LRB-5910/1 JK:kjf

2019 SENATE BILL 919

March 26, 2020 - Introduced by Senators Larson, Smith and Carpenter, cosponsored by Representative Brostoff. Referred to Committee on Elections, Ethics and Rural Issues.

AN ACT to renumber and amend 6.87 (6); and to create 6.87 (6) (b) of the statutes; relating to: the deadline for returning absentee ballots by mail during a state of emergency.

Analysis by the Legislative Reference Bureau

Under current law, an absentee ballot must be returned in time to be delivered to the polling place no later than 8 p.m. on election day. An absentee ballot not returned on time cannot be counted. Under the bill, if the governor declares a state of emergency, an absentee ballot being returned by mail for any primary or election occurring no later than 90 days after the order is issued must be returned no later than three days after the day of the primary or election and postmarked no later than the day of the primary or election.

For further information see the *state and local* 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:

SECTION 1. 6.87 (6) of the statutes is renumbered 6.87 (6) (a) and amended to

5 read:

SENATE BILL 919

SECTION 1

6.87 (6) (a) The Except as provided in par. (b), the ballot shall be returned so it is delivered to the polling place no later than 8 p.m. on election day. Except in municipalities where absentee ballots are canvassed under s. 7.52, if the municipal clerk receives an absentee ballot on election day, the clerk shall secure the ballot and cause the ballot to be delivered to the polling place serving the elector's residence before 8 p.m. Any ballot not mailed or delivered as provided in this subsection paragraph or par. (b) may not be counted.

Section 2. 6.87 (6) (b) of the statutes is created to read:

6.87 **(6)** (b) If the governor issues an executive order declaring a state of emergency under s. 323.10, an absentee ballot being returned by mail for any primary or election occurring no later than 90 days after the day on which the order is issued shall be returned to the municipal clerk no later than 3 days after the day of the primary or election and postmarked no later than the day of the primary or election.

(END)