



State of Wisconsin
2021 - 2022 LEGISLATURE

LRB-5965/1
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2021 SENATE BILL 940

February 3, 2022 - Introduced by Senators WIMBERGER, DARLING, FELZKOWSKI, MARKLEIN and STROEBEL, cosponsored by Representatives ROZAR, ALLEN, ARMSTRONG, BEHNKE, BROOKS, GUNDRUM, KNODL, KRUG, KUGLITSCH, MAGNAFICI, MOSES, PENTERMAN and WICHGERS. Referred to Committee on Elections, Election Process Reform and Ethics.

1 **AN ACT** *to amend* 5.056; and *to create* 6.50 (2v) of the statutes; **relating to:**
2 comparison of voter information on the state's official voter registration list
3 with information maintained by the Department of Transportation.

Analysis by the Legislative Reference Bureau

Under current law, the Elections Commission must maintain the state's official voter registration list, and both the commission and the municipal clerk or board of election commissioners are tasked with updating voters' information on the list in various circumstances.

Current law also requires the Elections Commission and the Department of Transportation to enter into an agreement to match personally identifiable information on the official voter registration list with personally identifiable information maintained by DOT. If an individual attempts to register to vote electronically, the personally identifiable information the individual provides is instantly checked against the DOT database.

Under this bill, no later than 10 days after the date of each original voter registration or the date a registered voter makes changes to his or her registration, the Elections Commission must compare the voter's personally identifiable information on the official registration list with the personally identifiable information maintained by DOT. Further, DOT's agreement with the commission must require DOT to provide the commission access to the personally identifiable information DOT maintains, as necessary for purposes of the bill.

If the Elections Commission determines that there is a discrepancy between the voter's personally identifiable information on the registration list and the voter's

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personally identifiable information maintained by DOT, the commission must do all of the following:

1. Correct the discrepancy on the registration list if the discrepancy concerns a single item of information, such as the voter's name, date of birth, driver's license number, or state identification card number; the discrepancy is minor, such as common variation in the voter's name, such as a nickname or missing a suffix; and the commission can correct the discrepancy on the basis of reliable information.

2. Mail a notice to the voter that informs the voter of each discrepancy identified in item 1, if there are discrepancies with respect to two or more items of information or the discrepancy cannot be corrected as described in item 1, and that the voter's registration will be suspended unless the voter corrects each discrepancy within 30 days after the date the notice is mailed.

3. Change a voter's registration from eligible to ineligible if the voter was mailed a notice of suspension under item 2 and the voter has not, within 30 days after the date the notice was mailed, corrected each discrepancy as identified in the notice.

The bill authorizes the Elections Commission to delegate the tasks specified in items 1 to 3, above, to the municipal clerk or board of election commissioners. The bill also requires the commission to keep a permanent record of each discrepancy identified by the commission as provided in the bill.

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

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

1 **SECTION 1.** 5.056 of the statutes is amended to read:

2 **5.056 Matching program with secretary of transportation.** The
3 commission administrator shall enter into the agreement with the secretary of
4 transportation specified under s. 85.61 (1) to match personally identifiable
5 information on the official registration list maintained by the commission under s.
6 6.36 (1) and the information specified in s. 6.34 (2m) with personally identifiable
7 information maintained by the department of transportation. The agreement shall
8 require the department of transportation to provide the elections commission access
9 to personally identifiable information maintained by the department of
10 transportation as necessary for the commission to carry out its duties under s. 6.50
11 (2v).

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1 **SECTION 2.** 6.50 (2v) of the statutes is created to read:

2 6.50 (2v) (a) No later than 10 days after the date of each original registration
3 or the date a registered elector makes changes to his or her registration, the
4 commission shall compare the elector's personally identifiable information on the
5 official registration list with the personally identifiable information maintained by
6 the department of transportation. If the commission determines that there is a
7 discrepancy between the elector's personally identifiable information on the
8 registration list and the elector's personally identifiable information maintained by
9 the department of transportation, the commission shall do all of the following:

10 1. Correct the discrepancy on the registration list if the discrepancy concerns
11 a single item of information, such as the elector's name, date of birth, driver's license
12 number, or state identification card number; the discrepancy is minor, such as
13 common variation in the elector's name, such as a nickname or missing a suffix; and
14 the commission, or the municipal clerk or board of election commissioners as
15 provided under par. (b), is able to correct the discrepancy on the basis of reliable
16 information.

17 2. Mail a notice to the elector that informs the elector of each discrepancy
18 identified under this paragraph, if there are discrepancies with respect to 2 or more
19 items of information or the discrepancy cannot be corrected under subd. 1., and that
20 the elector's registration will be suspended unless the elector corrects each
21 discrepancy within 30 days after the date the notice is mailed.

22 3. Change an elector's registration from eligible to ineligible if the elector was
23 mailed a notice of suspension under subd. 2. and the elector has not, within 30 days
24 after the date the notice was mailed, corrected each discrepancy identified in the
25 notice.

