



State of Wisconsin
2011 - 2012 LEGISLATURE



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ENGROSSED 2011 SENATE BILL 6

April 27, 2011 - Printed by direction of SENATE CHIEF CLERK.

1 **AN ACT** *to repeal* 6.56 (5) and 12.13 (3) (v); *to renumber* 6.79 (3) and 343.50 (1);
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., 6.02 (1), 6.02 (2), 6.10 (3), 6.10 (4), 6.15 (1), 6.15 (2) (a), 6.15 (2) (d)
4 1r., 6.15 (3), 6.18, 6.22 (7), 6.29 (1), 6.29 (2) (a), 6.33 (1), 6.33 (2) (b), 6.34 (2), 6.36
5 (2) (a), 6.36 (5), 6.40 (1) (a) 1., 6.55 (2) (a) 1., 6.55 (2) (b), 6.55 (2) (c) 1., 6.55 (2)
6 (c) 2., 6.79 (1m), 6.79 (2) (a), 6.79 (2) (d), 6.79 (3) (title), 6.79 (4), 6.79 (6), 6.82
7 (1) (a), 6.85, 6.86 (1) (ac), 6.86 (1) (ar), 6.86 (3) (a) 1., 6.86 (3) (a) 2., 6.86 (3) (c),
8 6.869, 6.87 (1), 6.87 (2), 6.87 (3) (d), 6.875 (title), 6.875 (2) (a), 6.875 (3) and (4),
9 6.875 (6) (a) and (b), 6.875 (6) (c) 1., 6.875 (6) (c) 2., 6.875 (6) (e), 6.875 (7), 6.88
10 (3) (a), 6.92 (1), 6.94, 6.97 (title), 6.97 (1), 6.97 (2), 7.08 (8) (title), 7.52 (3) (a), 7.52
11 (6) (b), 10.02 (3) (form) (a), 12.03 (2) (b) 3., 12.13 (2) (b) 6m., 343.06 (1) (L), 343.10
12 (7) (d), 343.11 (1), 343.11 (3), 343.11 (3), 343.14 (3), 343.165 (1) (intro.), 343.165
13 (2), 343.165 (3) (a), 343.165 (4) (a), 343.165 (4) (c), 343.165 (4) (d), 343.165 (5),
14 343.17 (3) (a) 2., 343.17 (5), 343.50 (3), 343.50 (4), 343.50 (5) (a) 1., 343.50 (5m)

ENGROSSED SENATE BILL 6

1 and 343.50 (6); **to repeal and recreate** 343.17 (5), 343.50 (1), 343.50 (3), 343.50
2 (4), 343.50 (4g), 343.50 (5) (a) and 343.50 (6); and **to create** 5.02 (6m), 5.02 (16c),
3 6.15 (2) (bm), 6.79 (2) (am), 6.79 (3) (b), 6.79 (7), 6.87 (4) (a), 6.87 (4) (b) 2., 6.87
4 (4) (b) 3., 6.87 (4) (b) 4., 6.87 (4) (b) 5., 6.875 (1) (ap) and (asm), 6.875 (2) (d),
5 6.965, 6.97 (3) (a), 6.97 (3) (c), 7.08 (12), 343.03 (3r), 343.14 (3m), 343.165 (7),
6 343.17 (3) (a) 14., 343.50 (1) (c), 343.50 (4g) and 343.50 (5) (a) 3. of the statutes;
7 **relating to:** requiring certain identification in order to vote at a polling place
8 or obtain an absentee ballot; absentee voting procedure in certain residential
9 care apartment complexes and adult family homes; a requirement for electors
10 to provide a signature when voting in person at an election; the duration of
11 residency for voting purposes; and issuance of operator's licenses and
12 identification cards by the Department of Transportation.

Analysis by the Legislative Reference Bureau***Engrossment information:***

The text of Engrossed 2011 Senate Bill 6 consists of the following documents adopted in the senate on February 24, 2011: Senate Substitute Amendment 1, as affected by Senate Amendment 1. The text also includes chief clerk's corrections to Senate Substitute Amendment 1 dated February 23 and 24 and April 27, 2011, and chief clerk's corrections to Senate Amendment 1 to Senate Substitute Amendment 1 dated March 1 and April 27, 2011.

Content of Engrossed 2011 Senate Bill 6:**IDENTIFICATION REQUIRED FOR VOTING**

Under current law, any person who is a U.S. citizen, who is at least 18 years of age, and who has resided in a ward or election district in this state for at least ten days before the election at which the person is voting may vote in that ward or election district at that election unless the person is disqualified from voting, in certain cases specified by law, as the result of a felony conviction or an adjudication of incompetency. With limited exceptions, a person must register before voting and in certain cases must provide proof of residence. With certain limited exceptions, before being permitted to vote at any polling place, an eligible 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

ENGROSSED SENATE BILL 6

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 eligible elector who attempts to register or to vote at the polls on election day to present "proof of identification." Under the bill, "proof of identification" means an identification document that contains the name of the individual to whom the document was issued, which name conforms to the individual's voter registration, if the individual is required to register to vote, and that contains a photograph of the individual, except as otherwise permitted by the bill (see below). "Identification" means a) one of the following documents issued to the individual that is unexpired or if expired has expired after the date of the most recent general election: an operator's license issued by the Wisconsin Department of Transportation (DOT), an identification card issued by DOT, an identification card issued by a U.S. uniformed service, or a U.S. passport; b) a certificate of U.S. naturalization that was issued not earlier than two years before the date of an election at which it is presented; c) an unexpired driving receipt issued by DOT (see below); d) an unexpired identification card receipt issued by DOT; or e) an identification card issued by a federally recognized Indian tribe in this state. A person whose address is confidential as a result of domestic abuse, sexual assault, or stalking 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. If a person has applied to DOT for a driver's license or identification card, the person may also present the unexpired driving receipt or identification card receipt (DOT receipt) that DOT issues to the person while the application is processed. 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, sexual assault, or stalking, must also provide proof of identification or a copy thereof unless: 1) the person has already provided a copy of his or her proof of identification 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 is an occupant 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

ENGROSSED SENATE BILL 6

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. Under the bill, if a person who votes at a polling place fails to provide proof of identification, the person may vote provisionally. If a person votes by absentee ballot and fails to provide proof of identification or a copy thereof, 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 proof of 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 Friday 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 driver'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 driver's license in lieu of his or her driver'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 driver'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 an ongoing outreach effort to identify and contact groups of electors who may need assistance in obtaining or renewing documents that constitute proof of identification for voting purposes and to provide assistance in obtaining or renewing those documents.

The voting identification requirement under the bill initially applies to voting at the 2012 spring primary. The bill also provides that an elector who votes at a polling place at an election held after the bill becomes law but before the date of the 2012 spring primary shall be requested to present proof of identification but if the elector fails to do so, his or her ballot will still be counted if the elector is otherwise qualified. The bill directs election officials to provide information to electors who do not present proof of identification at elections held prior to the date of the 2012 spring primary so that the electors will be prepared to provide proof of identification at future elections.

ISSUANCE OF OPERATOR'S LICENSES AND IDENTIFICATION CARDS

This 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 is a U.S. citizen who will be at least 18 years of age on the date of the next election and the elector requests that the card be provided without charge for purposes of voting.

ENGROSSED SENATE BILL 6

Under 2007 Wisconsin Act 20 (the biennial budget act), certain provisions specified in the federal REAL ID Act are incorporated into state law when DOT provides notice that it is ready to implement the federal REAL ID Act. Among these provisions is the requirement that DOT follow certain procedures in processing applications for driver's licenses and identification cards and that each driver's license and identification card include a photograph.

This bill allows DOT, upon the implementation of the federal REAL ID Act in Wisconsin, to process applications for driver's licenses and identification cards in a manner other than that required by REAL ID if the driver's licenses and identification cards are marked to indicate that they are not REAL ID compliant and DOT processes the applications in compliance with DOT practices and procedures applicable immediately prior to implementation of REAL ID. An applicant for a REAL ID noncompliant driver's license or identification card will still be required to provide to DOT: 1) an identification document that includes either the applicant's photograph or both the applicant's full legal name and date of birth; 2) documentation showing the applicant's date of birth, which may be the same as item 1); 3) proof of the applicant's social security number or verification that the applicant is not eligible for a social security number; 4) documentation showing the applicant's name and address of principal residence; and 5) documentary proof that the applicant is a U.S. citizen or is otherwise lawfully present in the United States. However, in processing an application for a REAL ID noncompliant driver's license or identification card, DOT is not required to meet the standards for document retention and verification that are imposed for REAL ID compliant products.

Current law provides for limited exceptions allowing DOT to issue a driver's license that does not contain a photograph of the license holder, including, by DOT rule, a religious belief exception. There are no similar photograph exceptions under current law for identification cards. Under current law, after the implementation of REAL ID, all REAL ID compliant driver's licenses and identification cards must contain a photograph.

Under this bill, until the implementation of the federal REAL ID Act, the photograph exception for driver's licenses continues and a new religious belief photograph exception is created for identification cards. After the implementation of REAL ID, this bill creates a religious belief photograph exception for REAL ID noncompliant driver's licenses and identification cards.

ABSENTEE VOTING IN RESIDENTIAL CARE APARTMENT COMPLEXES AND ADULT FAMILY HOMES

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.

ENGROSSED SENATE BILL 6

Currently, with limited exceptions, an elector must be registered in order to vote in an election in this state. In order to register, an elector must provide certain information on a registration form and affirm the correctness of the information with his or her signature. If an elector is unable, due to physical disability, to sign his or her registration form, the elector may have another person sign on his or her behalf. An elector who has not previously registered may register at the polling place serving his or her residence on election day. Currently, when appearing to vote, an elector must provide his or her name and address to the election officials and in some cases must also provide proof of residence. Currently, an absentee elector may vote by mail or at the office of the municipal clerk of the municipality where he or she resides. The names of registered electors are checked against a poll list consisting of the names of registered electors and the names of other electors are entered on a separate list.

SIGNATURE REQUIREMENT FOR ELECTORS VOTING IN PERSON

This bill provides, with limited exceptions, that an elector must also enter his or her signature on the poll list or other separate list when voting at a polling place at an election. Under the bill, the election officials must require each elector to enter his or her signature on the poll list or other separate list before being permitted to vote. If an elector registers at a polling place on election day, the officials must require the elector to enter the elector's signature on a separate list. The bill also provides that if an elector, due to physical disability, authorized another elector to sign his or her registration form on his or her behalf, the elector is exempt from the signature requirement. In addition, if an elector signed his or her registration form but claims to be unable, due to physical disability, to enter his or her signature on the poll list or other separate list when voting at a particular election, the bill permits the election officials to waive the signature requirement if they find that, due to physical disability, the elector is unable to enter his or her signature. Under the bill, the signature requirement initially applies beginning with elections held on and after the day the bill becomes law.

DURATIONAL RESIDENCY REQUIREMENT FOR VOTING

Under current law, with certain limited exceptions, an individual must be a resident of this state and of the municipality and ward, if any, where the elector is voting for ten days before an election to be eligible to vote in the election. This bill increases this durational residency requirement to 28 consecutive days. Under the bill, if an elector who does not meet this residency requirement formerly resided at another location in this state within the 27-day period preceding an election, the elector may vote at that location if the elector is otherwise qualified to vote at that location. Under the bill, the residency requirement initially applies beginning with the 2012 spring primary.

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

ENGROSSED SENATE BILL 6

1 5.02 **(6m)** “Identification” means any of the following documents issued to an
2 individual:

3 (a) One of the following documents that is unexpired or if expired has expired
4 after the date of the most recent general election:

5 1. An operator’s license issued under ch. 343.

6 2. An identification card issued under s. 343.50.

7 3. An identification card issued by a U.S. uniformed service.

8 4. A U.S. passport.

9 (b) A certificate of U.S. naturalization that was issued not earlier than 2 years
10 before the date of an election at which it is presented.

11 (c) An unexpired driving receipt under s. 343.11.

12 (d) An unexpired identification card receipt issued under s. 343.50.

13 (e) An identification card issued by a federally recognized Indian tribe in this
14 state.

15 **SECTION 2.** 5.02 (16c) of the statutes is created to read:

16 5.02 **(16c)** “Proof of identification” means identification that contains the name
17 of the individual to whom the document was issued, which name conforms to the
18 individual’s voter registration form, if the individual is required to register to vote,
19 and that contains a photograph of the individual, except as authorized in s. 343.14
20 (3m) or 343.50 (4g).

21 **SECTION 3.** 5.35 (6) (a) 2. of the statutes is amended to read:

22 5.35 **(6)** (a) 2. A copy of the election fraud laws provided in s. 12.13 (1) and (3)
23 (intro), (d), (f), (g), (k), (L), (o), (q), (r), (u), (~~v~~) and (x), together with the applicable
24 penalties provided in s. 12.60 (1).

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

ENGROSSED SENATE BILL 6

1 5.35 (6) (a) 4a. Instructions prescribed by the board for electors for whom proof
2 of identification is required under s. 6.79 (2) or for whom proof of residence under s.
3 6.34 is required under s. 6.55 (2).

4 **SECTION 5.** 6.02 (1) of the statutes is amended to read:

5 6.02 (1) Every U.S. citizen age 18 or older who has resided in an election district
6 or ward for ~~10~~ 28 consecutive days before any election where the citizen offers to vote
7 is an eligible elector.

8 **SECTION 6.** 6.02 (2) of the statutes is amended to read:

9 6.02 (2) Any U.S. citizen age 18 or older who moves within this state later than
10 ~~10~~ 28 days before an election shall vote at his or her previous ward or election district
11 if the person is otherwise qualified. If the elector can comply with the ~~10-day~~ 28-day
12 residence requirement at the new address and is otherwise qualified, he or she may
13 vote in the new ward or election district.

14 **SECTION 7.** 6.10 (3) of the statutes is amended to read:

15 6.10 (3) When an elector moves ~~from one ward to another or~~ his or her residence
16 from one ward or municipality to another ward or municipality within the state ~~after~~
17 ~~the last registration day but at least~~ 10 28 days before the election, the elector may
18 vote in and be considered a resident of the new ward or municipality where residing
19 upon transferring registration under s. 6.40 (1) or upon registering at the proper
20 polling place or other registration location in the new ward or municipality under s.
21 6.55 (2) or 6.86 (3) (a) 2. If the elector moves ~~within 10~~ his or her residence later than
22 28 days ~~of~~ before an election, the elector shall vote in the elector's ~~old~~ former ward
23 or municipality if otherwise qualified to vote there.

24 **SECTION 8.** 6.10 (4) of the statutes is amended to read:

ENGROSSED SENATE BILL 6

1 6.10 (4) The residence of an unmarried person sleeping in one ward and
2 boarding in another is the place where the person sleeps. The residence of an
3 unmarried person in a transient vocation, a teacher or a student who boards at
4 different places for part of the week, month, or year, if one of the places is the
5 residence of the person's parents, is the place of the parents' residence unless through
6 registration or similar act the person elects to establish a residence elsewhere. If the
7 person has no parents and if the person has not registered elsewhere, the person's
8 residence shall be at the place ~~which~~ that the person considered his or her residence
9 in preference to any other for at least 10 28 consecutive days before an election. If
10 this place is within the municipality, the person is entitled to all the privileges and
11 subject to all the duties of other citizens having their residence there, including
12 voting.

13 **SECTION 9.** 6.15 (1) of the statutes is amended to read:

14 6.15 (1) QUALIFICATIONS. Any person who was or who is ~~a qualified~~ an eligible
15 elector under ss. 6.02 and 6.03, except that he or she has been a resident of this state
16 for less than 10 28 consecutive days prior to the date of the presidential election, is
17 entitled to vote for the president and vice president but for no other offices. The fact
18 that the person was not registered to vote in the state from which he or she moved
19 does not prevent voting in this state if the elector is otherwise qualified.

20 **SECTION 10.** 6.15 (2) (a) of the statutes is amended to read:

21 6.15 (2) (a) The elector's request for the application form may be made in person
22 to the municipal clerk of the municipality where the person resides. Application may
23 be made not sooner than 9 27 days nor later than 5 p.m. on the day before the election,
24 or may be made at the proper polling place in the ward or election district in which
25 the elector resides. If an elector makes application before election day, the

ENGROSSED SENATE BILL 6

1 application form shall be returned to the municipal clerk after the affidavit has been
2 signed in the presence of the clerk or any officer authorized by law to administer
3 oaths. The affidavit shall be in substantially the following form:

4 STATE OF WISCONSIN

5 County of

6 I, ..., do solemnly swear that I am a citizen of the United States; that prior to
7 establishing Wisconsin residence, my legal residence was in the (town) (village)
8 (city) of ..., state of ..., residing at (street address); that on the day of the next
9 presidential election, I shall be at least 18 years of age and that I have been a legal
10 resident of the state of Wisconsin since ..., ... (year), residing at (street address),
11 in the [... ward of the ... aldermanic district of] the (town) (village) (city) of ..., county
12 of ...; that I have resided in the state less than ~~10~~ 28 consecutive days, that I am
13 qualified to vote for president and vice president at the election to be held November
14 ..., ... (year), that I am not voting at any other place in this election and that I hereby
15 make application for an official presidential ballot, in accordance with section 6.15
16 of the Wisconsin statutes.

17 Signed

18 P.O. Address

19 Subscribed and sworn to before me this ... day of ..., ... (year)

20(Name)

21(Title)

22 **SECTION 11.** 6.15 (2) (bm) of the statutes is created to read:

23 6.15 (2) (bm) Except as authorized in s. 6.79 (7), when making application in
24 person at the office of the municipal clerk, each applicant shall present proof of
25 identification. If any document presented by the applicant is not proof of residence

ENGROSSED SENATE BILL 6

1 under s. 6.34, the applicant shall also present proof of residence under s. 6.34. The
2 clerk shall verify that the name on the proof of identification presented by the elector
3 conforms to the name on the elector's application and shall verify that any
4 photograph appearing on that document reasonably resembles the elector.

5 **SECTION 12.** 6.15 (2) (d) 1r. of the statutes is amended to read:

6 6.15 (2) (d) 1r. Upon proper completion of the application and cancellation card,
7 the municipal clerk shall ~~require the elector to provide proof of residence under s.~~
8 ~~6.34. If the elector cannot provide proof of residence, the elector may have his or her~~
9 ~~residence corroborated in a statement that is signed by another elector of the~~
10 ~~municipality and that contains the current street address of the corroborating~~
11 ~~elector. If the residence is corroborated by another elector, that elector shall then~~
12 ~~provide proof of residence under s. 6.34~~ permit the elector to cast his or her ballot for
13 president and vice president. The elector shall then mark the ballot in the clerk's
14 presence in a manner that will not disclose his or her vote. The elector shall then fold
15 the ballot so as to conceal his or her vote. The clerk or elector shall then place the
16 ballot in an envelope furnished by the clerk.

17 **SECTION 13.** 6.15 (3) of the statutes is amended to read:

18 6.15 (3) PROCEDURE AT POLLING PLACE. An eligible elector may appear at the
19 polling place for the ward or election district where he or she resides and make
20 application for a ballot under sub. (2). Except as otherwise provided in this
21 subsection, an elector who casts a ballot under this subsection shall follow the same
22 procedure required for casting a ballot at the municipal clerk's office under sub. (2).
23 The inspectors shall perform the duties of the municipal clerk, except that the
24 inspectors shall return the cancellation card under sub. (2) (b) to the municipal clerk
25 and the clerk shall forward the card as provided in sub. (2) (c) if required. Upon

ENGROSSED SENATE BILL 6

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

11 **SECTION 14.** 6.18 of the statutes is amended to read:

12 **6.18 Former residents.** If ineligible to qualify as an elector in the state to
13 which the elector has moved, any former qualified Wisconsin elector may vote an
14 absentee ballot in the ward of the elector's prior residence in any presidential election
15 occurring within 24 months after leaving Wisconsin by requesting an application
16 form and returning it, properly executed, to the municipal clerk of the elector's prior
17 Wisconsin residence. When requesting an application form for an absentee ballot,
18 the applicant shall specify the applicant's eligibility for only the presidential ballot.
19 Unless application is made under s. 6.86 (1) (ac), or the applicant is exempted from
20 providing proof of identification under s. 6.87 (4) (b) 2. or 3., or the applicant is a
21 military or overseas elector, the elector shall enclose a copy of his or her proof of
22 identification or any authorized substitute document with his or her application.
23 The municipal clerk shall verify that the name on the proof of identification conforms
24 to the name on the application. The clerk shall not issue a ballot to an elector who
25 is required to enclose a copy of proof of identification or an authorized substitute

ENGROSSED SENATE BILL 6

1 document with his or her application unless the copy is enclosed and the proof is
 2 verified by the clerk. The application form shall require the following information
 3 and be in substantially the following form:

4 This form shall be returned to the municipal clerk's office. Application must be
 5 received in sufficient time for ballots to be mailed and returned prior to any
 6 presidential election at which applicant wishes to vote. Complete all statements in
 7 full.

8 APPLICATION FOR PRESIDENTIAL
 9 ELECTOR'S ABSENTEE BALLOT.

10 (To be voted at the Presidential Election
 11 on November, (year)

12 I, hereby swear or affirm that I am a citizen of the United States, formerly
 13 residing at in the ward aldermanic district (city, town, village) of, County
 14 of for ~~10~~ 28 consecutive days prior to leaving the State of Wisconsin. I, do
 15 solemnly swear or affirm that I do not qualify to register or vote under the laws of
 16 the State of(State you now reside in) where I am presently residing. A citizen must
 17 be a resident of: State(Insert time) County(Insert time) City, Town or Village
 18(Insert time), in order to be eligible to register or vote therein. I further swear or
 19 affirm that my legal residence was established in the State of(the State where you
 20 now reside) on Month Day Year.

21 Signed

22 Address(Present address)

23(City)(State)

24 Subscribed and sworn to before me this day of (year)

25(Notary Public, or other officer authorized to administer oaths.)

ENGROSSED SENATE BILL 6

1 6.29 (2) (a) Any qualified elector of a municipality who has not previously filed
2 a registration form or whose name does not appear on the registration list of the
3 municipality may register after the close of registration but not later than 5 p.m. or
4 the close of business, whichever is later, on the day before an election at the office of
5 the municipal clerk and at the office of the clerk's agent if the clerk delegates
6 responsibility for electronic maintenance of the registration list to an agent under
7 s. 6.33 (5) (b). The elector shall complete, in the manner provided under s. 6.33 (2),
8 a registration form containing all information required under s. 6.33 (1). The
9 registration form shall also contain the following certification: "I, ..., hereby certify
10 that, to the best of my knowledge, I am a qualified elector, having resided at ... for
11 at least 10 28 consecutive days immediately preceding this election, and I have not
12 voted at this election". The elector shall also provide proof of residence under s. 6.34.
13 ~~Alternatively, if the elector is unable to provide proof of residence under s. 6.34, the~~
14 ~~information contained in the registration form shall be corroborated in a statement~~
15 ~~that is signed by any other elector of the municipality and that contains the current~~
16 ~~street address of the corroborating elector. The corroborating elector shall then~~
17 ~~provide proof of residence under s. 6.34.~~ If the elector is registering after the close
18 of registration for the general election and the elector presents a valid an unexpired
19 driver's license issued by another state, the municipal clerk or agent shall record on
20 a separate list the name and address of the elector, the name of the state, and the
21 license number and expiration date of the license.

22 **SECTION 18.** 6.33 (1) of the statutes is amended to read:

23 6.33 (1) The board shall prescribe the format, size, and shape of registration
24 forms. All forms shall be printed on cards and each item of information shall be of
25 uniform font size, as prescribed by the board. The municipal clerk shall supply

ENGROSSED SENATE BILL 6

1 sufficient forms to meet voter registration needs. The forms shall be designed to
2 obtain from each applicant information as to name; date; residence location;
3 citizenship; date of birth; age; the number of a current and valid operator's license
4 issued to the elector under ch. 343 or the last 4 digits of the elector's social security
5 account number; whether the applicant has resided within the ward or election
6 district for at least ~~10~~ 28 consecutive days; whether the applicant has been convicted
7 of a felony for which he or she has not been pardoned, and if so, whether the applicant
8 is incarcerated, or on parole, probation, or extended supervision; whether the
9 applicant is disqualified on any other ground from voting; and whether the applicant
10 is currently registered to vote at any other location. The form shall include a space
11 for the applicant's signature ~~and the signature of any corroborating elector~~. The form
12 shall include a space to enter the name of any special registration deputy under s.
13 6.26 or 6.55 (6) or inspector, municipal clerk, or deputy clerk under s. 6.55 (2) who
14 obtains the form and a space for the deputy, inspector, clerk, or deputy clerk to sign
15 his or her name, affirming that the deputy, inspector, clerk, or deputy clerk has
16 accepted the form. The form shall include a space for entry of the ward and
17 aldermanic district, if any, where the elector resides and any other information
18 required to determine the offices and referenda for which the elector is certified to
19 vote. The form shall also include a space where the clerk may record an indication
20 of whether the form is received by mail, a space where the clerk may record an
21 indication of the type of identifying document submitted by the elector as proof of
22 residence under s. 6.34, whenever required, and a space where the clerk, for any
23 applicant who possesses a valid voting identification card issued to the person under
24 s. 6.47 (3), may record the identification serial number appearing on the voting
25 identification card. Each county clerk shall obtain sufficient registration forms for

ENGROSSED SENATE BILL 6

1 completion by an elector who desires to register to vote at the office of the county clerk
2 under s. 6.28 (4).

3 **SECTION 19.** 6.33 (2) (b) of the statutes is amended to read:

4 6.33 (2) (b) Except as provided in s. 6.86 (3) (a) 2., the registration form shall
5 be signed by the registering elector ~~and any corroborating elector under s. 6.29 (2)~~
6 ~~(a) or 6.55 (2)~~ before the clerk, issuing officer or registration deputy. The form shall
7 contain a certification by the registering elector that all statements are true and
8 correct.

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

10 6.34 (2) ~~Except as authorized in ss. 6.29 (2) (a) and 6.86 (3) (a) 2., upon~~ Upon
11 completion of a registration form prescribed under s. 6.33, each eligible elector who
12 is required to register under s. 6.27, who is not a military elector or an overseas
13 elector, and who registers after the close of registration under s. 6.29 or 6.86 (3) (a)
14 2., shall provide an identifying document that establishes proof of residence under
15 sub. (3). Each eligible elector who is required to register under s. 6.27, who is not a
16 military elector or an overseas elector, who registers by mail, and who has not voted
17 in an election in this state shall, if voting in person, provide an identifying document
18 that establishes proof of residence under sub. (3) or, if voting by absentee ballot,
19 provide a copy of an identifying document that establishes proof of residence under
20 sub. (3). If the elector registered by mail, the identifying document may not be a
21 residential lease.

22 **SECTION 21.** 6.36 (2) (a) of the statutes is amended to read:

23 6.36 (2) (a) Except as provided in par. (b), each registration list prepared for use
24 as a poll list at a polling place or for purposes of canvassing absentee ballots at an
25 election shall contain the full name and address of each registered elector; a blank

ENGROSSED SENATE BILL 6

1 column for the entry of the serial number of the electors when they vote or the poll
2 list number used by the municipal board of absentee ballot canvassers in canvassing
3 absentee ballots; an indication next to the name of each elector for whom proof of
4 residence under s. 6.34 is required; a space for entry of the elector's signature, or if
5 another person signed the elector's registration form for the elector by reason of the
6 elector's physical disability, the word "exempt"; and a form of certificate bearing the
7 certification of the administrator of the elections division of the board stating that
8 the list is a true and complete registration list of the municipality or the ward or
9 wards for which the list is prepared.

10 **SECTION 22.** 6.36 (5) of the statutes is amended to read:

11 6.36 (5) After each general election, the board shall contact the chief election
12 official of each state from which an elector who voted in that election presented a
13 valid an unexpired driver's license under s. 6.29 (2) (a), 6.55 (2) (b) or (c) 1., or 6.86
14 (3) (a) 2. for so long as the license remains ~~valid~~ unexpired. The board shall inquire
15 whether the holder of the driver's license voted in that election in that state.

16 **SECTION 23.** 6.40 (1) (a) 1. of the statutes is amended to read:

17 6.40 (1) (a) 1. Any registered elector shall may transfer registration after a
18 change of residence within the state by filing in person with the municipal clerk of
19 the municipality where the elector resides or by mailing to the municipal clerk a
20 signed request stating his or her present address, affirming that this will be his or
21 her residence for ~~10~~ 28 consecutive days prior to the election and providing the
22 address where he or she was last registered. Alternatively, the elector may transfer
23 his or her registration at the proper polling place or other registration location under
24 s. 6.02 (2) in accordance with s. 6.55 (2) (a). If an elector is voting in the ward or

ENGROSSED SENATE BILL 6

1 election district where the elector formerly resided, the change shall be effective for
2 the next election.

3 **SECTION 24.** 6.55 (2) (a) 1. of the statutes is amended to read:

4 6.55 (2) (a) 1. Except where the procedure under par. (c) or (cm) is employed,
5 any person who qualifies as an elector in the ward or election district where he or she
6 desires to vote, but has not previously filed a registration form, or was registered at
7 another location, may request permission to vote at the polling place for that ward
8 or election district, or at an alternate polling place assigned under s. 5.25 (5) (b).
9 When a proper request is made, the inspector shall require the person to execute a
10 registration form prescribed by the board. The registration form shall be completed
11 in the manner provided under s. 6.33 (2) and shall contain all information required
12 under s. 6.33 (1), together with the following certification:

13 “I, ..., hereby certify that, to the best of my knowledge, I am a qualified elector,
14 having resided at for at least ~~10~~ 28 consecutive days immediately preceding this
15 election, and I have not voted at this election.”

16 **SECTION 25.** 6.55 (2) (b) of the statutes is amended to read:

17 6.55 (2) (b) Upon executing the registration form under par. (a), ~~the~~ except as
18 authorized under s. 6.79 (7), each elector shall be required by a special registration
19 deputy or inspector to present proof of identification. The deputy or inspector shall
20 verify that the name on the proof of identification presented by the elector conforms
21 to the elector’s registration form and shall verify that any photograph appearing on
22 that document reasonably resembles the elector. If any document presented is not
23 proof of residence under s. 6.34, the elector shall also provide proof of residence under
24 s. 6.34. If the elector cannot provide proof of residence, the information contained
25 in the registration form shall be corroborated in a statement that is signed by any

ENGROSSED SENATE BILL 6

1 elector who resides in the same municipality as the registering elector and that
2 contains the current street address of the corroborating elector. The corroborator
3 shall then provide proof of residence as provided in s. 6.34. If the elector is registering
4 to vote in the general election and the elector presents ~~a valid~~ an unexpired driver's
5 license issued by another state, the inspector or deputy shall record on a separate list
6 the name and address of the elector, the name of the state, and the license number
7 and expiration date of the license. The signing by the elector executing the
8 registration form ~~and by any corroborator~~ shall be in the presence of the special
9 registration deputy or inspector who shall then print his or her name on and sign the
10 form, indicating that the deputy or inspector has accepted the form. Upon
11 compliance with this procedure, the elector shall be permitted to cast his or her vote,
12 if the elector complies with all other requirements for voting at the polling place.

13 **SECTION 26.** 6.55 (2) (c) 1. of the statutes is amended to read:

14 6.55 (2) (c) 1. As an alternative to registration at the polling place under pars.
15 (a) and (b), the board of election commissioners, or the governing body of any
16 municipality may by resolution require a person who qualifies as an elector and who
17 is not registered and desires to register on the day of an election to do so at another
18 readily accessible location in the same building as the polling place serving the
19 elector's residence or at an alternate polling place assigned under s. 5.25 (5) (b),
20 instead of at the polling place serving the elector's residence. In such case, the
21 municipal clerk shall prominently post a notice of the registration location at the
22 polling place. The An eligible elector who desires to register shall execute a
23 registration form as prescribed under par. (a) and, except as authorized in s. 6.79 (7),
24 present proof of identification. The municipal clerk, deputy clerk, or special
25 registration deputy shall verify that the name on the proof of identification presented

ENGROSSED SENATE BILL 6

1 by the elector conforms to the elector's registration form and shall verify that any
2 photograph appearing on that document reasonably resembles the elector. If any
3 document presented by the person is not acceptable proof of residence under s. 6.34,
4 the person shall also provide proof of residence as provided under s. 6.34. If the
5 elector cannot provide proof of residence, the information contained in the
6 registration form shall be corroborated in the manner provided in par. (b). If the
7 elector a person is registering to vote in the general election and the elector person
8 presents ~~a valid~~ an unexpired driver's license issued by another state, the municipal
9 clerk, deputy clerk, or special registration deputy shall record on a separate list the
10 name and address of the ~~elector~~ person, the name of the state, and the license number
11 and expiration date of the license. The signing by the ~~elector~~ person executing the
12 registration form ~~and by any corroborator~~ shall be in the presence of the municipal
13 clerk, deputy clerk or special registration deputy. The municipal clerk, the deputy
14 clerk, or the special registration deputy shall then print his or her name and sign the
15 form, indicating that the clerk, deputy clerk, or deputy has accepted the form. Upon
16 proper completion of registration, the municipal clerk, deputy clerk or special
17 registration deputy shall serially number the registration and give one copy to the
18 ~~elector~~ person for presentation at the polling place serving the ~~elector's~~ person's
19 residence or an alternate polling place assigned under s. 5.25 (5) (b).

20 **SECTION 27.** 6.55 (2) (c) 2. of the statutes is amended to read:

21 6.55 **(2)** (c) 2. Upon compliance with the procedures under subd. 1., the
22 municipal clerk or deputy clerk shall issue a certificate addressed to the inspectors
23 of the proper polling place directing that the elector be permitted to cast his or her
24 vote if the elector complies with all requirements for voting at the polling place. The
25 clerk shall enter the name and address of the elector on the face of the certificate.

ENGROSSED SENATE BILL 6

1 ~~If the elector's registration is corroborated, the clerk shall also enter the name and~~
2 ~~address of the corroborator on the face of the certificate.~~ The certificate shall be
3 numbered serially and prepared in duplicate. The municipal clerk shall preserve one
4 copy in his or her office.

5 **SECTION 28.** 6.56 (5) of the statutes is repealed.

6 **SECTION 29.** 6.79 (1m) of the statutes is amended to read:

7 **6.79 (1m) SEPARATE POLL LISTS.** Two election officials at each election ward shall
8 be in charge of and shall maintain 2 separate poll lists containing information
9 relating to all persons voting. The municipal clerk may elect to maintain the
10 information on the lists manually or electronically. If the lists are maintained
11 electronically, the board shall prescribe a supplemental list that contains the full
12 name, address, and space for the entry of the signature of each elector, or if the elector
13 is exempt from the signature requirement under s. 6.36 (2) (a), the word "exempt".
14 If the lists are maintained electronically, the officials shall enter the information into
15 an electronic data recording system that enables retrieval of printed copies of the
16 lists at the polling place. The system employed is subject to the approval of the board.

17 **SECTION 30.** 6.79 (2) (a) of the statutes is amended to read:

18 **6.79 (2) (a)** Unless information on the poll list is entered electronically, the
19 municipal clerk shall supply the inspectors with 2 copies of the most current official
20 registration list or lists prepared under s. 6.36 (2) (a) for use as poll lists at the polling
21 place. Except as provided in sub. subs. (6) and (7), each person eligible elector, before
22 receiving a serial number, shall state his or her full name and address and present
23 to the officials proof of identification. The officials shall verify that the name on the
24 proof of identification presented by the elector conforms to the name on the poll list
25 or separate list and shall verify that any photograph appearing on that document

ENGROSSED SENATE BILL 6

1 reasonably resembles the elector. The officials shall then require the elector to enter
2 his or her signature on the poll list, supplemental list, or separate list maintained
3 under par. (c) unless the elector is exempt from the signature requirement under s.
4 6.36 (2) (a). The officials shall verify that the name and address ~~provided~~ stated by
5 the ~~person are the same as~~ elector conform to the ~~person's~~ elector's name and address
6 on the poll list.

7 **SECTION 31.** 6.79 (2) (am) of the statutes is created to read:

8 6.79 (2) (am) If an elector previously signed his or her registration form or is
9 exempt from a registration requirement and is unable, due to physical disability, to
10 enter his or her signature at the election, the officials shall waive the signature
11 requirement if the officials determine that the elector is unable, due to physical
12 disability, to enter his or her signature. In this case, the officials shall enter next to
13 the name and address of the elector on the poll, supplemental, or separate list the
14 words "exempt by order of inspectors". If both officials do not waive the signature
15 requirement and the elector wishes to vote, the official or officials who do not waive
16 the requirement shall require the elector to vote by ballot and shall challenge the
17 elector's ballot as provided in s. 6.92 and treat the ballot in the manner provided in
18 s. 6.95. The challenged elector may then provide evidence of his or her physical
19 disability to the board of canvassers charged with initially canvassing the returns
20 prior to the completion of the initial canvass.

21 **SECTION 32.** 6.79 (2) (d) of the statutes is amended to read:

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

ENGROSSED SENATE BILL 6

1 and address on the identification document submitted as proof of residence provided
2 is the same as the name and address shown on the registration list. If proof of
3 residence is required and not provided, or if the elector does not present proof of
4 identification under par. (a), whenever required, the officials shall offer the
5 opportunity for the elector to vote under s. 6.97.

6 **SECTION 33.** 6.79 (3) (title) of the statutes is amended to read:

7 6.79 (3) (title) ~~REFUSAL TO GIVE NAME AND ADDRESS~~ PROVIDE NAME, ADDRESS, OR
8 PROOF OF IDENTIFICATION.

9 **SECTION 34.** 6.79 (3) of the statutes is renumbered 6.79 (3) (a).

10 **SECTION 35.** 6.79 (3) (b) of the statutes is created to read:

11 6.79 (3) (b) If proof of identification under sub. (2) is not presented by the
12 elector, if the name appearing on the document presented does not conform to the
13 name on the poll list or separate list, or if any photograph appearing on the document
14 does not reasonably resemble the elector, the elector shall not be permitted to vote,
15 except as authorized under sub. (6) or (7), but if the elector is entitled to cast a
16 provisional ballot under s. 6.97, the officials shall offer the opportunity for the elector
17 to vote under s. 6.97.

18 **SECTION 36.** 6.79 (4) of the statutes is amended to read:

19 6.79 (4) **SUPPLEMENTAL INFORMATION.** When any elector provides proof of
20 residence under s. 6.15, 6.29 or 6.55 (2), the election officials shall enter the type of
21 identifying document provided on the poll list, or separate list maintained under sub.
22 (2) (c). If the document submitted as proof of identity or residence includes a number
23 which applies only to the individual holding that document, the election officials
24 shall also enter that number on the list. ~~When any elector corroborates the~~
25 ~~registration identity or residence of any person offering to vote under s. 6.55 (2) (b)~~

ENGROSSED SENATE BILL 6

1 ~~or (e), or the registration identity or residence of any person registering on election~~
2 ~~day under s. 6.86 (3) (a) 2., the election officials shall also enter the name and address~~
3 ~~of the corroborator next to the name of the elector whose information is being~~
4 ~~corroborated on the poll list, or the separate list maintained under sub. (2) (e).~~ When
5 any person offering to vote has been challenged and taken the oath, following the
6 person's name on the poll list, the officials shall enter the word "Sworn".

7 **SECTION 37.** 6.79 (6) of the statutes is amended to read:

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

15 **SECTION 38.** 6.79 (7) of the statutes is created to read:

16 **6.79 (7) LICENSE SURRENDER.** If an elector receives a citation or notice of intent
17 to revoke or suspend an operator's license from a law enforcement officer in any
18 jurisdiction that is dated within 60 days of the date of an election and is required to
19 surrender his or her operator's license or driving receipt issued to the elector under
20 ch. 343 at the time the citation or notice is issued, the elector may present an original
21 copy of the citation or notice in lieu of an operator's license or driving receipt issued
22 under ch. 343. In such case, the elector shall cast his or her ballot under s. 6.965.

23 **SECTION 39.** 6.82 (1) (a) of the statutes is amended to read:

24 **6.82 (1) (a)** When any inspectors are informed that an eligible elector is at the
25 entrance to the polling place who as a result of disability is unable to enter the polling

ENGROSSED SENATE BILL 6**SECTION 39**

1 place, they shall permit the elector to be assisted in marking a ballot by any
2 individual selected by the elector, except the elector's employer or an agent of that
3 employer or an officer or agent of a labor organization which represents the elector.
4 The Except as authorized in s. 6.79 (6) and (7), the individual selected by the elector
5 shall present to the inspectors proof of identification and, if the proof of identification
6 does not constitute proof of residence under s. 6.34, shall also provide proof of
7 residence under s. 6.34 for the assisted elector, whenever required, and all other
8 information necessary for the elector to obtain a ballot under s. 6.79 (2). The
9 inspectors shall verify that the name on the proof of identification presented by the
10 person assisting the elector conforms to the elector's name on the poll list or separate
11 list and shall verify that any photograph appearing on that document reasonably
12 resembles the elector. The inspectors shall then issue a ballot to the individual
13 selected by the elector and shall accompany the individual to the polling place
14 entrance where the assistance is to be given. If the ballot is a paper ballot, the
15 assisting individual shall fold the ballot after the ballot is marked by the assisting
16 individual. The assisting individual shall then immediately take the ballot into the
17 polling place and give the ballot to an inspector. The inspector shall distinctly
18 announce that he or she has "a ballot offered by (stating person's name), an elector
19 who, as a result of disability, is unable to enter the polling place without assistance".
20 The inspector shall then ask, "Does anyone object to the reception of this ballot?" If
21 no objection is made, the inspectors shall record the elector's name under s. 6.79 and
22 deposit the ballot in the ballot box, and shall make a notation on the poll list: "Ballot
23 received at poll entrance".

24 **SECTION 40.** 6.85 of the statutes is amended to read:

ENGROSSED SENATE BILL 6

1 **6.85 Absent elector; definition. (1)** An absent elector is any otherwise
2 qualified elector who for any reason is unable or unwilling to appear at the polling
3 place in his or her ward.

4 **(2)** Any otherwise qualified elector who changes residence within this state by
5 moving to a different ward or municipality later than ~~10~~ 28 days prior to an election
6 may vote an absentee ballot in the ward or municipality where he or she was
7 qualified to vote before moving.

8 **(3)** An elector qualifying under this section may vote by absentee ballot under
9 ss. 6.86 to 6.89.

10 **SECTION 41.** 6.86 (1) (ac) of the statutes is amended to read:

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

17 **SECTION 42.** 6.86 (1) (ar) of the statutes is amended to read:

18 6.86 (1) (ar) Except as authorized in s. 6.875 (6), the municipal clerk shall not
19 issue an absentee ballot unless the clerk receives a written application therefor from
20 a qualified elector of the municipality. The clerk shall retain each absentee ballot
21 application until destruction is authorized under s. 7.23 (1). Except as authorized
22 in s. 6.79 (6) and (7), if a qualified elector applies for an absentee ballot in person at
23 the clerk's office, the clerk shall not issue the elector an absentee ballot unless the
24 elector presents proof of identification. The clerk shall verify that the name on the
25 proof of identification presented by the elector conforms to the name on the elector's

ENGROSSED SENATE BILL 6**SECTION 42**

1 application and shall verify that any photograph appearing on that document
2 reasonably resembles the elector. The clerk shall then enter his or her initials on the
3 certificate envelope indicating that the absentee elector presented proof of
4 identification to the clerk.

5 **SECTION 43.** 6.86 (3) (a) 1. of the statutes is amended to read:

6 6.86 (3) (a) 1. Any elector who is registered and who is hospitalized, may apply
7 for and obtain an official ballot by agent. The agent may apply for and obtain a ballot
8 for the hospitalized absent elector by presenting a form prescribed by the board and
9 containing the required information supplied by the hospitalized elector and signed
10 by that elector ~~and any other elector residing in the same municipality as the~~
11 ~~hospitalized elector, corroborating the information contained therein. The~~
12 ~~corroborating elector shall state on the form his or her full name and address. The~~
13 form shall include a space for the municipal clerk or deputy clerk to enter his or her
14 initials indicating that the agent presented proof of identification to the clerk on
15 behalf of the elector. Except as authorized for an elector who has a confidential
16 listing under s. 6.47 (2) or as authorized in s. 6.87 (4) (b) 4., the agent shall present
17 the proof of identification required under sub. (1) (ar) and s. 6.87 (4) (b) 1.

18 **SECTION 44.** 6.86 (3) (a) 2. of the statutes is amended to read:

19 6.86 (3) (a) 2. If a hospitalized elector is not registered, the elector may register
20 by agent under this subdivision at the same time that the elector applies for an
21 official ballot by agent under subd. 1. To register the elector under this subdivision,
22 the agent shall present a completed registration form that contains the required
23 information supplied by the elector and the elector's signature, unless the elector is
24 unable to sign due to physical disability. In this case, the elector may authorize
25 another elector to sign on his or her behalf. Any elector signing a form on another

ENGROSSED SENATE BILL 6

1 elector's behalf shall attest to a statement that the application is made on request
2 and by authorization of the named elector, who is unable to sign the form due to
3 physical disability. The agent shall present this statement along with all other
4 information required under this subdivision. ~~Except as otherwise provided in this~~
5 ~~subdivision, the~~ The agent shall ~~in every case~~ provide proof of the elector's residence
6 under s. 6.34. If the elector is registering to vote in the general election and the agent
7 presents ~~a valid~~ an unexpired driver's license issued to the elector by another state,
8 the municipal clerk shall record on a separate list the name and address of the
9 elector, the name of the state, and the license number and expiration date of the
10 license. ~~If the agent cannot present proof of residence, the registration form shall be~~
11 ~~signed and substantiated by another elector residing in the elector's municipality of~~
12 ~~residence, corroborating the information in the form. The form shall contain the full~~
13 ~~name and address of the corroborating elector. The agent shall then present proof~~
14 ~~of the corroborating elector's residence under s. 6.34.~~

15 **SECTION 45.** 6.86 (3) (c) of the statutes is amended to read:

16 6.86 (3) (c) An application under par. (a) 1. may be made and a registration form
17 under par. (a) 2. may be filed in person at the office of the municipal clerk not earlier
18 than 7 days before an election and not later than 5 p.m. on the day of the election.
19 A list of hospitalized electors applying for ballots under par. (a) 1. shall be made by
20 the municipal clerk and used to check that the electors vote only once, and by
21 absentee ballot. If the elector is registering for the election after the close of
22 registration or if the elector registered by mail and has not voted in an election in this
23 state, the municipal clerk shall inform the agent that proof of residence under s. 6.34
24 is required and the elector shall enclose proof of residence under s. 6.34 in the
25 envelope with the ballot. The clerk shall verify that the name on the proof of

ENGROSSED SENATE BILL 6

1 identification presented by the agent conforms to the name on the elector's
2 application. The clerk shall then enter his or her initials on the carrier envelope
3 indicating that the agent presented proof of identification to the clerk. The agent is
4 not required to enter a signature on the registration list. The ballot shall be sealed
5 by the elector and returned to the municipal clerk either by mail or by personal
6 delivery of the agent; but if the ballot is returned on the day of the election, the agent
7 shall make personal delivery to the polling place serving the hospitalized elector's
8 residence before the closing hour or, in municipalities where absentee ballots are
9 canvassed under s. 7.52, to the municipal clerk no later than 8 p.m. on election day.

10 **SECTION 46.** 6.869 of the statutes is amended to read:

11 **6.869 Uniform instructions.** The board shall prescribe uniform instructions
12 for absentee voters. The instructions shall include information concerning whether
13 proof of identification is required to be presented or enclosed under s. 6.86 (1) (ar) or
14 6.87 (4) (b) 1. and information concerning the procedure for correcting errors in
15 marking a ballot and obtaining a replacement for a spoiled ballot. The procedure
16 shall, to the extent possible, respect the privacy of each elector and preserve the
17 confidentiality of each elector's vote.

18 **SECTION 47.** 6.87 (1) of the statutes is amended to read:

19 **6.87 (1)** Upon proper request made within the period prescribed in s. 6.86, the
20 municipal clerk or a deputy clerk authorized by the municipal clerk shall write on
21 the official ballot, in the space for official endorsement, the clerk's initials and official
22 title. Unless application is made under s. 6.86 (1) (ac) or in person under s. 6.86 (1)
23 (ar), the absent elector is exempted from providing proof of identification under sub.
24 (4) (b) 2. or 3., or the applicant is a military or overseas elector, the absent elector shall
25 enclose a copy of his or her proof of identification or any authorized substitute

ENGROSSED SENATE BILL 6

1 document with his or her application. The municipal clerk shall verify that the name
2 on the proof of identification conforms to the name on the application. The clerk shall
3 not issue an absentee ballot to an elector who is required to enclose a copy of proof
4 of identification or an authorized substitute document with his or her application
5 unless the copy is enclosed and the proof is verified by the clerk.

6 **SECTION 48.** 6.87 (2) of the statutes is amended to read:

7 6.87 (2) Except as authorized under sub. (3) (d), the municipal clerk shall place
8 the ballot in an unsealed envelope furnished by the clerk. The envelope shall have
9 the name, official title and post-office address of the clerk upon its face. The other
10 side of the envelope shall have a printed certificate which shall include a space for
11 the municipal clerk or deputy clerk to enter his or her initials indicating that if the
12 absentee elector voted in person under s. 6.86 (1) (ar), the elector presented proof of
13 identification to the clerk and the clerk verified the proof presented. The certificate
14 shall also include a space for the municipal clerk or deputy clerk to enter his or her
15 initials indicating that the elector is exempt from providing proof of identification
16 because the individual is a military or overseas elector or is exempted from providing
17 proof of identification under sub. (4) (b) 2. or 3. The certificate shall be in
18 substantially the following form:

19 [STATE OF ...]

20 County of ...]

21 or

22 [(name of foreign country and city or other jurisdictional unit)]

23 I,, certify subject to the penalties of s. 12.60 (1) (b), Wis. Stats., for false
24 statements, that I am a resident of the [... ward of the] (town) (village) of, or of
25 the aldermanic district in the city of, residing at ...* in said city, the county

ENGROSSED SENATE BILL 6

1 of ..., state of Wisconsin, and am entitled to vote in the (ward) (election district) at
2 the election to be held on ...; that I am not voting at any other location in this election;
3 that I am unable or unwilling to appear at the polling place in the (ward) (election
4 district) on election day or have changed my residence within the state from one ward
5 or election district to another ~~within 10~~ later than 28 days before the election. I certify
6 that I exhibited the enclosed ballot unmarked to the witness, that I then in (his) (her)
7 presence and in the presence of no other person marked the ballot and enclosed and
8 sealed the same in this envelope in such a manner that no one but myself and any
9 person rendering assistance under s. 6.87 (5), Wis. Stats., if I requested assistance,
10 could know how I voted.

11 Signed

12 Identification serial number, if any:

13 The witness shall execute the following:

14 I, the undersigned witness, subject to the penalties of s. 12.60 (1) (b), Wis.
15 Stats., for false statements, certify that I am an adult U.S. citizen and that the above
16 statements are true and the voting procedure was executed as there stated. I am not
17 a candidate for any office on the enclosed ballot (except in the case of an incumbent
18 municipal clerk). I did not solicit or advise the elector to vote for or against any
19 candidate or measure.

20(Name)

21(Address)**

22 * — An elector who provides an identification serial number issued under s.
23 6.47 (3), Wis. Stats., need not provide a street address.

24 ** — If this form is executed before 2 special voting deputies under s. 6.875 (6),
25 Wis. Stats., both deputies shall witness and sign.

ENGROSSED SENATE BILL 6

1 **SECTION 50.** 6.87 (3) (d) of the statutes is amended to read:

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

22 **SECTION 51.** 6.87 (4) of the statutes is renumbered 6.87 (4) (b) 1. and amended
23 to read:

24 6.87 (4) (b) 1. Except as otherwise provided in s. 6.875, the elector voting
25 absentee shall make and subscribe to the certification before one witness who is an

ENGROSSED SENATE BILL 6**SECTION 51**

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

ENGROSSED SENATE BILL 6

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

6 **SECTION 52.** 6.87 (4) (a) of the statutes is created to read:

7 6.87 (4) (a) In this subsection:

8 1. "Military elector" has the meaning given in s. 6.34 (1) (a).

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

10 **SECTION 53.** 6.87 (4) (b) 2. of the statutes is created to read:

11 6.87 (4) (b) 2. Unless subd. 3. applies, if the absentee elector has applied for and
12 qualified to receive absentee ballots automatically under s. 6.86 (2) (a), the elector
13 may, in lieu of providing a copy of proof of identification as required under subd. 1.,
14 submit with his or her absentee ballot a statement signed by the same individual who
15 witnesses voting of the ballot which contains the name and address of the elector and
16 verifies that the name and address are correct.

17 **SECTION 54.** 6.87 (4) (b) 3. of the statutes is created 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 proof of
20 identification as required under subd. 1. with that ballot, and has not changed his
21 or her name or address since providing that proof of identification, the elector is not
22 required to provide a copy of the proof of identification required under subd. 1.

23 **SECTION 55.** 6.87 (4) (b) 4. of the statutes is created to read:

24 6.87 (4) (b) 4. If the absentee elector has received a citation or notice of intent
25 to revoke or suspend an operator's license from a law enforcement officer in any

ENGROSSED SENATE BILL 6

1 jurisdiction that is dated within 60 days of the date of the election and is required
2 to surrender his or her operator's license or driving receipt issued to the elector under
3 ch. 343 at the time the citation or notice is issued, the elector may enclose a copy of
4 the citation or notice in lieu of a copy of an operator's license or driving receipt issued
5 under ch. 343 if the elector is voting by mail, or may present an original copy of the
6 citation or notice in lieu of an operator's license or driving receipt under ch. 343 if the
7 elector is voting at the office of the municipal clerk.

8 **SECTION 56.** 6.87 (4) (b) 5. of the statutes is created to read:

9 6.87 (4) (b) 5. Unless subd. 3. or 4. applies, if the absentee elector resides in a
10 qualified retirement home, as defined in s. 6.875 (1) (at), a qualified
11 community-based residential facility, as defined in s. 6.875 (1) (as), a residential care
12 apartment complex that is certified or registered under s. 50.034 (1), or an adult
13 family home that is certified under s. 50.032 or licensed under s. 50.033 and the
14 municipal clerk or board of election commissioners of the municipality where the
15 complex, facility, or home is located does not send special voting deputies to visit the
16 complex, facility, or home at the election under s. 6.875, the elector may, in lieu of
17 providing proof of identification required under subd. 1., submit with his or her
18 absentee ballot a statement signed by the same individual who witnesses voting of
19 the ballot that contains the certification of the manager of the complex, facility, or
20 home that the elector resides in the complex, facility, or home and the complex,
21 facility, or home is certified or registered as required by law, that contains the name
22 and address of the elector, and that verifies that the name and address are correct.

23 **SECTION 57.** 6.875 (title) of the statutes is amended to read:

24 **6.875 (title) Absentee voting in nursing and retirement certain homes**
25 **~~and certain community-based residential, facilities, and complexes.~~**

ENGROSSED SENATE BILL 6

1 **SECTION 58.** 6.875 (1) (ap) and (asm) of the statutes are created to read:

2 6.875 (1) (ap) “Qualified adult family home” means a facility that is certified
3 or licensed to operate as an adult family home under s. 50.032 or 50.033 that qualifies
4 under sub. (2) (d) to utilize the procedures under this section.

5 (asm) “Qualified residential care apartment complex” means a facility that is
6 certified or registered to operate as a residential care apartment complex under s.
7 50.034 (1) that qualifies under sub. (2) (d) to utilize the procedures under this section.

8 **SECTION 59.** 6.875 (2) (a) of the statutes is amended to read:

9 6.875 (2) (a) The procedures prescribed in this section are the exclusive means
10 of absentee voting for electors who are occupants of nursing homes, qualified
11 community-based residential facilities ~~or~~, qualified retirement homes, qualified
12 residential care apartment complexes, and qualified adult family homes.

13 **SECTION 60.** 6.875 (2) (d) of the statutes is created to read:

14 6.875 (2) (d) The municipal clerk or board of election commissioners of any
15 municipality where a residential care apartment complex certified or registered
16 under s. 50.034 (1) or an adult family home certified under s. 50.032 or licensed under
17 s. 50.033 is located may adopt the procedures under this section for absentee voting
18 in any such residential care apartment complex or adult family home located in the
19 municipality if the municipal clerk or board of election commissioners finds that
20 there are a significant number of the occupants of the complex or home who lack
21 adequate transportation to the appropriate polling place, a significant number of the
22 occupants of the complex or home may need assistance in voting, there are a
23 significant number of the occupants of the complex or home aged 60 or over, or there
24 are a significant number of indefinitely confined electors who are occupants of the
25 complex or home.

ENGROSSED SENATE BILL 6

1 **SECTION 61.** 6.875 (3) and (4) of the statutes are amended to read:

2 6.875 **(3)** An occupant of a nursing home or qualified retirement home ~~or,~~
3 qualified community-based residential facility, qualified residential care apartment
4 complex, or qualified adult family home who qualifies as an absent elector and
5 desires to receive an absentee ballot shall make application under s. 6.86 (1), (2), or
6 (2m) with the municipal clerk or board of election commissioners of the municipality
7 in which the elector is a resident. The clerk or board of election commissioners of a
8 municipality receiving an application from an elector who is an occupant of a nursing
9 home or qualified retirement home ~~or,~~ qualified community-based residential
10 facility, qualified residential care apartment complex, or qualified adult family home
11 located in a different municipality shall, as soon as possible, notify and transmit an
12 absentee ballot for the elector to the clerk or board of election commissioners of the
13 municipality in which the home ~~or qualified community-based residential,~~ facility
14 or complex is located. The clerk or board of election commissioners of a municipality
15 receiving an application from an elector who is an occupant of a nursing home or
16 qualified retirement home ~~or,~~ qualified community-based residential facility,
17 qualified residential care apartment complex, or qualified adult family home located
18 in the municipality but who is a resident of a different municipality shall, as soon as
19 possible, notify and request transmission of an absentee ballot from the clerk or
20 board of election commissioners of the municipality in which the elector is a resident.
21 The clerk or board of election commissioners shall make a record of all absentee
22 ballots to be transmitted, delivered, and voted under this section.

23 **(4)** (a) For the purpose of absentee voting in nursing homes ~~and,~~ qualified
24 retirement homes ~~and,~~ qualified community-based residential facilities, qualified
25 residential care apartment complexes, and qualified adult family homes, the

ENGROSSED SENATE BILL 6

1 municipal clerk or board of election commissioners of each municipality in which one
2 or more nursing homes ~~or~~, qualified retirement homes ~~or~~, qualified
3 community-based residential facilities, qualified residential care apartment
4 complexes, or qualified adult family homes are located shall appoint at least 2 special
5 voting deputies for the municipality. Upon application under s. 6.86 (1), (2), or (2m)
6 by one or more qualified electors who are occupants of a nursing home ~~or qualified~~
7 ~~retirement home or qualified community-based residential, facility, or complex~~, the
8 municipal clerk or board of election commissioners of the municipality in which the
9 home ~~or~~, facility, or complex is located shall dispatch 2 special voting deputies to visit
10 the home ~~or qualified community-based residential, facility, or complex~~ for the
11 purpose of supervising absentee voting procedure by occupants of the home ~~or~~
12 ~~qualified community-based residential, facility, or complex~~. The clerk shall
13 maintain a list, available to the public upon request, of each nursing home ~~or~~
14 ~~qualified retirement home or qualified community-based residential, facility, or~~
15 complex where an elector has requested an absentee ballot. The list shall include the
16 date and time the deputies intend to visit each home ~~or~~, facility, or complex. The 2
17 deputies designated to visit each nursing home ~~or~~, qualified retirement home ~~or~~,
18 qualified community-based residential facility, qualified residential care apartment
19 complex, and qualified adult family home shall be affiliated with different political
20 parties whenever deputies representing different parties are available.

21 (b) Nominations for the special voting deputy positions described in par. (a)
22 may be submitted by the 2 recognized political parties whose candidates for governor
23 or president received the greatest numbers of votes in the municipality at the most
24 recent general election. The deputies shall be specially appointed to carry out the
25 duties under par. (a) for the period specified in s. 7.30 (6) (a). The clerk or board of

ENGROSSED SENATE BILL 6

1 election commissioners may revoke an appointment at any time. No individual who
2 is employed or retained, or within the 2 years preceding appointment has been
3 employed or retained, at a nursing home ~~or~~, qualified retirement home ~~or~~, qualified
4 community-based residential facility, qualified residential care apartment complex,
5 or qualified adult family home in the municipality, or any member of the individual's
6 immediate family, as defined in s. 19.42 (7), may be appointed to serve as a deputy.

7 **SECTION 62.** 6.875 (6) (a) and (b) of the statutes are amended to read:

8 6.875 (6) (a) Special voting deputies in each municipality shall, not later than
9 5 p.m. on the Friday preceding an election, arrange one or more convenient times
10 with the administrator of each nursing home, qualified retirement home, ~~and~~
11 qualified community-based residential facility, qualified residential care apartment
12 complex, and qualified adult family home in the municipality from which one or more
13 occupants have filed an application under s. 6.86 to conduct absentee voting for the
14 election. The time may be no earlier than the 4th Monday preceding the election and
15 no later than 5 p.m. on the Monday preceding the election. The municipal clerk shall
16 post a notice at the home ~~or~~, facility, or complex indicating the date and time that
17 absentee voting will take place at that home ~~or~~, facility, or complex. The notice shall
18 be posted as soon as practicable after arranging the visit but in no case less than 24
19 hours before the visit. At the designated time, 2 deputies appointed under sub. (4)
20 shall visit the home ~~or~~, facility, or complex.

21 (b) The municipal clerk or executive director of the board of election
22 commissioners shall issue a supply of absentee ballots to the deputies sufficient to
23 provide for the number of valid applications for an absentee ballot received by the
24 clerk, and a reasonable additional number of ballots. The deputies may exercise the
25 authority granted to the chief inspector under s. 7.41 to regulate the conduct of

ENGROSSED SENATE BILL 6

1 observers. For purposes of the application of s. 7.41, the home ~~or~~, facility, or complex
2 shall be treated as a polling place. The municipal clerk or executive director shall
3 keep a careful record of all ballots issued to the deputies and shall require the
4 deputies to return every ballot issued to them.

5 **SECTION 63.** 6.875 (6) (c) 1. of the statutes is amended to read:

6 6.875 (6) (c) 1. Upon their visit to the home ~~or~~, facility, or complex under par.
7 (a), the deputies shall personally offer each elector who has filed a proper application
8 for an absentee ballot the opportunity to cast his or her absentee ballot. In lieu of
9 providing a copy of proof of identification under s. 6.87 (4) (b) 1. with his or her
10 absentee ballot, the elector may submit with his or her ballot a statement signed by
11 both deputies that contains the name and address of the elector and verifies that the
12 name and address are correct. The deputies shall enclose the statement in the
13 certificate envelope. If an elector presents proof of identification under s. 6.87 (4) (b)
14 1., the deputies shall make a copy of the document presented by the elector and shall
15 enclose the copy in the certificate envelope. If an elector is present who has not filed
16 a proper application for an absentee ballot, the 2 deputies may accept an application
17 from the elector and shall issue a ballot to the elector if the elector is qualified, the
18 elector presents proof of identification, whenever required, or submits a statement
19 containing his or her name and address under this subdivision, and the application
20 is proper. The deputies shall each witness the certification and may, upon request
21 of the elector, assist the elector in marking the elector's ballot. All voting shall be
22 conducted in the presence of the deputies. Upon request of the elector, a relative of
23 the elector who is present in the room may assist the elector in marking the elector's
24 ballot. No individual other than a deputy may witness the certification and no

ENGROSSED SENATE BILL 6

1 individual other than a deputy or relative of an elector may render voting assistance
2 to the elector.

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

4 6.875 (6) (c) 2. Upon the request of a relative of an occupant of a nursing home
5 ~~or, qualified retirement home or, qualified community-based residential facility,~~
6 qualified residential care apartment complex, or qualified adult family home, the
7 administrator of the home ~~or, facility, or complex~~ may notify the relative of the time
8 or times at which special voting deputies will conduct absentee voting at the home
9 ~~or, facility, or complex~~ and permit the relative to be present in the room where the
10 voting is conducted.

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

12 6.875 (6) (e) If a qualified elector is not able to cast his or her ballot on 2 separate
13 visits by the deputies to the home ~~or, facility, or complex~~, the deputies shall so inform
14 the municipal clerk or executive director of the board of election commissioners, who
15 may then send the ballot to the elector no later than 5 p.m. on the Friday preceding
16 the election.

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

18 6.875 (7) One observer from each of the 2 recognized political parties whose
19 candidate for governor or president received the greatest number of votes in the
20 municipality at the most recent general election may accompany the deputies to each
21 home ~~or, facility, or complex~~ where absentee voting will take place under this section.
22 The observers may observe the process of absentee ballot distribution in the common
23 areas of the home ~~or, facility, or complex~~. Each party wishing to have an observer
24 present shall submit the name of the observer to the clerk or board of election

ENGROSSED SENATE BILL 6

1 commissioners no later than the close of business on the last business day prior to
2 the visit.

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

4 6.88 (3) (a) Except in municipalities where absentee ballots are canvassed
5 under s. 7.52, at any time between the opening and closing of the polls on election day,
6 the inspectors shall, in the same room where votes are being cast, in such a manner
7 that members of the public can hear and see the procedures, open the carrier
8 envelope only, and announce the name of the absent elector or the identification
9 serial number of the absent elector if the elector has a confidential listing under s.
10 6.47 (2). When the inspectors find that the certification has been properly executed,
11 the applicant is a qualified elector of the ward or election district, and the applicant
12 has not voted in the election, they shall enter an indication on the poll list next to the
13 applicant's name indicating an absentee ballot is cast by the elector. They shall then
14 open the envelope containing the ballot in a manner so as not to deface or destroy the
15 certification thereon. The inspectors shall take out the ballot without unfolding it
16 or permitting it to be unfolded or examined. Unless the ballot is cast under s. 6.95,
17 the inspectors shall verify that the ballot has been endorsed by the issuing clerk. If
18 the poll list indicates that proof of residence under s. 6.34 is required and no proof
19 of residence is enclosed or the name or address on the document that is provided is
20 not the same as the name and address shown on the poll list, or if the elector is not
21 a military elector, as defined in s. 6.34 (1) (a), or an overseas elector, as defined in s.
22 6.34 (1) (b), and the elector is required to provide a copy of proof of identification
23 under s. 6.87 (4) (b) 1. and no copy of the proof of identification is enclosed or the name
24 on the document cannot be verified by the inspectors, the inspectors shall proceed as
25 provided under s. 6.97 (2). The inspectors shall then deposit the ballot into the proper

ENGROSSED SENATE BILL 6

1 ballot box and enter the absent elector's name or voting number after his or her name
2 on the poll list in the same manner as if the elector had been present and voted in
3 person.

4 **SECTION 68.** 6.92 (1) of the statutes is amended to read:

5 6.92 (1) Except as provided in sub. (2), each inspector shall challenge for cause
6 any person offering to vote whom the inspector knows or suspects is not a qualified
7 elector or who does not adhere to any voting requirement under this chapter. If a
8 person is challenged as unqualified by an inspector, one of the inspectors shall
9 administer the following oath or affirmation to the person: "You do solemnly swear
10 (or affirm) that you will fully and truly answer all questions put to you regarding your
11 place of residence and qualifications as an elector of this election"; and shall then ask
12 questions which are appropriate as determined by the board, by rule, to test the
13 person's qualifications.

14 **SECTION 69.** 6.94 of the statutes is amended to read:

15 **6.94 Challenged elector oath.** If the person challenged refuses to answer
16 fully any relevant questions put to him or her by the inspector under s. 6.92, the
17 inspectors shall reject the elector's vote. If the challenge is not withdrawn after the
18 person offering to vote has answered the questions, one of the inspectors shall
19 administer to the person the following oath or affirmation: "You do solemnly swear
20 (or affirm) that: you are 18 years of age; you are a citizen of the United States; you
21 are now and for ~~10~~ 28 consecutive days have been a resident of this ward except under
22 s. 6.02 (2); you have not voted at this election; you have not made any bet or wager
23 or become directly or indirectly interested in any bet or wager depending upon the
24 result of this election; you are not on any other ground disqualified to vote at this
25 election". If the person challenged refuses to take the oath or affirmation, the

ENGROSSED SENATE BILL 6

1 person's vote shall be rejected. If the person challenged answers fully all relevant
2 questions put to the elector by the inspector under s. 6.92, takes the oath or
3 affirmation, and fulfills the applicable registration requirements, and if the answers
4 to the questions given by the person indicate that the person meets the voting
5 qualification requirements, the person's vote shall be received.

6 **SECTION 70.** 6.965 of the statutes is created to read:

7 **6.965 Voting procedure for electors presenting citation or notice in**
8 **lieu of license or receipt.** Whenever any elector is allowed to vote at a polling place
9 under s. 6.79 (7) by presenting a citation or notice of intent to revoke or suspend an
10 operator's license in lieu of an operator's license or driving receipt issued to the
11 elector under ch. 343, the inspectors shall, before giving the elector a ballot, write on
12 the back of the ballot the serial number of the elector corresponding to the number
13 kept at the election on the poll list or other list maintained under s. 6.79 and the
14 notation "s. 6.965." If voting machines are used in the municipality where the elector
15 is voting, the elector's vote may be received only upon an absentee ballot furnished
16 by the municipal clerk which shall have the notation "s. 6.965" written on the back
17 of the ballot by the inspectors before the ballot is given to the elector. If the municipal
18 clerk receives an absentee ballot from an elector who presents a citation or notice,
19 or copy thereof, under s. 6.87 (4) (b) 4., the clerk shall enter a notation on the
20 certificate envelope "Ballot under s. 6.965, stats." Upon receiving the envelope, the
21 inspectors shall open and write on the back of the ballot the serial number of the
22 elector corresponding to the number kept at the election on the poll list or other list
23 maintained under s. 6.79 and the notation "s. 6.965." The inspectors shall indicate
24 on the poll list or other list maintained under s. 6.79 the fact that the elector is voting
25 by using a citation or notice in lieu of a license or driving receipt. The inspectors shall

ENGROSSED SENATE BILL 6

1 then deposit the ballot. The ballot shall then be counted under s. 5.85, or under s.
2 7.51 or 7.52.

3 **SECTION 71.** 6.97 (title) of the statutes is amended to read:

4 **6.97 (title) Voting procedure for individuals not providing required**
5 **proof of residence or identification.**

6 **SECTION 72.** 6.97 (1) of the statutes is amended to read:

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

ENGROSSED SENATE BILL 6

1 have the corresponding number from the poll list or other list maintained under s.
2 6.79 and the notation “s. 6.97” written on the back of the ballot by the inspectors
3 before the ballot is given to the elector. When receiving the individual’s ballot, the
4 inspectors shall provide the individual with written voting information prescribed
5 by the board under s. 7.08 (8). The inspectors shall indicate on the list the fact that
6 the individual is required to provide proof of residence or proof of identification under
7 s. 6.79 (2) but did not do so. The inspectors shall notify the individual that he or she
8 may provide proof of residence or proof of identification to the municipal clerk or
9 executive director of the municipal board of election commissioners. The inspectors
10 shall also promptly notify the municipal clerk or executive director of the name,
11 address, and serial number of the individual. The inspectors shall then place the
12 ballot inside the envelope and place the envelope 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, as defined in s. 6.34 (1) (a), or an overseas elector, as defined in s. 6.34 (1) (b),
19 an individual who has a confidential listing under s. 6.47 (2), or an individual who
20 is exempted under s. 6.87 (4) or s. 6.875 (6), votes by absentee ballot and does not
21 enclose a copy of the proof of identification under s. 6.87 (4) (b) 1., the inspectors shall
22 similarly treat the ballot as a provisional ballot under this section. Upon removing
23 the ballot from the envelope, the inspectors shall write on the back of the absentee
24 ballot the serial number of the individual corresponding to the number kept at the
25 election on the poll list or other list maintained under s. 6.79 and the notation “s.

ENGROSSED SENATE BILL 6

1 6.97". The inspectors shall indicate on the list the fact that the individual is required
2 to provide proof of residence or to provide, or provide a copy of, proof of identification
3 as required under s. 6.87 (4) (b) 1. but did not do so. The inspectors shall promptly
4 notify the municipal clerk or executive director of the municipal board of election
5 commissioners of the name, address, and serial number of the individual. The
6 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 (3) of the statutes is renumbered 6.97 (3) (b) and amended to
10 read:

11 6.97 (3) (b) Whenever the municipal clerk or executive director of the municipal
12 board of election commissioners is informed by the inspectors that a ballot has been
13 cast under this section, the clerk or executive director shall promptly provide written
14 notice to the board of canvassers of each municipality, special purpose district, and
15 county that is responsible for canvassing the election of the number of ballots cast
16 under this section in each ward or election district. The municipal clerk or executive
17 director then shall determine whether each individual voting under this section is
18 qualified to vote in the ward or election district where the individual's ballot is cast.
19 If the elector is required to provide proof of identification or a copy thereof under s.
20 6.79 (2), 6.86 (1) (ar) or 6.87 (4) (b) 1. and fails to do so, the elector bears the burden
21 of correcting the omission by providing the proof of identification or copy thereof at
22 the polling place before the closing hour or at the office of the municipal clerk or board
23 of election commissioners no later than 4 p.m. on the Friday after the election. The
24 municipal clerk or executive director shall make a record of the procedure used to
25 determine the validity of each ballot cast under this section. If, prior to 4 p.m. on the

ENGROSSED SENATE BILL 6

1 day after the election, the municipal clerk or executive director determines that the
2 individual is qualified to vote in the ward or election district where the individual's
3 ballot is cast, the municipal clerk or executive director shall notify the board of
4 canvassers for each municipality, special purpose district and county that is
5 responsible for canvassing the election of that fact.

6 **SECTION 75.** 6.97 (3) (a) of the statutes is created to read:

7 6.97 (3) (a) Whenever an elector who votes by provisional ballot under sub. (1)
8 or (2) because the elector does not provide proof of identification or a copy thereof
9 under s. 6.79 (2), 6.86 (1) (ar) or 6.87 (4) (b) 1. later appears at the polling place where
10 the ballot is cast before the closing hour and provides the proof of identification or
11 a copy thereof, the inspectors shall remove the elector's ballot from the separate
12 carrier envelope, shall note on the poll list that the elector's provisional ballot is
13 withdrawn, and shall deposit the elector's ballot in the ballot box. If the inspectors
14 have notified the municipal clerk or executive director of the board of election
15 commissioners that the elector's ballot was cast under this section, the inspectors
16 shall notify the clerk or executive director that the elector's provisional ballot is
17 withdrawn.

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

19 6.97 (3) (c) A ballot cast under this section by an elector for whom proof of
20 identification or a copy thereof is required under s. 6.79 (2), 6.86 (1) (ar), or 6.87 (4)
21 (b) 1. shall not be counted unless the municipal clerk or executive director of the
22 board of election commissioners provides timely notification that the elector has
23 provided proof of identification or a copy thereof under this section.

24 **SECTION 77.** 7.08 (8) (title) of the statutes is amended to read:

ENGROSSED SENATE BILL 6

1 7.08 (8) (title) ELECTORS VOTING WITHOUT PROOF OF RESIDENCE OR IDENTIFICATION
2 OR PURSUANT TO COURT ORDER.

3 **SECTION 78.** 7.08 (12) of the statutes is created to read:

4 7.08 (12) ASSISTANCE IN OBTAINING PROOF OF IDENTIFICATION. Engage in outreach
5 to identify and contact groups of electors who may need assistance in obtaining or
6 renewing a document that constitutes proof of identification for voting under s. 6.79
7 (2) (a), 6.86 (1) (ar), or 6.87 (4) (b) 1., and provide assistance to the electors in
8 obtaining or renewing that document.

9 **SECTION 79.** 7.52 (3) (a) of the statutes 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

ENGROSSED SENATE BILL 6

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

10 **SECTION 80.** 7.52 (6) (b) of the statutes is amended to read:

11 7.52 (6) (b) Any elector may challenge for cause any absentee ballot. For the
12 purpose of deciding upon ballots that are challenged for any reason, the board of
13 absentee ballot canvassers may call before it any person whose absentee ballot is
14 challenged if the person is available to be called. If the person challenged refuses to
15 answer fully any relevant questions put to him or her by the board of absentee ballot
16 canvassers under s. 6.92, the board of absentee ballot canvassers shall reject the
17 person's vote. If the challenge is not withdrawn after the person offering to vote has
18 answered the questions, one of the members of the board of absentee ballot
19 canvassers shall administer to the person the following oath or affirmation: "You do
20 solemnly swear (or affirm) that: you are 18 years of age; you are a citizen of the United
21 States; you are now and for ~~10~~ 28 consecutive days have been a resident of this ward
22 except under s. 6.02 (2), stats.; you have not voted at this election; you have not made
23 any bet or wager or become directly or indirectly interested in any bet or wager
24 depending upon the result of this election; you are not on any other ground
25 disqualified to vote at this election." If the person challenged refuses to take the oath

ENGROSSED SENATE BILL 6

1 or affirmation, the person's vote shall be rejected. If the person challenged answers
2 fully all relevant questions put to the elector by the board of absentee ballot
3 canvassers under s. 6.92, takes the oath or affirmation, and fulfills the applicable
4 registration requirements, and if the answers to the questions given by the person
5 indicate that the person meets the voting qualification requirements, the person's
6 vote shall be received.

7 **SECTION 81.** 10.02 (3) (form) (a) of the statutes is amended to read:

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

22 **SECTION 82.** 12.03 (2) (b) 3. of the statutes is amended to read:

23 12.03 (2) (b) 3. No person may engage in electioneering within 100 feet of an
24 entrance to or within a nursing home ~~or~~, qualified retirement home or, qualified
25 community-based residential facility, qualified residential care apartment complex,

ENGROSSED SENATE BILL 6

1 or qualified adult family home while special voting deputies are present at the home
2 or facility.

3 **SECTION 83.** 12.13 (2) (b) 6m. of the statutes is amended to read:

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

8 **SECTION 84.** 12.13 (3) (v) of the statutes is repealed.

9 **SECTION 85.** 343.03 (3r) of the statutes is created to read:

10 343.03 (3r) REAL ID NONCOMPLIANT LICENSE. If any license described under sub.
11 (3) is issued based upon the exception specified in s. 343.165 (7), the license shall, in
12 addition to any legend or label described in sub. (3), be marked in a manner
13 consistent with requirements under applicable federal law and regulations to
14 indicate that the license is issued in accordance with P.L. 109-13, section 202 (d) (11),
15 and is not intended to be accepted by any federal agency for federal identification or
16 any other official purpose.

17 **SECTION 86.** 343.06 (1) (L) of the statutes, as affected by 2007 Wisconsin Act
18 20, is amended to read:

19 343.06 (1) (L) To any person who does not satisfy the requirements under s.
20 343.165 (1).

21 **SECTION 87.** 343.10 (7) (d) of the statutes, as affected by 2007 Wisconsin Act 20,
22 is amended to read:

23 343.10 (7) (d) An occupational license issued by the department under this
24 subsection shall be in the form of a license that includes a photograph described in
25 s. 343.14 (3), unless the exception under s. 343.14 (3m) applies, and any special

ENGROSSED SENATE BILL 6

1 restrictions cards under s. 343.17 (4). The license shall clearly indicate that
2 restrictions on a special restrictions card apply and that the special restrictions card
3 is part of the person's license.

4 **SECTION 88.** 343.11 (1) of the statutes is amended to read:

5 343.11 (1) The department shall not issue a license to a person previously
6 licensed in another jurisdiction unless such person surrenders to the department all
7 valid operator's licenses possessed by the person issued by any other jurisdiction,
8 which surrender operates as a cancellation of the surrendered licenses insofar as the
9 person's privilege to operate a motor vehicle in this state is concerned. When such
10 applicant surrenders the license to the department, the department shall issue a
11 receipt therefor, which receipt shall constitute a temporary license to operate a motor
12 vehicle for a period not to exceed 60 days if the applicant meets the standard required
13 for eyesight and, in the opinion of the examiner, is not a dangerous hazard to the
14 applicant and other users of the highways. ~~Except as provided in s. 343.055, the~~
15 ~~temporary license shall not be valid authorization for the operation of commercial~~
16 ~~motor vehicles.~~ The temporary license shall be surrendered to the examiner for
17 cancellation by the department if the 3rd attempt at the driving test is failed and the
18 applicant shall be required to secure a temporary instruction permit for further
19 practice driving.

20 **SECTION 89.** 343.11 (3) of the statutes is amended to read:

21 343.11 (3) Except as provided in sub. (1), the department may issue a receipt
22 to any applicant for a license, which receipt shall constitute a temporary license to
23 operate a motor vehicle while the application for license is being processed. Such
24 temporary license shall be valid for a period not to exceed ~~30~~ 60 days.

ENGROSSED SENATE BILL 6

1 **SECTION 90.** 343.11 (3) of the statutes, as affected by 2011 Wisconsin Act ...
2 (this act), is amended to read:

3 343.11 **(3)** Except as provided in sub. (1), the department may issue a receipt
4 to any applicant for a license, which receipt shall constitute a temporary license to
5 operate a motor vehicle while the application for license is being processed. Such
6 temporary license shall be valid for a period not to exceed 60 days. If the application
7 for a license is processed under the exception specified in s. 343.165 (7), the receipt
8 shall include the marking specified in s. 343.03 (3r).

9 **SECTION 91.** 343.14 (3) of the statutes, as affected by 2007 Wisconsin Act 20,
10 is amended to read:

11 343.14 **(3)** The Except as provided in sub. (3m), the department shall, as part
12 of the application process, take a digital photograph including facial image capture
13 of the applicant to comply with s. 343.17 (3) (a) 2. No Except as provided in sub. (3m),
14 no application may be processed without the photograph being taken. Except as
15 provided in sub. (3m) and s. 343.165 (4) (d), in the case of renewal licenses, the
16 photograph shall be taken once every 8 years, and shall coincide with the appearance
17 for examination which is required under s. 343.16 (3).

18 **SECTION 92.** 343.14 (3m) of the statutes is created to read:

19 343.14 **(3m)** If the application for a license is processed under the exception
20 specified in s. 343.165 (7), the application may be processed and the license issued
21 or renewed without a photograph being taken of the applicant if the applicant
22 provides to the department an affidavit stating that the applicant has a sincerely
23 held religious belief against being photographed; identifying the religion to which he
24 or she belongs or the tenets of which he or she adheres to; and stating that the tenets
25 of the religion prohibit him or her from being photographed.

ENGROSSED SENATE BILL 6

1 **SECTION 93.** 343.165 (1) (intro.) of the statutes, as created by 2007 Wisconsin
2 Act 20, is amended to read:

3 343.165 (1) (intro.) The Subject to ss. 343.14 (3m) and 343.50 (4g), the
4 department may not complete the processing of an application for initial issuance or
5 renewal of an operator's license or identification card received by the department
6 after ~~May 10, 2008~~ the effective date of this subsection ... [LRB inserts date], and no
7 such license or identification card may be issued or renewed, unless the applicant
8 presents or provides, and, subject to sub. (7), the department verifies under sub. (3),
9 all of the following information:

10 **SECTION 94.** 343.165 (2) of the statutes, as created by 2007 Wisconsin Act 20,
11 is amended to read:

12 343.165 (2) (a) The Subject to sub. (7), the department shall, in processing any
13 application for an operator's license or identification card under sub. (1), capture a
14 digital image of each document presented or provided to the department by an
15 applicant. Images captured under this paragraph shall be maintained, in electronic
16 storage and in a transferable format, in the applicant's file or record as provided
17 under ss. 343.23 (2) (a) and 343.50 (8) (a).

18 (b) The Subject to sub. (7), the department shall record in the applicant's file
19 under s. 343.23 (2) (a) or record under s. 343.50 (8) (a) the date on which verification
20 under subs. (1) and (3) is completed.

21 **SECTION 95.** 343.165 (3) (a) of the statutes, as created by 2007 Wisconsin Act
22 20, is amended to read:

23 343.165 (3) (a) Except as provided in pars. (b) and (c) and subject to sub. (7),
24 the department shall verify, in the manner and to the extent required under federal

ENGROSSED SENATE BILL 6

1 law, each document presented or provided to the department that is required to be
2 presented or provided to the department by an applicant under sub. (1).

3 **SECTION 96.** 343.165 (4) (a) of the statutes, as created by 2007 Wisconsin Act
4 20, is amended to read:

5 343.165 (4) (a) Subsection (1) does not apply to an application for renewal of
6 an operator's license or identification card received by the department after ~~May 10,~~
7 ~~2008~~ the effective date of this paragraph [LRB inserts date], if in connection with
8 a prior application after ~~May 10, 2008~~ the effective date of this paragraph [LRB
9 inserts date], the applicant previously presented or provided, and the department
10 verified under sub. (3) or (7), the information specified in sub. (1) and, if verified
11 under sub. (3), the department recorded the date on which the verification
12 procedures were completed as described in sub. (2) (b).

13 **SECTION 97.** 343.165 (4) (c) of the statutes, as created by 2007 Wisconsin Act
14 20, is amended to read:

15 343.165 (4) (c) Notwithstanding pars. (a) and (b), no operator's license
16 displaying the legend required under s. 343.03 (3m) or identification card displaying
17 the legend required under s. 343.50 (3) (a) may be renewed unless the applicant
18 presents or provides valid documentary proof under sub. (1) (e) and this proof shows
19 that the status by which the applicant qualified for the license or identification card
20 has been extended by the secretary of the federal department of homeland security.

21 **SECTION 98.** 343.165 (4) (d) of the statutes, as created by 2007 Wisconsin Act
22 20, is amended to read:

23 343.165 (4) (d) With any license or identification card renewal following a
24 license or identification card expiration established under s. 343.20 (1m) or 343.50
25 (5) (c) at other than an 8-year interval, the department may determine whether the

ENGROSSED SENATE BILL 6

1 applicant's photograph is to be taken, or if the renewal is for a license the applicant
2 is to be examined, or both, at the time of such renewal, so long as the applicant's
3 photograph is taken, and if the renewal is for a license the applicant is examined,
4 with a license or card renewal at least once every 8 years and the applicant's license
5 or identification card at all times includes a photograph unless an exception under
6 s. 343.14 (3m) or 343.50 (4g) applies.

7 **SECTION 99.** 343.165 (5) of the statutes, as created by 2007 Wisconsin Act 20,
8 is amended to read:

9 343.165 (5) The department may, by rule, require that applications for
10 reinstatement of operator's licenses or identification cards, issuance of occupational
11 licenses, reissuance of operator's licenses, or issuance of duplicate operator's licenses
12 or identification cards, received by the department after May 10, 2008 the effective
13 date of this subsection ... [LRB inserts date], be processed in a manner consistent
14 with the requirements established under this section for applications for initial
15 issuance or renewal of operator's licenses and identification cards.

16 **SECTION 100.** 343.165 (7) of the statutes is created to read:

17 343.165 (7) (a) The department may process an application for, and issue or
18 renew, an operator's license or identification card without meeting the requirements
19 under subs. (2) and (3) if all of the following apply:

20 1. The operator's license contains the marking specified in s. 343.03 (3r) or the
21 identification card contains the marking specified in s. 343.50 (3) (b).

22 2. The operator's license or identification card is processed and issued or
23 renewed in compliance with applicable department practices and procedures that
24 were in effect immediately prior to the effective date of this subdivision [LRB
25 inserts date].

ENGROSSED SENATE BILL 6

1 (b) In addition to other instances of original issuance or renewal, this
2 subsection specifically applies to renewals occurring after the effective date of this
3 paragraph [LRB inserts date], of operator's licenses or identification cards
4 originally issued prior to the effective date of this paragraph [LRB inserts date].

5 **SECTION 101.** 343.17 (3) (a) 2. of the statutes is amended to read:

6 343.17 (3) (a) 2. A color photograph of the person, unless the exception under
7 s. 343.14 (3m) applies.

8 **SECTION 102.** 343.17 (3) (a) 14. of the statutes is created to read:

9 343.17 (3) (a) 14. If the license contains the marking specified in s. 343.03 (3r),
10 a distinctive appearance specified by the department that clearly distinguishes the
11 license from other operator's licenses or identification cards issued by the
12 department and that alerts federal agency and other law enforcement personnel that
13 the license may not be accepted for federal identification or any other official
14 purpose.

15 **SECTION 103.** 343.17 (5) of the statutes is amended to read:

16 343.17 (5) NO PHOTOS ON TEMPORARY LICENSES. The temporary licenses issued
17 under ss. 343.10, 343.11 (1) and (3), 343.16 (6) (b), and 343.305 (8) (a) shall be on
18 forms provided by the department and shall contain the information required by sub.
19 (3), ~~except the license is~~ that temporary licenses under ss. 343.16 (6) (b) and 343.305
20 (8) (a) are not required to include a photograph of the licensee.

21 **SECTION 104.** 343.17 (5) of the statutes, as affected by 2007 Wisconsin Act 20
22 and 2011 Wisconsin Act (this act), is repealed and recreated to read:

23 343.17 (5) NO PHOTOS ON TEMPORARY LICENSES. The temporary licenses issued
24 under ss. 343.10, 343.11 (1) and (3), 343.16 (6) (b), and 343.305 (8) (a) shall be on
25 forms provided by the department and shall contain the information required by sub.

ENGROSSED SENATE BILL 6

1 (3), except that temporary licenses under ss. 343.16 (6) (b) and 343.305 (8) (a) are not
2 required to include a photograph of the licensee. This subsection does not apply to
3 a noncitizen temporary license, as described in s. 343.03 (3m).

4 **SECTION 105.** 343.50 (1) of the statutes is renumbered 343.50 (1) (a).

5 **SECTION 106.** 343.50 (1) of the statutes, as affected by 2007 Wisconsin Act 20
6 and 2011 Wisconsin Act (this act), is repealed and recreated to read:

7 343.50 (1) (a) Subject to par. (b) and s. 343.165, the department shall issue to
8 every qualified applicant, who has paid all required fees, an identification card as
9 provided in this section.

10 (b) The department may not issue an identification card to a person previously
11 issued an operator's license in another jurisdiction unless the person surrenders to
12 the department any valid operator's license possessed by the person issued by
13 another jurisdiction, which surrender operates as a cancellation of the license insofar
14 as the person's privilege to operate a motor vehicle in this state is concerned. Within
15 30 days following issuance of the identification card under this section, the
16 department shall destroy any operator's license surrendered under this paragraph
17 and report to the jurisdiction that issued the surrendered operator's license that the
18 license has been destroyed and the person has been issued an identification card in
19 this state.

20 (c) The department may issue a receipt to any applicant for an identification
21 card, which receipt shall constitute a temporary identification card while the
22 application is being processed and shall be valid for a period not to exceed 60 days.
23 If the application for an identification card is processed under the exception specified
24 in s. 343.165 (7), the receipt shall include the marking specified in sub. (3) (b).

25 **SECTION 107.** 343.50 (1) (c) of the statutes is created to read:

ENGROSSED SENATE BILL 6

1 343.50 (1) (c) The department may issue a receipt to any applicant for an
2 identification card, which receipt shall constitute a temporary identification card
3 while the application is being processed and shall be valid for a period not to exceed
4 60 days.

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

6 343.50 (3) DESIGN AND CONTENTS OF CARD. The card shall be the same size as
7 an operator's license but shall be of a design which is readily distinguishable from
8 the design of an operator's license and bear upon it the words "IDENTIFICATION
9 CARD ONLY". The information on the card shall be the same as specified under s.
10 343.17 (3). The card may serve as a record of gift under s. 157.06 (2) (t) and the holder
11 may affix a sticker thereto as provided in s. 343.175 (3). The card may also serve as
12 a record of refusal under s. 157.06 (2) (u). The Except as provided in sub. (4g), the
13 card shall contain the holder's photograph and, if applicable, shall be of the design
14 specified under s. 343.17 (3) (a) 12.

15 **SECTION 109.** 343.50 (3) of the statutes, as affected by 2007 Wisconsin Act 20
16 and 2011 Wisconsin Act (this act), is repealed and recreated to read:

17 343.50 (3) DESIGN AND CONTENTS OF CARD. (a) The card shall be the same size as
18 an operator's license but shall be of a design which is readily distinguishable from
19 the design of an operator's license and bear upon it the words "IDENTIFICATION
20 CARD ONLY." The information on the card shall be the same as specified under s.
21 343.17 (3). If the issuance of the card requires the applicant to present any
22 documentary proof specified in s. 343.14 (2) (es) 4. to 7., the card shall display, on the
23 front side of the card, a legend identifying the card as temporary. The card shall
24 contain physical security features consistent with any requirement under federal
25 law. The card may serve as a record of gift under s. 157.06 (2) (t) and the holder may

ENGROSSED SENATE BILL 6

1 affix a sticker thereto as provided in s. 343.175 (3). The card may also serve as a
2 record of refusal under s. 157.06 (2) (u). Except as provided in sub. (4g), the card shall
3 contain the holder's photograph and, if applicable, shall be of the design specified
4 under s. 343.17 (3) (a) 12.

5 (b) If an identification card is issued based upon the exception specified in s.
6 343.165 (7), the card shall, in addition to any other required legend or design, be of
7 the design specified under s. 343.17 (3) (a) 14. and include a marking similar or
8 identical to the marking described in s. 343.03 (3r).

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

10 343.50 (4) APPLICATION. The application for an identification card shall include
11 any information required under ss. 85.103 (2) and 343.14 (2) (a), (b), (bm), (br), (em),
12 and (er), and such further information as the department may reasonably require to
13 enable it to determine whether the applicant is entitled by law to an identification
14 card. The Except as provided in sub. (4g), the department shall, as part of the
15 application process, take a photograph of the applicant to comply with sub. (3). No
16 Except as provided in sub. (4g), no application may be processed without the
17 photograph being taken. Misrepresentations in violation of s. 343.14 (5) are
18 punishable as provided in s. 343.14 (9).

19 **SECTION 111.** 343.50 (4) of the statutes, as affected by 2007 Wisconsin Act 20
20 and 2011 Wisconsin Act (this act), is repealed and recreated to read:

21 343.50 (4) APPLICATION. The application for an identification card shall include
22 any information required under ss. 85.103 (2) and 343.14 (2) (a), (b), (bm), (br), (em),
23 and (es), and such further information as the department may reasonably require to
24 enable it to determine whether the applicant is entitled by law to an identification
25 card. Except with respect to renewals described in s. 343.165 (4) (d) and except as

ENGROSSED SENATE BILL 6

1 provided in sub. (4g), the department shall, as part of the application process, take
2 a digital photograph including facial image capture of the applicant to comply with
3 sub. (3) (a). Except with respect to renewals described in s. 343.165 (4) (d) and except
4 as provided in sub. (4g), no application may be processed without the photograph
5 being taken. Misrepresentations in violation of s. 343.14 (5) are punishable as
6 provided in s. 343.14 (9).

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

8 343.50 (4g) PHOTOGRAPH REQUIREMENT; EXCEPTION. An application for an
9 identification card may be processed and the identification card issued or renewed
10 without a photograph being taken of the applicant if the applicant provides to the
11 department an affidavit stating that the applicant has a sincerely held religious
12 belief against being photographed; identifying the religion to which he or she belongs
13 or the tenets of which he or she adheres to; and stating that the tenets of the religion
14 prohibit him or her from being photographed.

15 **SECTION 113.** 343.50 (4g) of the statutes, as created by 2011 Wisconsin Act
16 (this act), is repealed and recreated to read:

17 343.50 (4g) PHOTOGRAPH REQUIREMENT; EXCEPTION. If the application for an
18 identification card is processed under the exception specified in s. 343.165 (7), the
19 application may be processed and the identification card issued or renewed without
20 a photograph being taken of the applicant if the applicant provides to the department
21 an affidavit stating that the applicant has a sincerely held religious belief against
22 being photographed; identifying the religion to which he or she belongs or the tenets
23 of which he or she adheres to; and stating that the tenets of the religion prohibit him
24 or her from being photographed.

ENGROSSED SENATE BILL 6

1 **SECTION 114.** 343.50 (5) (a) of the statutes, as affected by 2009 Wisconsin Act
2 28, sections 2958 and 2959, and 2011 Wisconsin Act (this act), is repealed and
3 recreated to read:

4 343.50 (5) (a) 1. Except as provided in subds. 2. and 3., the fee for an original
5 card, for renewal of a card, and for the reinstatement of an identification card after
6 cancellation under sub. (10) shall be \$18.

7 2. The department may not charge a fee to an applicant for the initial issuance
8 of an identification card if any of the following apply:

9 a. The department has canceled the applicant's valid operator's license after
10 a special examination under s. 343.16 (5) and, at the time of cancellation, the
11 expiration date for the canceled license was not less than 6 months after the date of
12 cancellation.

13 b. The department has accepted the applicant's voluntary surrender of a valid
14 operator's license under s. 343.265 (1) and, at the time the department accepted
15 surrender, the expiration date for the surrendered license was not less than 6 months
16 after the date that the department accepted surrender.

17 3. The department may not charge a fee to an applicant for the initial issuance,
18 renewal, or reinstatement of an identification card if the applicant is a U.S. citizen
19 who will be at least 18 years of age on the date of the next election and the applicant
20 requests that the identification card be provided without charge for purposes of
21 voting.

22 **SECTION 115.** 343.50 (5) (a) 1. of the statutes is amended to read:

23 343.50 (5) (a) 1. Except as provided in ~~subd.~~ subds. 2. and 3., the fee for an
24 original card and for the reinstatement of an identification card after cancellation
25 under sub. (10) shall be \$18.

ENGROSSED SENATE BILL 6

1 **SECTION 116.** 343.50 (5) (a) 3. of the statutes is created to read:

2 343.50 **(5)** (a) 3. The department may not charge a fee to an applicant for the
3 initial issuance or reinstatement of an identification card if the applicant is a U.S.
4 citizen who will be at least 18 years of age on the date of the next election and the
5 applicant requests that the identification card be provided without charge for
6 purposes of voting.

7 **SECTION 117.** 343.50 (5m) of the statutes is amended to read:

8 343.50 **(5m)** CARD ISSUANCE FEE. In addition to any other fee under this section,
9 for the issuance of an original identification card or duplicate identification card or
10 for the renewal or reinstatement of an identification card after cancellation under
11 sub. (10), a card issuance fee of \$10 shall be paid to the department. The fee under
12 this subsection does not apply to an applicant if the department may not charge the
13 applicant a fee under sub. (5) (a) 2. or 3.

14 **SECTION 118.** 343.50 (6) of the statutes is amended to read:

15 343.50 **(6)** RENEWAL. At least 30 days prior to the expiration of the card, the
16 department shall mail a renewal application to the last-known address of each
17 identification card holder. The department shall include with the application
18 information, as developed by all organ procurement organizations in cooperation
19 with the department, that promotes anatomical donations and which relates to the
20 anatomical donation opportunity available under s. 343.175. The fee for a renewal
21 identification card shall be \$18, which except that, if the identification card holder
22 satisfies the requirements for an applicant specified in sub. (5) (a) 3., there shall be
23 no fee for renewal of the identification card. The renewal identification card shall
24 be valid for 8 years, except that a card that is issued to a person who is not a United
25 States citizen and who provides documentary proof of legal status as provided under

ENGROSSED SENATE BILL 6

1 s. 343.14 (2) (er) shall expire on the date that the person's legal presence in the United
2 States is no longer authorized. If the documentary proof as provided under s. 343.14
3 (2) (er) does not state the date that the person's legal presence in the United States
4 is no longer authorized, then the card shall be valid for 8 years.

5 **SECTION 119.** 343.50 (6) of the statutes, as affected by 2007 Wisconsin Act 20,
6 section 3383, and 2011 Wisconsin Act ... (this act), is repealed and recreated to read:

7 343.50 (6) RENEWAL NOTICE. At least 30 days prior to the expiration of an
8 identification card, the department shall mail a renewal application to the
9 last-known address of the card holder. If the card was issued or last renewed based
10 upon the person's presenting of any documentary proof specified in s. 343.14 (2) (es)
11 4. to 7., the notice shall inform the card holder of the requirement under s. 343.165
12 (4) (c). The department shall include with the application information, as developed
13 by all organ procurement organizations in cooperation with the department, that
14 promotes anatomical donations and which relates to the anatomical donation
15 opportunity available under s. 343.175.

16 **SECTION 120. Nonstatutory provisions.**

17 (1) PUBLIC INFORMATIONAL CAMPAIGN. In conjunction with the first regularly
18 scheduled primary and election at which the voter identification requirements of this
19 act initially apply, the government accountability board shall conduct a public
20 informational campaign for the purpose of informing prospective voters of the voter
21 identification requirements of this act.

22 (2) SPECIAL PROCEDURE AT ELECTIONS HELD PRIOR TO 2012 SPRING PRIMARY.
23 Notwithstanding sections 6.02 (1) and (2), 6.10 (3) and (4), 6.15 (1), (2) (a), and (3),
24 6.18, 6.29 (2) (a), 6.33 (1), 6.36 (2) (a), 6.40 (1) (a), 6.55 (2) (a), (b) and (c) 1., 6.79 (2)
25 (a) and (am), 6.82 (1) (a), 6.85, 6.86 (1) (ar) and (3) (a) 1., 6.87 (1), (2), and (4) (b) 1.,

ENGROSSED SENATE BILL 6

1 6.94, and 7.52 (6) (b) of the statutes, as affected by this act, and section 6.15 (2) (bm)
2 of the statutes, as created by this act, no elector who has resided in the ward or
3 election district where he or she offers to vote for at least 10 days is required to meet
4 any increased durational residency requirement at any election held prior to the
5 2012 spring primary, no elector who votes by absentee ballot at an election held prior
6 to the 2012 spring primary is required to provide proof of identification or to enter
7 his or her signature on a poll list, and an elector who votes at a polling place at an
8 election held prior to the date of the 2012 spring primary shall be requested by the
9 election officials to present proof of identification, but if the elector does not present
10 proof of identification, and the elector is otherwise qualified, the elector's ballot shall
11 be counted without the necessity of presenting proof of identification and without the
12 necessity of casting a provisional ballot. If any elector who votes at a polling place
13 at such an election does not provide proof of identification and would be required to
14 provide proof of identification but for the exemption under this subsection, the
15 election official who provides that elector with a ballot shall also provide to the elector
16 written information prescribed by the government accountability board briefly
17 describing the voter identification requirement created by this act and informing the
18 elector that he or she will be required to comply with that requirement when voting
19 at future elections beginning with the 2012 spring primary unless an exemption
20 applies.

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

23 (1) The treatment of section 7.08 (12) of the statutes and SECTION 120 (1) of this
24 act take effect on the day after publication or the day after publication of the
25 2011-2013 biennial budget act, whichever is later.

