1) (ar) or 6.87 (4) (b) 1. and no copy of the license or identification card is
12 enclosed or the name on the document cannot be verified by the inspectors, the
13 inspectors shall proceed as provided under s. 6.97 (2). The inspectors shall then
14 deposit the ballot into the proper ballot box and enter the absent elector's name or
15 voting number after his or her name on the poll list in the same manner as if the
16 elector had been present and voted in person.

17 **SECTION 68.** 6.88 (3) (a) of the statutes, as affected by 2009 Wisconsin Act
18(this act), is amended to read:

19 6.88 (3) (a) Except in municipalities where absentee ballots are canvassed
20 under s. 7.52, at any time between the opening and closing of the polls on election day,
21 the inspectors shall, in the same room where votes are being cast, in such a manner
22 that members of the public can hear and see the procedures, open the carrier
23 envelope only, and announce the name of the absent elector or the identification
24 serial number of the absent elector if the elector has a confidential listing under s.
25 6.47 (2). When the inspectors find that the certification has been properly executed,

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1 the applicant is a qualified elector of the ward or election district, and the applicant
2 has not voted in the election, they shall enter an indication on the poll list next to the
3 applicant's name indicating an absentee ballot is cast by the elector. They shall then
4 open the envelope containing the ballot in a manner so as not to deface or destroy the
5 certification thereon. The inspectors shall take out the ballot without unfolding it
6 or permitting it to be unfolded or examined. Unless the ballot is cast under s. 6.95,
7 the inspectors shall verify that the ballot has been endorsed by the issuing clerk. If
8 the poll list indicates that proof of residence under s. 6.34 is required and no proof
9 of residence is enclosed or the name or address on the document that is provided is
10 not the same as the name and address shown on the poll list, or if the elector is not
11 a military elector or an overseas elector, as defined in s. 6.34 (1), and the elector is
12 required to provide, or to provide a copy of, a license ~~or~~, identification card, or
13 identification certificate under s. 6.86 (1) (ar) or 6.87 (4) (b) 1. and no copy of the
14 license ~~or~~, identification card, or identification certificate is enclosed or the name on
15 the document cannot be verified by the inspectors, the inspectors shall proceed as
16 provided under s. 6.97 (2). The inspectors shall then deposit the ballot into the proper
17 ballot box and enter the absent elector's name or voting number after his or her name
18 on the poll list in the same manner as if the elector had been present and voted in
19 person.

20 **SECTION 69.** 6.965 of the statutes is created to read:

21 **6.965 Voting procedure for electors presenting citation or notice in**
22 **lieu of license.** Whenever any elector is allowed to vote at a polling place under s.
23 6.79 (7) by presenting a citation or notice of intent to revoke or suspend an operator's
24 license in lieu of an operator's license issued to the elector under ch. 343, the
25 inspectors shall, before giving the elector a ballot, write on the back of the ballot the

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1 serial number of the elector corresponding to the number kept at the election on the
2 poll list or other list maintained under s. 6.79 and the notation "s. 6.965." If voting
3 machines are used in the municipality where the elector is voting, the elector's vote
4 may be received only upon an absentee ballot furnished by the municipal clerk which
5 shall have the notation "s. 6.965" written on the back of the ballot by the inspectors
6 before the ballot is given to the elector. If the municipal clerk receives an absentee
7 ballot from an elector who presents a citation or notice, or copy thereof, under s. 6.87
8 (4) (b) 4., the clerk shall enter a notation on the certificate envelope "Ballot under s.
9 6.965, stats." Upon receiving the envelope, the inspectors shall open and write on
10 the back of the ballot the serial number of the elector corresponding to the number
11 kept at the election on the poll list or other list maintained under s. 6.79 and the
12 notation "s. 6.965." The inspectors shall indicate on the poll list or other list
13 maintained under s. 6.79 the fact that the elector is voting by using a citation or
14 notice in lieu of a license. The inspectors shall then deposit the ballot. The ballot
15 shall then be counted under s. 5.85, or under s. 7.51 or 7.52.

16 **SECTION 70.** 6.97 (title) of the statutes, as affected by 2009 Wisconsin Act 180,
17 is amended to read:

18 **6.97 (title) Voting procedure for individuals not providing required**
19 **proof of residence or identification.**

20 **SECTION 71.** 6.97 (1) of the statutes is amended to read:

21 6.97 (1) Whenever any individual who is required to provide proof of residence
22 under s. 6.34 in order to be permitted to vote appears to vote at a polling place and
23 cannot provide the required proof of residence, the inspectors shall offer the
24 opportunity for the individual to vote under this section. Whenever any individual,
25 other than a military elector or an overseas elector, as defined in s. 6.34 (1), or an

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1 elector who has a confidential listing under s. 6.47 (2), appears to vote at a polling
2 place and does not present a license or identification card under s. 6.79 (2), whenever
3 required, the inspectors or the municipal clerk shall similarly offer the opportunity
4 for the individual to vote under this section. If the individual wishes to vote, the
5 inspectors shall provide the elector with an envelope marked “Ballot under s. 6.97,
6 stats.” on which the serial number of the elector is entered and shall require the
7 individual to execute on the envelope a written affirmation stating that the
8 individual is a qualified elector of the ward or election district where he or she offers
9 to vote and is eligible to vote in the election. The inspectors shall, before giving the
10 elector a ballot, write on the back of the ballot the serial number of the individual
11 corresponding to the number kept at the election on the poll list or other list
12 maintained under s. 6.79 and the notation “s. 6.97”. If voting machines are used in
13 the municipality where the individual is voting, the individual’s vote may be received
14 only upon an absentee ballot furnished by the municipal clerk which shall have the
15 corresponding number from the poll list or other list maintained under s. 6.79 and
16 the notation “s. 6.97” written on the back of the ballot by the inspectors before the
17 ballot is given to the elector. When receiving the individual’s ballot, the inspectors
18 shall provide the individual with written voting information prescribed by the board
19 under s. 7.08 (8). The inspectors shall indicate on the list the fact that the individual
20 is required to provide proof of residence or a license or identification card under s.
21 6.79 (2) but did not do so. The inspectors shall notify the individual that he or she
22 may provide proof of residence or a license or identification card to the municipal
23 clerk or executive director of the municipal board of election commissioners. The
24 inspectors shall also promptly notify the municipal clerk or executive director of the

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1 name, address, and serial number of the individual. The inspectors shall then place
2 the ballot inside the envelope and place the envelope in a separate carrier envelope.

3 **SECTION 72.** 6.97 (1) of the statutes, as affected by 2009 Wisconsin Act ... (this
4 act), is amended to read:

5 6.97 (1) Whenever any individual who is required to provide proof of residence
6 under s. 6.34 in order to be permitted to vote appears to vote at a polling place and
7 cannot provide the required proof of residence, the inspectors shall offer the
8 opportunity for the individual to vote under this section. Whenever any individual,
9 other than a military elector or an overseas elector, as defined in s. 6.34 (1), or an
10 elector who has a confidential listing under s. 6.47 (2), appears to vote at a polling
11 place and does not present a license or identification card, or identification
12 certificate under s. 6.79 (2), whenever required, the inspectors or the municipal clerk
13 shall similarly offer the opportunity for the individual to vote under this section. If
14 the individual wishes to vote, the inspectors shall provide the elector with an
15 envelope marked "Ballot under s. 6.97, stats." on which the serial number of the
16 elector is entered and shall require the individual to execute on the envelope a
17 written affirmation stating that the individual is a qualified elector of the ward or
18 election district where he or she offers to vote and is eligible to vote in the election.
19 The inspectors shall, before giving the elector a ballot, write on the back of the ballot
20 the serial number of the individual corresponding to the number kept at the election
21 on the poll list or other list maintained under s. 6.79 and the notation "s. 6.97". If
22 voting machines are used in the municipality where the individual is voting, the
23 individual's vote may be received only upon an absentee ballot furnished by the
24 municipal clerk which shall have the corresponding number from the poll list or
25 other list maintained under s. 6.79 and the notation "s. 6.97" written on the back of

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1 the ballot by the inspectors before the ballot is given to the elector. When receiving
2 the individual's ballot, the inspectors shall provide the individual with written
3 voting information prescribed by the board under s. 7.08 (8). The inspectors shall
4 indicate on the list the fact that the individual is required to provide proof of
5 residence or a license ~~or~~, identification card, or identification certificate under s. 6.79
6 (2) but did not do so. The inspectors shall notify the individual that he or she may
7 provide proof of residence or a license ~~or~~, identification card, or identification
8 certificate to the municipal clerk or executive director of the municipal board of
9 election commissioners. The inspectors shall also promptly notify the municipal
10 clerk or executive director of the name, address, and serial number of the individual.
11 The inspectors shall then place the ballot inside the envelope and place the envelope
12 in a separate carrier envelope.

13 **SECTION 73.** 6.97 (2) of the statutes is amended to read:

14 6.97 (2) Whenever any individual who votes by absentee ballot is required to
15 provide proof of residence in order to be permitted to vote and does not provide the
16 required proof of residence under s. 6.34, the inspectors shall treat the ballot as a
17 provisional ballot under this section. Whenever any individual, other than a military
18 elector or an overseas elector, as defined in s. 6.34 (1), an individual who has a
19 confidential listing under s. 6.47 (2), or an individual who is exempted under s. 6.87
20 (4) or s. 6.875 (6), votes by absentee ballot and does not enclose a copy of the license
21 or identification card required under s. 6.86 (1) (ar), the inspectors shall similarly
22 treat the ballot as a provisional ballot under this section. Upon removing the ballot
23 from the envelope, the inspectors shall write on the back of the absentee ballot the
24 serial number of the individual corresponding to the number kept at the election on
25 the poll list or other list maintained under s. 6.79 and the notation "s. 6.97". The

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1 inspectors shall indicate on the list the fact that the individual is required to provide
2 proof of residence or to provide, or provide a copy of, a license or identification card
3 required under s. 6.86 (1) (ar) or 6.87 (4) (b) 1. but did not do so. The inspectors shall
4 promptly notify the municipal clerk or executive director of the municipal board of
5 election commissioners of the name, address, and serial number of the individual.
6 The inspectors shall then place the ballot inside an envelope on which the name and
7 serial number of the elector is entered and shall place the envelope in a separate
8 carrier envelope.

9 **SECTION 74.** 6.97 (2) of the statutes, as affected by 2009 Wisconsin Act (this
10 act), is amended to read:

11 6.97 (2) Whenever any individual who votes by absentee ballot is required to
12 provide proof of residence in order to be permitted to vote and does not provide the
13 required proof of residence under s. 6.34, the inspectors shall treat the ballot as a
14 provisional ballot under this section. Whenever any individual, other than a military
15 elector or an overseas elector, as defined in s. 6.34 (1), an individual who has a
16 confidential listing under s. 6.47 (2), or an individual who is exempted under s. 6.87
17 (4) or s. 6.875 (6), votes by absentee ballot and does not enclose a copy of the license
18 ~~or~~, identification card, or identification certificate required under s. 6.86 (1) (ar), the
19 inspectors shall similarly treat the ballot as a provisional ballot under this section.
20 Upon removing the ballot from the envelope, the inspectors shall write on the back
21 of the ballot the serial number of the individual corresponding to the number kept
22 at the election on the poll list or other list maintained under s. 6.79 and the notation
23 "s. 6.97". The inspectors shall indicate on the list the fact that the individual is
24 required to provide proof of residence or to provide, or provide a copy of, a license ~~or~~,
25 identification card, or identification certificate required under s. 6.86 (1) (ar) or 6.87

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1 (4) (b) 1. but did not do so. The inspectors shall promptly notify the municipal clerk
2 or executive director of the municipal board of election commissioners of the name,
3 address, and serial number of the individual. The inspectors shall then place the
4 ballot inside an envelope on which the name and serial number of the elector is
5 entered and shall place the envelope in a separate carrier envelope.

6 **SECTION 75.** 6.97 (3) of the statutes is renumbered 6.97 (3) (b) and amended to
7 read:

8 6.97 (3) (b) Whenever the municipal clerk or executive director of the municipal
9 board of election commissioners is informed by the inspectors that a ballot has been
10 cast under this section, the clerk or executive director shall promptly provide written
11 notice to the board of canvassers of each municipality, special purpose district, and
12 county that is responsible for canvassing the election of the number of ballots cast
13 under this section in each ward or election district. The municipal clerk or executive
14 director then shall determine whether each individual voting under this section is
15 qualified to vote in the ward or election district where the individual's ballot is cast.

16 If the elector is required to provide a license or identification card or copy thereof
17 under s. 6.79 (2) or 6.86 (1) (ar) and fails to do so, the elector bears the burden of
18 correcting the omission by providing the license or identification card or copy thereof
19 at the polling place before the closing hour or at the office of the municipal clerk or
20 board of election commissioners no later than 4 p.m. on the day after the election.

21 The municipal clerk or executive director shall make a record of the procedure used
22 to determine the validity of each ballot cast under this section. If, prior to 4 p.m. on
23 the day after the election, the municipal clerk or executive director determines that
24 the individual is qualified to vote in the ward or election district where the
25 individual's ballot is cast, the municipal clerk or executive director shall notify the

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1 board of canvassers for each municipality, special purpose district and county that
2 is responsible for canvassing the election of that fact.

3 **SECTION 76.** 6.97 (3) (a) of the statutes is created to read:

4 6.97 (3) (a) Whenever an elector who votes by provisional ballot under sub. (1)
5 or (2) because the elector does not provide a license or identification card or copy
6 thereof under s. 6.79 (2) or 6.86 (1) (ar) later appears at the polling place where the
7 ballot is cast before the closing hour and provides the license or identification card
8 or copy thereof, the inspectors shall remove the elector's ballot from the separate
9 carrier envelope, shall note on the poll list that the elector's provisional ballot is
10 withdrawn, and shall deposit the elector's ballot in the ballot box. If the inspectors
11 have notified the municipal clerk or executive director of the board of election
12 commissioners that the elector's ballot was cast under this section, the inspectors
13 shall notify the clerk or executive director that the elector's provisional ballot is
14 withdrawn.

15 **SECTION 77.** 6.97 (3) (a) of the statutes, as created by 2009 Wisconsin Act ...
16 (this act), is amended to read:

17 6.97 (3) (a) Whenever an elector who votes by provisional ballot under sub. (1)
18 or (2) because the elector does not provide a license ~~or~~ identification card, or
19 identification certificate or copy thereof under s. 6.79 (2) or 6.86 (1) (ar) later appears
20 at the polling place where the ballot is cast before the closing hour and provides the
21 license ~~or~~ identification card, or identification certificate or copy thereof, the
22 inspectors shall remove the elector's ballot from the separate carrier envelope, shall
23 note on the poll list that the elector's provisional ballot is withdrawn, and shall
24 deposit the elector's ballot in the ballot box. If the inspectors have notified the
25 municipal clerk or executive director of the board of election commissioners that the

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1 elector's ballot was cast under this section, the inspectors shall notify the clerk or
2 executive director that the elector's provisional ballot is withdrawn.

3 **SECTION 78.** 6.97 (3) (b) of the statutes, as affected by 2009 Wisconsin Act ...
4 (this act), is amended to read:

5 6.97 (3) (b) Whenever the municipal clerk or executive director of the municipal
6 board of election commissioners is informed by the inspectors that a ballot has been
7 cast under this section, the clerk or executive director shall promptly provide written
8 notice to the board of canvassers of each municipality, special purpose district, and
9 county that is responsible for canvassing the election of the number of ballots cast
10 under this section in each ward or election district. The municipal clerk or executive
11 director then shall determine whether each individual voting under this section is
12 qualified to vote in the ward or election district where the individual's ballot is cast.
13 If the elector is required to provide a license or, identification card, or identification
14 certificate or copy thereof under s. 6.79 (2) or 6.86 (1) (ar) and fails to do so, the elector
15 bears the burden of correcting the omission by providing the license or, identification
16 card, or identification certificate or copy thereof at the polling place before the closing
17 hour or at the office of the municipal clerk or board of election commissioners no later
18 than 4 p.m. on the day after the election. The municipal clerk or executive director
19 shall make a record of the procedure used to determine the validity of each ballot cast
20 under this section. If, prior to 4 p.m. on the day after the election, the municipal clerk
21 or executive director determines that the individual is qualified to vote in the ward
22 or election district where the individual's ballot is cast, the municipal clerk or
23 executive director shall notify the board of canvassers for each municipality, special
24 purpose district and county that is responsible for canvassing the election of that
25 fact.

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1 **SECTION 79.** 6.97 (3) (c) of the statutes is created to read:

2 6.97 (3) (c) A ballot cast under this section by an elector for whom a valid license
3 or identification card or copy thereof is required under s. 6.79 (2) or 6.86 (1) (ar) shall
4 not be counted unless the municipal clerk or executive director of the board of
5 election commissioners provides timely notification that the elector has provided a
6 valid license or identification card or copy thereof under this section.

7 **SECTION 80.** 6.97 (3) (c) of the statutes, as created by 2009 Wisconsin Act ...
8 (this act), is amended to read:

9 6.97 (3) (c) A ballot cast under this section by an elector for whom a valid license
10 ~~or~~, identification card, or identification certificate or copy thereof is required under
11 s. 6.79 (2) or 6.86 (1) (ar) shall not be counted unless the municipal clerk or executive
12 director of the board of election commissioners provides timely notification that the
13 elector has provided a valid license ~~or~~, identification card, or identification certificate
14 or copy thereof under this section.

15 **SECTION 81.** 7.08 (8) (title) of the statutes is amended to read:

16 7.08 (8) (title) **ELECTORS VOTING WITHOUT PROOF OF RESIDENCE OR IDENTIFICATION**
17 **OR PURSUANT TO COURT ORDER.**

18 **SECTION 82.** 7.08 (12) of the statutes is created to read:

19 7.08 (12) **ASSISTANCE IN OBTAINING LICENSES OR IDENTIFICATION CARDS.** Engage
20 in outreach to identify and contact groups of electors who may need assistance in
21 obtaining or renewing a license or identification card for voting under s. 6.79 (2) (a),
22 6.86 (1) (ar), or 6.87 (4) (b), and provide assistance to the electors in obtaining or
23 renewing a license or identification card.

24 **SECTION 83.** 7.08 (12) of the statutes, as created by 2009 Wisconsin Act ... (this
25 act), is amended to read:

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1 7.08 (12) ASSISTANCE IN OBTAINING LICENSES OR IDENTIFICATION CARDS OR
2 CERTIFICATES. Engage in outreach to identify and contact groups of electors who may
3 need assistance in obtaining or renewing a license ~~or~~, identification card, or
4 identification certificate for voting under s. 6.79 (2) (a), 6.86 (1) (ar), or 6.87 (4) (b),
5 and provide assistance to the electors in obtaining or renewing a license ~~or~~,
6 identification card, or identification certificate.

7 **SECTION 84.** 7.52 (3) (a) of the statutes is amended to read:

8 7.52 (3) (a) The board of absentee ballot canvassers shall first open the carrier
9 envelope only, and, in such a manner that a member of the public, if he or she desired,
10 could hear, announce the name of the absent elector or the identification serial
11 number of the absent elector if the elector has a confidential listing under s. 6.47 (2).
12 When the board of absentee ballot canvassers finds that the certification has been
13 properly executed and the applicant is a qualified elector of the ward or election
14 district, the board of absentee ballot canvassers shall enter an indication on the poll
15 list next to the applicant's name indicating an absentee ballot is cast by the elector.
16 The board of absentee ballot canvassers shall then open the envelope containing the
17 ballot in a manner so as not to deface or destroy the certification thereon. The board
18 of absentee ballot canvassers shall take out the ballot without unfolding it or
19 permitting it to be unfolded or examined. Unless the ballot is cast under s. 6.95, the
20 board of absentee ballot canvassers shall verify that the ballot has been endorsed by
21 the issuing clerk. If the poll list indicates that proof of residence is required and no
22 proof of residence is enclosed or the name or address on the document that is provided
23 is not the same as the name and address shown on the poll list, or if the elector is not
24 a military elector or an overseas elector, as defined in s. 6.34 (1), and the elector is
25 required to provide, or to provide a copy of, a license or identification card required

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1 under s. 6.86 (1) (ar) or 6.87 (4) (b) 1. and no copy of the license or identification card
2 is enclosed or the name on the document cannot be verified by the canvassers, the
3 board of absentee ballot canvassers shall proceed as provided under s. 6.97 (2). The
4 board of absentee ballot canvassers shall mark the poll list number of each elector
5 who casts an absentee ballot on the back of the elector's ballot. The board of absentee
6 ballot canvassers shall then deposit the ballot into the proper ballot box and enter
7 the absent elector's name or poll list number after his or her name on the poll list.

8 **SECTION 85.** 7.52 (3) (a) of the statutes, as affected by 2009 Wisconsin Act
9 (this act), is amended to read:

10 7.52 (3) (a) The board of absentee ballot canvassers shall first open the carrier
11 envelope only, and, in such a manner that a member of the public, if he or she desired,
12 could hear, announce the name of the absent elector or the identification serial
13 number of the absent elector if the elector has a confidential listing under s. 6.47 (2).
14 When the board of absentee ballot canvassers finds that the certification has been
15 properly executed and the applicant is a qualified elector of the ward or election
16 district, the board of absentee ballot canvassers shall enter an indication on the poll
17 list next to the applicant's name indicating an absentee ballot is cast by the elector.
18 The board of absentee ballot canvassers shall then open the envelope containing the
19 ballot in a manner so as not to deface or destroy the certification thereon. The board
20 of absentee ballot canvassers shall take out the ballot without unfolding it or
21 permitting it to be unfolded or examined. Unless the ballot is cast under s. 6.95, the
22 board of absentee ballot canvassers shall verify that the ballot has been endorsed by
23 the issuing clerk. If the poll list indicates that proof of residence is required and no
24 proof of residence is enclosed or the name or address on the document that is provided
25 is not the same as the name and address shown on the poll list, or if the elector is not

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1 a military elector or an overseas elector, as defined in s. 6.34 (1), and the elector is
2 required to provide, or to provide a copy of, a license ~~or~~ identification card, or
3 identification certificate required under s. 6.86 (1) (ar) or 6.87 (4) (b) 1. and no copy
4 of the license ~~or~~ identification card, or identification certificate is enclosed or the
5 name on the document cannot be verified by the canvassers, the board of absentee
6 ballot canvassers shall proceed as provided under s. 6.97 (2). The board of absentee
7 ballot canvassers shall mark the poll list number of each elector who casts an
8 absentee ballot on the back of the elector's ballot. The board of absentee ballot
9 canvassers shall then deposit the ballot into the proper ballot box and enter the
10 absent elector's name or poll list number after his or her name on the poll list.

11 **SECTION 86.** 10.02 (3) (form) (a) of the statutes is amended to read:

12 10.02 (3) (form) (a) Upon entering the polling place and before being permitted
13 to vote, an elector shall state his or her name and address. If an elector is not
14 registered to vote, an elector may register to vote at the polling place serving his or
15 her residence if the elector ~~provides proof of residence or the elector's registration is~~
16 ~~verified by another elector of the same municipality where the elector resides~~
17 presents a valid Wisconsin operator's license, a valid, current identification card
18 issued to the elector by a U.S. uniformed service, or a valid Wisconsin identification
19 card unless the elector is exempted from this requirement, and, if the document
20 presented does not constitute proof of residence, if the elector provides proof of
21 residence. Where ballots are distributed to electors, the initials of 2 inspectors must
22 appear on the ballot. Upon being permitted to vote, the elector shall retire alone to
23 a voting booth or machine and cast his or her ballot, except that an elector who is a
24 parent or guardian may be accompanied by the elector's minor child or minor ward.

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1 An election official may inform the elector of the proper manner for casting a vote,
2 but the official may not in any manner advise or indicate a particular voting choice.

3 **SECTION 87.** 10.02 (3) (form) (a) of the statutes, as affected by 2009 Wisconsin
4 Act (this act), is amended to read:

5 10.02 (3) (form) (a) Upon entering the polling place and before being permitted
6 to vote, an elector shall state his or her name and address. If an elector is not
7 registered to vote, an elector may register to vote at the polling place serving his or
8 her residence if the elector presents a valid Wisconsin operator's license, a valid,
9 current identification card issued to the elector by a U.S. uniformed service, ~~or~~ a valid
10 Wisconsin identification card, or a valid Wisconsin identification certificate unless
11 the elector is exempted from this requirement, and, if the document presented does
12 not constitute proof of residence, if the elector provides proof of residence. Where
13 ballots are distributed to electors, the initials of 2 inspectors must appear on the
14 ballot. Upon being permitted to vote, the elector shall retire alone to a voting booth
15 or machine and cast his or her ballot, except that an elector who is a parent or
16 guardian may be accompanied by the elector's minor child or minor ward. An
17 election official may inform the elector of the proper manner for casting a vote, but
18 the official may not in any manner advise or indicate a particular voting choice.

19 **SECTION 88.** 12.03 (2) (b) 3. of the statutes is amended to read:

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

25 **SECTION 89.** 12.13 (2) (b) 6m. of the statutes is amended to read:

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1 12.13 (2) (b) 6m. Obtain an absentee ballot for voting in a nursing home or
2 qualified retirement home ~~or~~, qualified community-based residential facility,
3 qualified residential care apartment complex, or qualified adult family home under
4 s. 6.875 (6) and fail to return the ballot to the issuing officer.

5 **SECTION 90.** 12.13 (3) (v) of the statutes is repealed.

6 **SECTION 91.** 85.103 (2) of the statutes is amended to read:

7 85.103 (2) The department shall include on any form for application for original
8 registration under s. 341.08, for application for renewal of registration under s.
9 341.08, for application for a certificate of title under s. 342.06, for application for a
10 license or identification card or renewal of a license or identification card under s.
11 343.14, for application for an identification certificate or renewal of an identification
12 certificate under s. 343.505 (2), and for application for a special identification card
13 under s. 343.51, a place for the individual to designate that the individual's personal
14 identifiers may not be disclosed in information compiled or maintained by the
15 department that contains the personal identifiers of 10 or more individuals, a
16 statement indicating the effect of making such a designation and a place for an
17 applicant or registrant who has made a designation under this subsection or sub. (3)
18 to reverse the designation.

19 **SECTION 92.** 125.085 (1) (f) of the statutes is created to read:

20 125.085 (1) (f) An identification certificate issued under s. 343.505.

21 **SECTION 93.** 134.71 (8) (a) 2. of the statutes is amended to read:

22 134.71 (8) (a) 2. A state identification card or identification certificate.

23 **SECTION 94.** 139.30 (4n) of the statutes is amended to read:

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1 139.30 (4n) "Government issued identification" includes a valid driver's
2 license, state identification card or identification certificate, passport, or military
3 identification.

4 **SECTION 95.** 343.19 (title) of the statutes is amended to read:

5 **343.19 (title) Duplicate licenses or identification cards or certificates.**

6 **SECTION 96.** 343.19 (1) of the statutes, as affected by 2007 Wisconsin Act 20,
7 is repealed and recreated to read:

8 343.19 (1) If a license issued under this chapter, an identification card issued
9 under s. 343.50, or an identification certificate issued under s. 343.505 is lost or
10 destroyed or the name or address named in the license, identification card, or
11 identification certificate is changed or the condition specified in s. 343.17 (3) (a) 12.
12 or 13. or s. 343.505 (3) (b) 9. no longer applies, the person to whom the license,
13 identification card, or identification certificate was issued may obtain a duplicate
14 thereof or substitute therefor upon furnishing proof satisfactory to the department
15 of full legal name and date of birth and that the license, identification card, or
16 identification certificate has been lost or destroyed or that application for a duplicate
17 license, identification card, or identification certificate is being made for a change of
18 address or name or because the condition specified in s. 343.17 (3) (a) 12. or 13. or s.
19 343.505 (3) (b) 9. no longer applies. If the applicant is a male who is at least 18 years
20 of age but less than 26 years of age and is applying for a duplicate license or
21 identification card, the application shall include the information required under s.
22 343.14 (2) (em). If the original license, identification card, or identification certificate
23 is found it shall immediately be transmitted to the department.

24 **SECTION 97.** 343.19 (2) (intro.) of the statutes is amended to read:

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1 343.19 (2) (intro.) No person may knowingly make a false statement or fail to
2 return the original license or, identification card, or identification certificate to the
3 department upon finding it or fail to comply with any other requirement of this
4 section relating to an application for any of the following:

5 **SECTION 98.** 343.19 (2) (c) of the statutes is created to read:

6 343.19 (2) (c) A duplicate identification certificate.

7 **SECTION 99.** 343.22 (2) of the statutes, as affected by 2007 Wisconsin Act 20,
8 is repealed and recreated to read:

9 343.22 (2) Whenever any person, after applying for or receiving a license under
10 this chapter, an identification card under s. 343.50, or an identification certificate
11 under s. 343.505, moves from the address named in the application or in the license,
12 identification card, or identification certificate issued to him or her or is notified by
13 the local authorities or by the postal authorities that the address so named has been
14 changed, the person shall, within 30 days thereafter, do one of the following:

15 (a) Apply for a duplicate license, identification card, or identification certificate
16 showing on the application the correct full legal name and address. The licensee,
17 identification card holder, or identification certificate holder shall return the current
18 license, identification card, or identification certificate to the department along with
19 the application for duplicate.

20 (b) In lieu of applying for a duplicate license, identification card, or
21 identification certificate, notify the department in writing of his or her change of
22 address. This paragraph does not apply to persons issued a commercial driver
23 license.

24 **SECTION 100.** 343.22 (2m) of the statutes, as affected by 2007 Wisconsin Act 20,
25 section 3274, is repealed and recreated to read:

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1 343.22 (2m) Whenever any person, after applying for or receiving a license
2 under this chapter, an identification card under s. 343.50, or an identification
3 certificate under s. 343.505, is notified by the local authorities or by the postal
4 authorities that the address named in the application or in the license, identification
5 card, or identification certificate issued to him or her has been changed and the
6 person applies for a duplicate license, identification card, or identification certificate
7 under sub. (2), no fees shall be charged under s. 343.21 (1) (L) and (n), 343.50 (5m)
8 and (7), or s. 343.505 (4) (a) 2. for the duplicate license, identification card, or
9 identification certificate.

10 **SECTION 101.** 343.22 (3) of the statutes, as affected by 2007 Wisconsin Act 20,
11 section 3276, is repealed and recreated to read:

12 343.22 (3) When the name of a licensee, identification card holder, or
13 identification certificate holder is changed, such person shall, within 30 days
14 thereafter, apply for a duplicate license, identification card, or identification
15 certificate showing the correct full legal name and address. The licensee,
16 identification card holder, or identification certificate holder shall return the current
17 license, identification card, or identification certificate to the department along with
18 the application for a duplicate. If the licensee holds more than one type of license
19 under this chapter, the licensee shall return all such licenses to the department along
20 with one application and fees for a duplicate license for which the licensee may be
21 issued a duplicate of each such license.

22 **SECTION 102.** 343.235 (title) of the statutes is amended to read:

23 **343.235 (title) Access to license and identification card and certificate**
24 **records.**

25 **SECTION 103.** 343.237 (title) of the statutes is amended to read:

ASSEMBLY BILL 947**SECTION 103**

1 **343.237** (title) **Access to license and identification card and certificate**
2 **photographs and fingerprints.**

3 **SECTION 104.** 343.237 (2) of the statutes, as affected by 2009 Wisconsin Act 167,
4 section 3, is repealed and recreated to read:

5 343.237 **(2)** Any photograph taken of an applicant under s. 343.14 (3), 343.50
6 (4), or 343.505 (2) (b), and any fingerprint taken of an applicant under s. 343.12 (6)
7 (b), may be maintained by the department and, except as provided in this section and
8 s. 165.8287, shall be kept confidential. Except as provided in this section and s.
9 165.8287, the department may release a photograph or fingerprint only to the person
10 whose photograph or fingerprint was taken or to the driver licensing agency of
11 another jurisdiction.

12 **SECTION 105.** 343.237 (3) (intro.) of the statutes, as affected by 2007 Wisconsin
13 Act 20, is repealed and recreated to read:

14 343.237 **(3)** (intro.) The department shall provide a Wisconsin law enforcement
15 agency or a federal law enforcement agency with a print or electronic copy of a
16 photograph taken on or after September 1, 1997, of an applicant under s. 343.14 (3),
17 343.50 (4), or 343.505 (2) (b), or a printed or electronic copy of a fingerprint taken of
18 an applicant under s. 343.12 (6) (b), if the department receives a written request on
19 the law enforcement agency's letterhead that contains all of the following:

20 **SECTION 106.** 343.237 (6) of the statutes is amended to read:

21 343.237 **(6)** For each copy of a photograph or fingerprint provided under sub.
22 (3) or (4), the department shall record and maintain the written request for the copy
23 of the photograph or fingerprint and may not disclose any record or other information
24 concerning or relating to the written request to any person other than a court, district
25 attorney, county corporation counsel, city, village, or town attorney, law enforcement

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1 agency, driver licensing agency of another jurisdiction, the applicant or identification
2 card or identification certificate holder or, if the applicant or identification card
3 holder is under 18 years of age, his or her parent or guardian.

4 **SECTION 107.** 343.43 (2) of the statutes is amended to read:

5 343.43 (2) Whenever a license ~~or~~ identification card ~~which~~, or identification
6 certificate that appears to be altered is displayed to a law enforcement officer, agent
7 of the secretary or the court, that person shall take possession of the license ~~or~~,
8 identification card, or identification certificate and return it to the department for
9 cancellation. A notation of change of address properly endorsed on the license under
10 s. 343.22 shall not of itself be reason to consider the license altered.

11 **SECTION 108.** 343.50 (3) of the statutes is amended to read:

12 343.50 (3) DESIGN AND CONTENTS OF CARD. The card shall be the same size as
13 an operator's license but shall be of a design which is readily distinguishable from
14 the design of an operator's license and bear upon it the words "IDENTIFICATION
15 CARD ONLY". The information on the card shall be the same as specified under s.
16 343.17 (3). The card may serve as a record of gift under s. 157.06 (2) (t) and the holder
17 may affix a sticker thereto as provided in s. 343.175 (3). The card may also serve as
18 a record of refusal under s. 157.06 (2) (u). The Except as provided in sub. (4g), the
19 card shall contain the holder's photograph and, if applicable, shall be of the design
20 specified under s. 343.17 (3) (a) 12.

21 **SECTION 109.** 343.50 (3) of the statutes, as affected by 2007 Wisconsin Act 20
22 and 2009 Wisconsin Act (this act), is repealed and recreated to read:

23 343.50 (3) DESIGN AND CONTENTS OF CARD. The card shall be the same size as
24 an operator's license but shall be of a design which is readily distinguishable from
25 the design of an operator's license and bear upon it the words "IDENTIFICATION

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1 CARD ONLY.” The information on the card shall be the same as specified under s.
2 343.17 (3). If the issuance of the card requires the applicant to present any
3 documentary proof specified in s. 343.14 (2) (es) 4. to 7., the card shall display, on the
4 front side of the card, a legend identifying the card as temporary. The card shall
5 contain physical security features consistent with any requirement under federal
6 law. The card may serve as a record of gift under s. 157.06 (2) (t) and the holder may
7 affix a sticker thereto as provided in s. 343.175 (3). The card may also serve as a
8 record of refusal under s. 157.06 (2) (u). The card shall contain the holder’s
9 photograph and, if applicable, shall be of the design specified under s. 343.17 (3) (a)
10 12.

11 **SECTION 110.** 343.50 (4) of the statutes is amended to read:

12 343.50 (4) APPLICATION. The application for an identification card shall include
13 any information required under ss. 85.103 (2) and 343.14 (2) (a), (b), (bm), (br), (em),
14 and (er), and such further information as the department may reasonably require to
15 enable it to determine whether the applicant is entitled by law to an identification
16 card. The Except as provided in sub. (4g), the department shall, as part of the
17 application process, take a photograph of the applicant to comply with sub. (3). No
18 Except as provided in sub. (4g), no application may be processed without the
19 photograph being taken. Misrepresentations in violation of s. 343.14 (5) are
20 punishable as provided in s. 343.14 (9).

21 **SECTION 111.** 343.50 (4) of the statutes, as affected by 2007 Wisconsin Act 20
22 and 2009 Wisconsin Act (this act), is repealed and recreated to read:

23 343.50 (4) APPLICATION. The application for an identification card shall include
24 any information required under ss. 85.103 (2) and 343.14 (2) (a), (b), (bm), (br), (em),
25 and (es), and such further information as the department may reasonably require to

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1 enable it to determine whether the applicant is entitled by law to an identification
2 card. Except with respect to renewals described in s. 343.165 (4) (d), the department
3 shall, as part of the application process, take a digital photograph including facial
4 image capture of the applicant to comply with sub. (3). Except with respect to
5 renewals described in s. 343.165 (4) (d), no application may be processed without the
6 photograph being taken. Misrepresentations in violation of s. 343.14 (5) are
7 punishable as provided in s. 343.14 (9).

8 **SECTION 112.** 343.50 (4g) of the statutes is created to read:

9 343.50 (4g) PHOTOGRAPH REQUIREMENT; EXCEPTION. An application may be
10 processed and an original or renewal identification card issued under this section
11 without a photograph being taken to comply with subs. (3) and (4) to an applicant
12 who requests the identification card without charge under sub. (5) or (6) and who
13 provides to the department an affidavit stating that the applicant has a sincerely
14 held religious belief against being photographed; identifying the religion to which he
15 or she belongs or the tenets of which he or she adheres to; stating that the tenets of
16 the religion prohibit him or her from being photographed; and stating that he or she
17 requests the identification card for the purpose of voting.

18 **SECTION 113.** 343.50 (4g) of the statutes, as created by 2009 Wisconsin Act
19 (this act), is repealed.

20 **SECTION 114.** 343.50 (5) (a) 1. of the statutes, as affected by 2009 Wisconsin Act
21 28, section 2957, is amended to read:

22 343.50 (5) (a) 1. Except as provided in subd. 2., the fee for an original card and
23 for the reinstatement of an identification card after cancellation under sub. (10) shall
24 be \$18 or, upon request of the applicant, without charge.

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1 **SECTION 115.** 343.50 (5) (a) 1. of the statutes, as affected by 2009 Wisconsin Act
2 28, section 2958, and 2009 Wisconsin Act (this act), is repealed and recreated to
3 read:

4 343.50 (5) (a) 1. Except as provided in subd. 2., the fee for an original card, for
5 renewal of a card, and for the reinstatement of an identification card after
6 cancellation under sub. (10) shall be \$18.

7 **SECTION 116.** 343.50 (6) of the statutes is amended to read:

8 343.50 (6) RENEWAL. At least 30 days prior to the expiration of the card, the
9 department shall mail a renewal application to the last-known address of each
10 identification card holder. The department shall include with the application
11 information, as developed by all organ procurement organizations in cooperation
12 with the department, that promotes anatomical donations and which relates to the
13 anatomical donation opportunity available under s. 343.175. The fee for a renewal
14 identification card shall be \$18, ~~which or, upon request of the identification card~~
15 holder, without charge. The renewal identification card shall be valid for 8 years,
16 except that a card that is issued to a person who is not a United States citizen and
17 who provides documentary proof of legal status as provided under s. 343.14 (2) (er)
18 shall expire on the date that the person's legal presence in the United States is no
19 longer authorized. If the documentary proof as provided under s. 343.14 (2) (er) does
20 not state the date that the person's legal presence in the United States is no longer
21 authorized, then the card shall be valid for 8 years.

22 **SECTION 117.** 343.50 (6) of the statutes, as affected by 2007 Wisconsin Act 20,
23 section 3383, and 2009 Wisconsin Act (this act), is repealed and recreated to read:

24 343.50 (6) RENEWAL NOTICE. At least 30 days prior to the expiration of an
25 identification card, the department shall mail a renewal application to the

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1 last-known address of the card holder. If the card was issued or last renewed based
2 upon the person's presenting of any documentary proof specified in s. 343.14 (2) (es)
3 4. to 7., the notice shall inform the card holder of the requirement under s. 343.165
4 (4) (c). The department shall include with the application information, as developed
5 by all organ procurement organizations in cooperation with the department, that
6 promotes anatomical donations and which relates to the anatomical donation
7 opportunity available under s. 343.175.

8 **SECTION 118.** 343.505 of the statutes is created to read:

9 **343.505 Identification certificates. (1) ISSUANCE.** (a) The department shall
10 issue, as provided in this section, identification certificates to eligible applicants
11 upon proper application and payment of all required fees.

12 (b) A person is eligible for an identification certificate under this section if the
13 person provides the information that is required to be provided by an elector under
14 s. 6.33 (1) and signs a statement affirming that the information is correct.

15 **(2) APPLICATION.** (a) Every application to the department for an identification
16 certificate or for renewal of an identification certificate shall be made upon the
17 appropriate form furnished by the department and shall be accompanied by all
18 required fees. The application for an identification certificate shall include all of the
19 following:

20 1. The information required to be provided under sub. (1) (b), with a signed
21 statement affirming that the information is correct.

22 2. The applicant's color of eyes, color of hair, sex, height, weight and race.

23 3. a. Except as provided in subd. 3. b., the applicant's social security number.

24 b. If the applicant does not have a social security number, a statement made
25 or subscribed under oath or affirmation, on a form prescribed by the department,

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1 that the applicant does not have a social security number. An identification
2 certificate issued or renewed in reliance on a statement submitted under this subd.
3 3. b. is invalid if the statement is false.

4 4. A statement as to whether the applicant holds any valid operator's license
5 or identification card issued by this state or any other jurisdiction.

6 5. A designation or reversal of a designation under s. 85.103 (2), if the applicant
7 chooses to make such designation or reversal.

8 6. Satisfactory proof of the applicant's name and date of birth.

9 7. Documentary proof that the applicant is a citizen of the United States.

10 8. Such further information as the department may reasonably require to
11 enable it to identify the applicant and to determine whether the applicant is entitled
12 by law to an identification certificate.

13 (b) 1. Except as provided in subd 2., the department shall, as part of the
14 application process, take a photograph of the applicant, which shall appear on the
15 identification certificate as provided in sub. (3). Except as provided in subd. 2., no
16 application may be processed without the photograph being taken.

17 2. An application for an identification certificate may be processed and an
18 original or renewal identification certificate issued under this section without a
19 photograph being taken if the applicant requests an identification certificate without
20 charge and provides to the department an affidavit stating that the applicant has a
21 sincerely held religious belief against being photographed; identifying the religion
22 to which he or she belongs or the tenets of which he or she adheres to; stating that
23 the tenets of the religion prohibit him or her from being photographed; and stating
24 that he or she requests the identification certificate for the purpose of voting.

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1 (c) Names, addresses, and social security numbers obtained by the department
2 under this subsection shall be provided to the department of revenue for the purpose
3 of administering ss. 71.93 and 71.935 and state taxes.

4 **(3) DESIGN AND CONTENTS OF IDENTIFICATION CERTIFICATES.** (a) Identification
5 certificates shall be the same size as an operator's license but shall be of a design that
6 is readily distinguishable from the design of operator's licenses and identification
7 cards. Each identification certificate shall bear upon it the words
8 "IDENTIFICATION CERTIFICATE." Identification certificates shall clearly state
9 on their face that they may not be accepted by any federal agency for federal
10 identification or any other official purpose and shall use a unique design or color
11 indicator to alert federal agency and other law enforcement personnel that they may
12 not be accepted for any such purpose.

13 (b) The front side of the identification certificate shall include all of the
14 following:

- 15 1. The name, date of birth, and residence address of the person.
- 16 2. Except as provided in sub. (2) (b) 2., a color photograph of the person.
- 17 3. A physical description of the person, including sex, height, weight and hair
18 and eye color, but excluding any mention of race.
- 19 4. The person's signature.
- 20 5. The name of this state.
- 21 6. A unique identifying identification certificate number assigned by the
22 department.
- 23 7. The date of issuance of the identification certificate.
- 24 8. The date of expiration of the identification certificate.

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1 9. If the person has not attained the legal drinking age, as defined in s. 125.02
2 (8m), at the time of issuance of the identification certificate, a distinctive appearance
3 specified by the department that clearly identifies to the public that the person had
4 not attained the legal drinking age at the time of issuance of the identification
5 certificate.

6 **(4) VALID PERIOD; FEES.** (a) 1. Except as provided in subd. 3., the fee for an
7 original identification certificate, for renewal of an identification certificate, and for
8 reinstatement of an identification certificate after cancellation is \$18.

9 2. Except as provided in subd. 3., the fee for a duplicate identification certificate
10 is \$6.

11 3. If the applicant requests that the identification certificate be issued,
12 renewed, or reinstated, or a duplicate identification certificate be issued, without
13 charge, the department may not charge any fee for the identification certificate.

14 (b) An original or reinstated identification certificate shall be valid for the
15 succeeding period of 8 years from the applicant's next birthday after the date of
16 issuance, and a renewed identification certificate shall be valid for the succeeding
17 period of 8 years from the certificate's last expiration date.

18 (c) At least 30 days prior to the expiration of an identification certificate, the
19 department shall mail a renewal application to the last-known address of the
20 certificate holder.

21 **(5) RECORDS AND OTHER INFORMATION.** (a) The department shall maintain
22 records of all identification certificate holders under this section in a manner
23 prescribed by the department by rule.

24 (b) The department may not disclose any record or other information
25 concerning or relating to an applicant or identification certificate holder to any

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1 person other than a court, district attorney, county corporation counsel, city, village
2 or town attorney, law enforcement agency, driver licensing agency of another
3 jurisdiction, or the applicant or identification certificate holder. Except for
4 photographs for which disclosure is authorized under s. 343.237, persons entitled to
5 receive any record or other information under this paragraph shall not disclose the
6 record or other information to other persons or agencies. This paragraph does not
7 prohibit the disclosure of a person's name or address, of the name or address of a
8 person's employer, or of financial information that relates to a person when
9 requested under s. 49.22 (2m) by the department of children and families or a county
10 child support agency under s. 59.53 (5).

11 **(6) CANCELLATION.** (a) The department shall cancel an identification certificate
12 under any of the following circumstances:

13 1. Whenever the department determines that the identification certificate was
14 issued upon an application that contains a false statement as to any material matter.

15 2. Whenever the department determines that an identification certificate has
16 been altered and returned for cancellation under s. 343.43 (2).

17 (b) The department may order any person whose identification certificate has
18 been canceled to surrender the certificate to the department. The department may
19 take possession of any identification certificate required to be canceled or may direct
20 any traffic officer to take possession of the identification certificate and return it to
21 the department.

22 **(7) UNLAWFUL USE.** No person may do any of the following:

23 (a) Represent as valid any canceled, fictitious, or fraudulently altered
24 identification certificate.

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1 (b) Sell or lend his or her identification certificate to any other person or
2 knowingly permit the use of his or her identification certificate by another.

3 (c) Represent as one's own, any identification certificate not issued to him or
4 her.

5 (d) Permit any unlawful use of an identification certificate issued to him or her.

6 (e) Reproduce by any means whatever an identification certificate.

7 (f) Deface or alter an identification certificate.

8 **(8) PENALTY.** Any person who fails to comply with an order under sub. (6) (b)
9 or who violates sub. (7) may be required to forfeit not more than \$1,000.

10 **(9) RULES.** The department shall promulgate rules to administer and enforce
11 this section. Subject to subs. (2) and (3), these rules shall prescribe the form of the
12 application for an identification certificate and specify the form and contents of the
13 identification certificate. These rules shall also provide a procedure under which
14 identification certificates are generally issued over the counter to an applicant on the
15 same day that the department receives an application. The rules shall require the
16 design of identification certificates to be resistant to tampering and forgery. The
17 rules shall also incorporate the requirements under sub. (5) (a). The department
18 shall attempt to ensure that these rules become effective at the same time as the
19 provisions of this section other than this subsection.

20 **SECTION 119. Nonstatutory provisions.**

21 (1) In conjunction with the first regularly scheduled primary and election at
22 which the voter identification requirements of this act initially apply, the
23 government accountability board shall conduct a public informational campaign for
24 the purpose of informing prospective voters of the voter identification requirements
25 of this act.

ASSEMBLY BILL 947**1 SECTION 120. Initial applicability.**

2 (1) IDENTIFICATION REQUIRED FOR VOTING. This act first applies with respect to
3 voting at the first spring or September primary election that follows the effective
4 date of this act by at least 60 days.

5 **SECTION 121. Effective dates.** This act takes effect on the day after
6 publication, except as follows:

7 (1) The treatment of sections 5.35 (6) (a) 4a. (by SECTION 3), 6.15 (2) (bm) (by
8 SECTION 5), and (d) 1g. (by SECTION 7) and (3) (by SECTION 10), 6.55 (2) (b) (by SECTION
9 17) and (c) 1. (by SECTION 19), 6.79 (2) (a) (by SECTION 23) and (d) (by SECTION 25), (3)
10 (title) (by SECTION 27) and (b) (by SECTION 30), and (6) (by SECTION 33), 6.82 (1) (a) (by
11 SECTION 36), 6.86 (1) (ar) (by SECTION 39) and (3) (a) 1. (by SECTION 41), 6.869 (by
12 SECTION 44), 6.87 (4) (b) 1. (by SECTION 48), 2. (by SECTION 50), 3. (by SECTION 52), and
13 5. (by SECTION 55), 6.875 (6) (c) 1. (by SECTION 63), 6.88 (3) (a) (by SECTION 68), 6.97
14 (1) (by SECTION 72), (2) (by SECTION 74), and (3) (a) (by SECTION 77), (b) (by SECTION
15 78), and (c) (by SECTION 80), 7.08 (12) (by SECTION 83), 7.52 (3) (a) (by SECTION 85),
16 10.02 (3) (form) (a) (by SECTION 87), 85.103 (2), 125.085 (1) (f), 134.71 (8) (a) 2., 139.30
17 (4n), 343.19 (title) and (2) (intro.), 343.235 (title), 343.237 (title) and (6), 343.43 (2),
18 and 343.50 (5) (a) 1. (by SECTION 115) of the statutes, the repeal of section 343.50 (4g)
19 of the statutes, the repeal and recreation of sections 343.19 (1), 343.22 (2), (2m), and
20 (3), 343.237 (2) and (3) (intro.), and 343.50 (3), (4), and (6) of the statutes, and the
21 creation of sections 343.19 (2) (c) and 343.505 (1) to (8) of the statutes take effect on
22 the day after publication or on the date on which the creation of section 343.165 of
23 the statutes by 2007 Wisconsin Act 20 takes effect, whichever is later.

24

(END)