



## 2003 ASSEMBLY BILL 172

March 18, 2003 - Introduced by Representatives KRUG, FREESE, HUBER, LADWIG, TRAVIS, MUSSER, PLOUFF, HAHN, CULLEN, ALBERS, ZEPNICK, STASKUNAS, J. LEHMAN, SINICKI, MORRIS, GUNDRUM, BERCEAU, COGGS and LASSA, cosponsored by Senators MOORE, REYNOLDS, ROBSON and SCHULTZ. Referred to Committee on Campaigns and Elections.

1     **AN ACT to renumber and amend** 6.87 (3) (b); and **to amend** 6.87 (3) (a) and 6.87  
2           (3) (c) and (d) of the statutes; **relating to:** mailing and transmitting absentee  
3           ballots.

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### *Analysis by the Legislative Reference Bureau*

Currently, each municipal clerk and Board of Election Commissioners is directed to mail an absentee ballot requested by an elector to the residence of the elector unless the elector specifies a different mailing address. However, no elector may specify that an absentee ballot shall be mailed to the address of a candidate, political party, or other campaign finance registrant. If a clerk or board is reliably informed of a facsimile transmission number or electronic mail address where an eligible elector who has applied for an absentee ballot is able to receive the ballot and there may not be sufficient time before an election to send and receive the ballot through the mail, the clerk or board may transmit the ballot to the elector at the facsimile transmission number or electronic mail address.

This bill provides that a municipal clerk or Board of Election Commissioners may only mail an absentee ballot to the permanent or temporary residence or place of employment of an absent elector. Under the bill, if a clerk or board transmits an absentee ballot to an elector, the clerk or board may only transmit the ballot to an

**ASSEMBLY BILL 172**

address located at the permanent or temporary residence or place of employment of the elector.

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

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

2           6.87 (3) (a) Except as authorized under par. (d) and as otherwise provided in  
3 s. 6.875, the municipal clerk shall mail the absentee ballot postage prepaid for return  
4 to the elector's permanent or temporary residence ~~unless otherwise or place of~~  
5 employment of the elector, as directed by the elector, or shall deliver it to the elector  
6 personally at the clerk's office.

7           **SECTION 2.** 6.87 (3) (b) of the statutes is renumbered 6.87 (3) (e) and amended  
8 to read:

9           6.87 (3) (e) ~~No elector may direct that a ballot be sent to the address of a~~  
10 ~~candidate, political party or other registrant under s. 11.05 unless the elector~~  
11 ~~permanently or temporarily resides at that address.~~ Upon receipt of reliable  
12 information that an address given by an elector is not eligible to receive ballots under  
13 this paragraph, the municipal clerk shall refrain from sending mailing or  
14 transmitting ballots to that address. Whenever possible, the municipal clerk shall  
15 notify an elector if his or her ballot cannot be mailed or transmitted to the address  
16 directed by the elector.

17           **SECTION 3.** 6.87 (3) (c) and (d) of the statutes are amended to read:

18           6.87 (3) (c) If an elector's ballot is mailed to a location other than the elector's  
19 permanent residence or place of employment, it shall be prepaid for return when  
20 mailed within the United States. If the ballot is delivered to the elector at the clerk's  
21 office, the ballot shall be voted at the office and may not be removed therefrom.

