



2005 SENATE BILL 468

December 7, 2005 - Introduced by Senators COGGS, CARPENTER and ERPENBACH, cosponsored by Representatives CULLEN, FIELDS, YOUNG, GRIGSBY, LEHMAN, RICHARDS, COLON, ZEPNICK and SINICKI. Referred to Committee on Labor and Election Process Reform.

1 **AN ACT to amend** 5.05 (11), 5.68 (3), 6.15 (4) (a) to (e), 6.15 (6), 6.21, 6.22 (4), 6.28
2 (1), 6.86 (1) (b), 6.86 (3) (c), 6.87 (6), 6.88 (1), 6.88 (2), 6.88 (3), 6.93, 6.935, 6.97
3 (1), 6.97 (2), 7.10 (3) (a), 7.15 (1) (cm), 7.51 (2) (c), 7.51 (2) (e), 7.51 (3) (d), 7.51
4 (5) (b), 7.53 (1), 7.53 (2) (d), 7.60 (3), 10.06 (1) (h), 10.06 (2) (b), 10.06 (2) (e), 10.06
5 (2) (k), 12.60 (1) (b) and 880.33 (9); and **to create** 7.52, 10.06 (2) (j), 12.13 (3) (ze)
6 and 20.510 (1) (e) of the statutes; **relating to:** administration of elections,
7 making an appropriation, and providing a penalty.

Analysis by the Legislative Reference Bureau

This bill makes various changes in the laws concerning the administration of elections. The changes include:

Deadline for voter registration

Under current law, every municipality with a population of greater than 5,000 is required to maintain a voter registration list. Effective on January 1, 2006, voter registration will be required in all municipalities. With certain exceptions, the deadline for voter registration at each election is 5 p.m. on the second Wednesday preceding the election. Registrations made by mail must be delivered to the office of the municipal clerk or board of election commissioners or postmarked not later than this deadline. However, under current law, electors may also register in person at the office of the municipal clerk or board of election commissioners until 5 p.m. on

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the day before the election or, in most cases, may register at the proper polling place or other designated location on election day. Hospitalized electors may register by agent until 5 p.m. on election day. In addition, electors may register at any time after the deadline if the municipal clerk or board of election commissioners of the municipality where they reside determines that the registration list can be revised to incorporate their registrations in time for the election. If an elector registers at the office of the municipal clerk or board of election commissioners after the close of registration, from a hospital by agent, or at a polling place or other designated location on election day, the elector must present acceptable proof of residence or have another elector of the same ward or election district sign a statement corroborating the elector's registration. The corroborating elector must then present acceptable proof of residence.

This bill changes the deadline for registration at each election to 5 p.m. on the fourth Thursday preceding the election. Under the bill, registrations made by mail must be delivered to the office of the municipal clerk or board of election commissioners or postmarked no later than this deadline. However, the bill still permits electors to register in person at the office of the municipal clerk or board of election commissioners, from a hospital by agent, or at a polling place on election day after this deadline as currently provided. In addition, under the bill, electors may still register after the deadline if the municipal clerk or board of election commissioners of the municipality where they reside determines that the registration list can be revised to incorporate their registrations in time for the election.

Deadline to apply for absentee ballots by mail

Currently, an application that is transmitted by mail from an elector for an absentee ballot at an election must be received by the municipal clerk or board of election commissioners no later than 5 p.m. on the Friday before the election. An application from a sequestered juror or an elector who is hospitalized may be received no later than 5 p.m. on election day. This bill provides that an application that is transmitted by mail must be received by the municipal clerk or board of election commissioners no later than 5 p.m. on the Wednesday before the election. In addition, the bill provides that an application from a sequestered juror or a hospitalized elector must be received no later than 5 p.m. on the day before election day.

Deadline for mailing of absentee ballots

Currently, each municipal clerk and board of election commissioners must mail an absentee ballot to each elector who has requested one no later than the 30th day before each September primary and general election and no later than the 21st day before each other primary and election. If an elector requests a ballot after the mailing deadline, the clerk or board must mail the ballot within one day after receiving the request. This bill requires a clerk or board of election commissioners to mail an absentee ballot to an elector who requests a ballot, after the mailing deadlines to mail the ballot, no later than the end of the second day beginning after the day on which the request is received.

SENATE BILL 468***Deadline for receipt of absentee ballots***

Currently, an elector's absentee ballot that is delivered to the municipal clerk or board of election commissioners must be received in sufficient time for the clerk or board to deliver the ballot to the polling place serving the elector's residence before 8 p.m. on election day. This bill provides that an elector's absentee ballot that is delivered to the office of the municipal clerk or board of election commissioners must be received by the clerk or board no later than noon on election day.

Ballot information and ballot transmittal

Currently, there is no specific deadline provided for county clerks and boards of election commissioners to transmit the names of candidates for national, state, and county offices and state and county referendum questions to municipal clerks and boards of election commissioners. This bill provides that county clerks and boards of election commissioners must transmit ballot information to municipal clerks and boards of election commissioners no later than two days after receiving the necessary information from the Elections Board. Currently, county clerks and boards of election commissioners must distribute ballots for absentee voters to municipal clerks and boards of election commissioners no later than 31 days before each September primary and general election and no later than 22 days before each other primary and election. This bill requires county clerks and boards of election commissioners to make this distribution one day earlier.

Absentee ballot canvassing procedure

Currently, each absentee ballot must be received at the polling place serving an elector's residence no later than 8 p.m. on election night for the ballot to be counted. The municipal clerk or board of election commissioners delivers all absentee ballots received by the clerk or board to the appropriate polling places. The inspectors (poll workers) canvass the absentee ballots, together with the other ballots, publicly on election day by marking the names of the absentee electors on the same poll list that is used to mark the names of the electors who vote in person. Any member of the public may observe the proceedings. Any elector may challenge for cause any absentee ballot that the elector knows or suspects is not cast by a qualified elector, whether the absentee ballot is cast in person at the office of a municipal clerk or board of election commissioners or the ballot is received in some other manner. Unless an absentee ballot is challenged or voted provisionally, it is not identifiable once it is counted, except that an absentee ballot may be distinguished from another ballot because it carries the initials of the municipal clerk or executive director of the board of election commissioners or a designated deputy. The inspectors at each polling place announce the results of each election when the canvass is completed on election night. Each municipal canvass must be completed by 2 p.m. on the day after each election, and each county canvass must begin no later than 9 a.m. on the Thursday following an election.

This bill permits the governing body of any municipality, by ordinance, to discontinue the canvassing of absentee ballots at polling places. Under the bill, if absentee ballots are not canvassed at polling places, the municipal board of canvassers must convene at one or more public meetings held no earlier than the seventh day after absentee ballots for an election are distributed and no later than

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10 a.m. on the day after the election for the purpose of counting absentee ballots. Under the bill, the board of canvassers does not announce the results of its count until the canvass of all absentee ballots is completed on the day after an election. If absentee ballots are not counted at polling places, the bill provides for the municipal board of canvassers to conduct a cross-check of absentee ballots for any potential duplication by electors who also cast ballots in person. To accomplish the cross-check, the municipal board of canvassers numbers each absentee ballot as it is counted, and if the elector who casts the ballot also casts a ballot in person, the absentee ballot is not counted. To allow time for the separate canvass of the absentee ballots to be completed and to reconcile and merge the results with the canvasses conducted at polling places, in those municipalities where absentee ballots are not counted at polling places, the bill allows an additional 24 hours for municipal canvasses to be completed and for county canvasses to begin. The bill permits any elector to challenge any absentee ballot for cause.

Ballot preparation

Currently, county clerks and boards of election commissioners are generally responsible for printing or other preparation of ballots for elections, except that a municipality that uses voting machines or an electronic voting system may, with permission of the county clerk or board of election commissioners, prepare its own ballots. First class cities (Milwaukee) may prepare their own ballots without permission unless they use voting machines or an electronic voting system, in which case, the county prepares their ballots. This bill provides that first class cities may prepare their own ballots, at county expense, even if they use voting machines or an electronic voting system.

Compensation for obtaining voter registrations

Under current law, a municipal clerk or board of election commissioners or the Elections Board may appoint special registration deputies who may register electors prior to the close of registration for any election. Any other person may also obtain voter registration forms and may solicit registrations and return completed forms to a municipal clerk, board of election commissioners, or the Elections Board.

This bill prohibits any person from compensating any other person, for obtaining voter registrations, at a rate that varies in relation to the number of voter registrations obtained by the person. Violators are guilty of a misdemeanor and are subject to a fine of not more than \$1,000 or imprisonment for not more than six months, or both, for each offense.

Because this bill creates a new crime or revises a penalty for an existing crime, the Joint Review Committee on Criminal Penalties may be requested to prepare a report concerning the proposed penalty and the costs or savings that are likely to result if the bill is enacted.

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For further information see the *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.** 5.05 (11) of the statutes is amended to read:

2 5.05 (11) AIDS TO COUNTIES AND MUNICIPALITIES. From the appropriations under
3 s. 20.510 (1) (e), (t) and (x), the board may provide financial assistance to eligible
4 counties and municipalities for election administration costs in accordance with the
5 plan adopted under sub. (10). As a condition precedent to receipt of assistance under
6 this subsection, the board shall enter into an agreement with the county or
7 municipality receiving the assistance specifying the intended use of the assistance
8 and shall ensure compliance with the terms of the agreement. Each agreement shall
9 provide that if the federal government objects to the use of any assistance moneys
10 provided to the county or municipality under the agreement, the county or
11 municipality shall repay the amount of the assistance provided to the board.

12 **SECTION 2.** 5.68 (3) of the statutes is amended to read:

13 5.68 (3) If Except as authorized in s. 7.15 (2) (b), if voting machines are used
14 or if an electronic voting system is used in which all candidates and referenda appear
15 on the same ballot, the ballots for all national, state, and county offices and for county
16 and state referenda shall be prepared and paid for by the county wherein they are
17 used. In 1st class cities, if the city prepares its own ballots for national, state, and
18 county offices and for county and state referenda, the county shall pay for the ballots.
19 If the voting machine or electronic voting system ballot includes a municipal or
20 school, technical college, sewerage or sanitary district ballot, the cost of that portion

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1 of the ballot shall be reimbursed to the county or city or paid for by the municipality
2 or district, except as provided in a 1st class city school district under sub. (2).

3 **SECTION 3.** 6.15 (4) (a) to (e) of the statutes are amended to read:

4 6.15 (4) (a) Clerks holding new resident ballots shall deliver them to the
5 election inspectors in the proper ward or election district where the new residents
6 reside or, in municipalities where absentee ballots are canvassed under s. 7.52, to the
7 municipal board of canvassers when it convenes under s. 7.52 (1), as provided by s.
8 6.88 for absentee ballots.

9 (b) During polling hours, the inspectors shall open each carrier envelope,
10 announce the elector's name, check the affidavit for proper execution, and check the
11 voting qualifications for the ward, if any. In municipalities where absentee ballots
12 are canvassed under s. 7.52, the municipal board of canvassers shall perform this
13 function at a meeting of the board of canvassers.

14 (c) The inspectors or board of canvassers shall open the inner envelope without
15 examination of the ballot other than is necessary to see that the issuing clerk has
16 endorsed it.

17 (d) Upon satisfactory completion of the procedure under pars. (b) and (c) the
18 inspectors or board of canvassers shall deposit the ballot in the ballot box. The
19 ~~inspectors~~ board of canvassers shall enter the name of each elector voting under this
20 section on the poll list with an indication that the elector is voting under this section
21 or on a separate list maintained for the purpose under s. 6.79 (2) (c).

22 (e) If the person is not a qualified elector in the ward or municipality, or if the
23 envelope is open or has been opened and resealed, the inspectors shall reject the vote.
24 Rejected ballots shall be processed the same as rejected absentee ballots, under s.
25 6.88 (3) ~~(b)~~.

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1 **SECTION 4.** 6.15 (6) of the statutes is amended to read:

2 6.15 (6) DEATH OF ELECTOR. When it appears by due proof to the inspectors or,
3 in municipalities where absentee ballots are canvassed under s. 7.52, when it
4 appears by due proof to the board of canvassers that a person voting under this
5 section at an election has died before the date of the election, the inspectors or board
6 of canvassers shall return the ballot with defective ballots to the issuing official.

7 **SECTION 5.** 6.21 of the statutes is amended to read:

8 **6.21 Deceased electors.** When by due proof it appears to the inspectors or,
9 in municipalities where absentee ballots are canvassed under s. 7.52, when it
10 appears by due proof to the board of canvassers that a person voting under this
11 section casting an absentee ballot at an election has died before the date of the
12 election, they the inspectors or board of canvassers shall return the ballot with
13 defective ballots to the issuing official. The casting of the ballot of a deceased elector
14 does not invalidate the election.

15 **SECTION 6.** 6.22 (4) of the statutes is amended to read:

16 6.22 (4) INSTRUCTIONS AND HANDLING. An individual who qualifies as a military
17 elector may request an absentee ballot for any election, or for all elections until the
18 individual otherwise requests or until the individual no longer qualifies as a military
19 elector. A military elector's application may be received at any time. The municipal
20 clerk shall not send a ballot for an election if the application is received later than
21 5 p.m. on the ~~Friday~~ Wednesday preceding that election. The municipal clerk shall
22 send a ballot, as soon as available, to each military elector who requests a ballot. The
23 board shall prescribe the instructions for marking and returning ballots and the
24 municipal clerk shall enclose instructions with each ballot and shall also enclose
25 supplemental instructions for local elections. The envelope, return envelope and

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1 instructions may not contain the name of any candidate appearing on the enclosed
2 ballots other than that of the municipal clerk affixed in the fulfillment of his or her
3 duties. Whenever the material is mailed, the material shall be prepared and mailed
4 to make use of the federal free postage laws. The mailing list established under this
5 subsection shall be kept current in the same manner as provided in s. 6.86 (2) (b).

6 **SECTION 7.** 6.28 (1) of the statutes is amended to read:

7 6.28 (1) REGISTRATION LOCATIONS; DEADLINE. Except as authorized in ss. 6.29,
8 6.55 (2), and 6.86 (3) (a) 2., registration in person for any election shall close at 5 p.m.
9 on the ~~2nd Wednesday~~ 4th Thursday preceding the election. Registrations made by
10 mail under s. 6.30 (4) must be delivered to the office of the municipal clerk or
11 postmarked no later than the ~~2nd Wednesday~~ 4th Thursday preceding the election.
12 An application for registration in person or by mail may be accepted for placement
13 on the registration list after the specified deadline, if the municipal clerk determines
14 that the registration list can be revised to incorporate the registration in time for the
15 election. All applications for registration corrections and additions may be made
16 throughout the year at the office of the city board of election commissioners, at the
17 office of the municipal clerk, at the office of any register of deeds or at other locations
18 provided by the board of election commissioners or the common council in cities over
19 500,000 population or by either or both the municipal clerk, or the common council,
20 village or town board in all other municipalities and may also be made during the
21 school year at any high school by qualified persons under sub. (2) (a). Other
22 registration locations may include but are not limited to fire houses, police stations,
23 public libraries, institutions of higher education, supermarkets, community centers,
24 plants and factories, banks, savings and loan associations and savings banks.
25 Special registration deputies shall be appointed for all locations. An elector who

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1 wishes to obtain a confidential listing under s. 6.47 (2) shall register at the office of
2 the municipal clerk of the municipality where the elector resides.

3 **SECTION 8.** 6.86 (1) (b) of the statutes is amended to read:

4 6.86 (1) (b) Except as provided in this section, if application is made ~~in writing~~
5 by mail, the application, signed by the elector, shall be received no later than 5 p.m.
6 on the ~~Friday~~ Wednesday immediately preceding the election. If application is made
7 in person, the application shall be made no later than 5 p.m. on the day preceding
8 the election. ~~If the elector is making written application and the application~~
9 ~~indicates that the reason for requesting an absentee ballot is that the elector is a~~
10 ~~sequestered juror, the application shall be received no later than 5 p.m. on the day~~
11 ~~preceding the election day. If ~~the~~ an application from a sequestered juror is received~~
12 ~~after 5 p.m. on the Friday immediately preceding the election, the municipal clerk~~
13 ~~or the clerk's agent shall immediately take the ballot to the court in which the elector~~
14 ~~is serving as a juror and deposit it with the judge. The judge shall recess court, as~~
15 ~~soon as convenient, and give the elector the ballot. The judge shall then witness the~~
16 ~~voting procedure as provided in s. 6.87 and shall deliver the ballot to the clerk or~~
17 ~~agent of the clerk who shall deliver it to the polling place or, in municipalities where~~
18 ~~absentee ballots are canvassed under s. 7.52, to the municipal clerk as required in~~
19 ~~s. 6.88. If application is made under sub. (2), the application may be received no later~~
20 ~~than 5 p.m. on the ~~Friday~~ Wednesday immediately preceding the election.~~

21 **SECTION 9.** 6.86 (3) (c) of the statutes is amended to read:

22 6.86 (3) (c) An application under par. (a) 1. may be made and a registration form
23 under par. (a) 2. may be filed in person at the office of the municipal clerk not earlier
24 than 7 days before an election and not later than 5 p.m. on the day ~~of the~~ before an
25 election. A list of hospitalized electors applying for ballots under par. (a) 1. shall be

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1 made by the municipal clerk and used to check that the electors vote only once, and
2 by absentee ballot. If identification is required, the municipal clerk shall so inform
3 the agent and the elector shall enclose identification in the envelope with the ballot.
4 The ballot shall be sealed by the elector and returned to the municipal clerk either
5 by mail or by personal delivery of the agent; but if the ballot is returned on the day
6 of the election, the agent shall make personal delivery at to the polling place serving
7 the hospitalized elector's residence before the closing hour ~~for the ballot to be counted~~
8 or, in municipalities where absentee ballots are canvassed under s. 7.52, to the
9 municipal clerk no later than 8 p.m. on election day.

10 **SECTION 10.** 6.87 (6) of the statutes is amended to read:

11 6.87 (6) The ballot shall be returned so it is received by the municipal clerk in
12 ~~time for delivery~~ no later than noon on election day. Except in municipalities where
13 absentee ballots are canvassed under s. 7.52, if the municipal clerk receives an
14 absentee ballot on election day, the clerk shall secure the ballot and cause the ballot
15 to be delivered to the polls polling place serving the elector's residence before the
16 closing hour. Any ballot not mailed or delivered as provided in this subsection may
17 not be counted.

18 **SECTION 11.** 6.88 (1) of the statutes is amended to read:

19 6.88 (1) When an absentee ballot arrives at the office of the municipal clerk,
20 the clerk shall enclose it, unopened, in a carrier envelope which shall be securely
21 sealed and endorsed with the name and official title of the clerk, and the words "This
22 envelope contains the ballot of an absent elector and must be opened at the polls
23 during polling hours on election day". or, in municipalities where absentee ballots are
24 canvassed under s. 7.52, at a meeting of the municipal board of canvassers under s.
25 7.52." If the ballot was received by the elector by facsimile transmission or electronic

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1 mail and is accompanied by a separate certificate, the clerk shall enclose the ballot
2 in a certificate envelope and securely append the completed certificate to the outside
3 of the envelope before enclosing the ballot in the carrier envelope. The clerk shall
4 keep the ballot in the clerk's office until delivered, as required in sub. (2).

5 **SECTION 12.** 6.88 (2) of the statutes is amended to read:

6 6.88 (2) When an absentee ballot is received by the municipal clerk prior to the
7 delivery of the official ballots to the election officials of the ward in which the elector
8 resides or, where absentee ballots are canvassed under s. 7.52, the municipal board
9 of canvassers, the municipal clerk shall seal the ballot envelope in the carrier
10 envelope as provided under sub. (1), and shall enclose the envelope in a package and
11 deliver the package to the election inspectors of the proper ward or election district
12 or, in municipalities where absentee ballots are canvassed under s. 7.52, to the
13 municipal board of canvassers when it convenes under s. 7.52. When the official
14 ballots for the ward or election district have been delivered to the election officials
15 inspectors before the receipt of an absentee ballot, the clerk shall immediately
16 enclose the envelope containing the absentee ballot in a carrier envelope as provided
17 under sub. (1) and deliver it in person to the proper election officials.

18 **SECTION 13.** 6.88 (3) of the statutes is amended to read:

19 6.88 (3) (a) ~~Any~~ Except in municipalities where absentee ballots are canvassed
20 under s. 7.52, at any time between the opening and closing of the polls on election day,
21 the inspectors shall open the carrier envelope only, and announce the name of the
22 absent elector or the identification serial number of the absent elector if the elector
23 has a confidential listing under s. 6.47 (2). When the inspectors find that the
24 certification has been properly executed, the applicant is a qualified elector of the
25 ward or election district, and the applicant has not voted in the election, they shall

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

13 (b) When the inspectors find that a certification is insufficient, that the
14 applicant is not a qualified elector in the ward or election district, that the ballot
15 envelope is open or has been opened and resealed, that the ballot envelope contains
16 more than one ballot of any one kind or, except in municipalities where absentee
17 ballots are canvassed under s. 7.52, that the certificate of an elector who received an
18 absentee ballot by facsimile transmission or electronic mail is missing, or if proof is
19 submitted to the inspectors that an elector voting an absentee ballot has since died,
20 the inspectors shall not count the ballot. The inspectors shall endorse every ballot
21 not counted on the back, "rejected (giving the reason)". The inspectors shall reinsert
22 each rejected ballot into the certificate envelope in which it was delivered and enclose
23 the certificate envelopes and ballots, and securely seal the ballots and envelopes in
24 an envelope marked for rejected absentee ballots. The inspectors shall endorse the
25 envelope, "rejected ballots" with a statement of the ward or election district and date

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1 of the election, signed by the chief inspector and one of the inspectors representing
2 each of the 2 major political parties and returned to the municipal clerk in the same
3 manner as official ballots voted at the election.

4 **SECTION 14.** 6.93 of the statutes is amended to read:

5 **6.93 Challenging the absent elector.** The vote of any absent elector may be
6 challenged for cause and the inspectors of election shall have all the power and
7 authority given them to hear and determine the legality of the ballot the same as if
8 the ballot had been voted in person. In municipalities where absentee ballots are
9 canvassed under s. 7.52, the vote of an absentee elector may be challenged as
10 provided in s. 7.52 (5).

11 **SECTION 15.** 6.935 of the statutes is amended to read:

12 **6.935 Challenge based on incompetency.** Section 6.03 (3) applies to any
13 challenge of a person's right to vote under s. 6.92, 6.925 ~~or~~, 6.93, or 7.52 (5) based on
14 an allegation that an elector is incapable of understanding the objective of the
15 elective process and thereby ineligible to vote.

16 **SECTION 16.** 6.97 (1) of the statutes is amended to read:

17 6.97 (1) Whenever any individual who is required to provide identification in
18 order to be permitted to vote appears to vote at a polling place and cannot provide
19 the required identification, or the individual has not provided identification as
20 provided in s. 6.88 (3) (a) or 7.52 (3) (a), the inspectors shall offer the opportunity for
21 the individual to vote under this section. If the individual wishes to vote, the
22 inspectors shall provide the elector with an envelope marked "Ballot under s. 6.97,
23 stats.," on which the serial number of the elector is entered and shall require the
24 individual to execute on the envelope a written affirmation stating that the
25 individual is a qualified elector of the ward or election district where he or she offers

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1 to vote and is eligible to vote in the election. The inspectors shall, before giving the
2 elector a ballot, write on the back of the ballot the serial number of the individual
3 corresponding to the number kept at the election on the poll list or other list
4 maintained under s. 6.79 and the notation "s. 6.97". If voting machines are used in
5 the municipality where the individual is voting, the individual's vote may be received
6 only upon an absentee ballot furnished by the municipal clerk which shall have the
7 corresponding number from the poll list or other list maintained under s. 6.79 (2) (c)
8 and the notation "s. 6.97" written on the back of the ballot by the inspectors before
9 the ballot is given to the elector. When receiving the individual's ballot, the
10 inspectors shall provide the individual with written voting information prescribed
11 by the board under s. 7.08 (8). The inspectors shall indicate on the list the fact that
12 the individual is required to provide identification but did not do so. The inspectors
13 shall notify the individual that he or she may provide identification to the municipal
14 clerk or executive director of the municipal board of election commissioners. The
15 inspectors shall also promptly notify the municipal clerk or executive director of the
16 name, address, and serial number of the individual. The inspectors shall then place
17 the ballot inside the certificate envelope on which the elector's serial number has
18 been entered and place ~~the~~ that envelope in a separate carrier envelope.

19 **SECTION 17.** 6.97 (2) of the statutes is amended to read:

20 6.97 (2) Whenever any individual who votes by absentee ballot is required to
21 provide identification in order to be permitted to vote and does not provide the
22 required identification, the inspectors or, in municipalities where absentee ballots
23 are canvassed under s. 7.52, the municipal board of canvassers shall write on the
24 back of the absentee ballot the serial number of the individual corresponding to the
25 number kept at the election on the poll list or other list maintained under s. 6.79 and

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1 the notation "s. 6.97". The inspectors or board of canvassers shall indicate on the poll
2 list the fact that the individual is required to provide identification but did not do so.
3 The inspectors or board of canvassers shall promptly notify the municipal clerk or
4 executive director of the municipal board of election commissioners of the name,
5 address, and serial number, or in municipalities where absentee ballots are
6 canvassed under s. 7.52, the poll list number of the individual. The inspectors or
7 board of canvassers shall then place the ballot inside an envelope on which the name
8 and serial number of the elector is entered and shall place the envelope in a separate
9 carrier envelope.

10 **SECTION 18.** 7.10 (3) (a) of the statutes is amended to read:

11 7.10 (3) (a) The county clerk shall distribute the ballots to the municipal clerks
12 no later than ~~31~~ 32 days before each September primary and general election and no
13 later than ~~22~~ 23 days before each other primary and election. Election forms
14 prepared by the board shall be distributed at the same time. If the board transmits
15 an amended certification under s. 7.08 (2) (a) or if the board or a court orders a ballot
16 error to be corrected under s. 5.06 (6) or 5.72 (3) after ballots have been distributed,
17 the county clerk shall distribute corrected ballots to the municipal clerks as soon as
18 possible.

19 **SECTION 19.** 7.15 (1) (cm) of the statutes is amended to read:

20 7.15 (1) (cm) Prepare official absentee ballots for delivery to electors requesting
21 them, and send an official absentee ballot to each elector who has requested one no
22 later than the 30th day before each September primary and general election and no
23 later than the 21st day before each other primary and election if the request is made
24 before that day; otherwise, the municipal clerk shall send an official absentee ballot

SENATE BILL 468**SECTION 19**

1 ~~within one day of the time~~ no later than the end of the 2nd day beginning after the
2 day on which the elector's request is received.

3 **SECTION 20.** 7.51 (2) (c) of the statutes is amended to read:

4 7.51 (2) (c) Whenever the number of ballots exceeds the number of voting
5 electors as indicated on the poll list, the inspectors shall place all ballots face up to
6 check for blank ballots. In this paragraph, "blank ballot" means a ballot on which
7 no votes are cast for any office or question. The inspectors shall mark, lay aside and
8 preserve any blank ballots. If Except in municipalities where absentee ballots are
9 canvassed under s. 7.52, if the number of ballots still exceeds the number of voting
10 electors, the inspectors shall place all ballots face down and proceed to check for the
11 initials. The inspectors shall mark, lay aside and preserve any ballot not bearing the
12 initials of 2 inspectors or any absentee ballot not bearing the initials of the municipal
13 clerk. During the count the inspectors shall count those ballots cast by challenged
14 electors the same as the other ballots.

15 **SECTION 21.** 7.51 (2) (e) of the statutes is amended to read:

16 7.51 (2) (e) If, Except in municipalities where absentee ballots are canvassed
17 under s. 7.52, if after any ballots have been laid aside, the number of ballots still
18 exceeds the total number of electors recorded on the poll list, the inspectors shall
19 separate the absentee ballots from the other ballots. If there is an excess number of
20 absentee ballots, the inspectors shall place the absentee ballots in the ballot box and
21 one of the inspectors shall publicly and without examination draw therefrom by
22 chance the number of ballots equal to the excess number of absentee ballots. If there
23 is an excess number of other nonabsentee ballots, the inspectors shall place those
24 ballots in the ballot box and one of the inspectors shall publicly and without
25 examination draw therefrom by chance the number of ballots equal to the excess

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1 number of those ballots. All ballots so removed may not be counted but shall be
2 specially marked as having been removed by the inspectors on original canvass due
3 to an excess number of ballots, set aside and preserved. When the number of ballots
4 and total shown on the poll list agree, the inspectors shall return all ballots to be
5 counted to the ballot box and shall turn the ballot box in such manner as to
6 thoroughly mix the ballots. The inspectors shall then open, count and record the
7 number of votes. When the ballots are counted, the inspectors shall separate them
8 into piles for ballots similarly voted. Objections may be made to placement of ballots
9 in the piles at the time the separation is made.

10 **SECTION 22.** 7.51 (3) (d) of the statutes is amended to read:

11 7.51 (3) (d) All Except in municipalities where absentee ballots are canvassed
12 under s. 7.52, all absentee certificate envelopes which have been opened shall be
13 returned by the inspectors to the municipal clerk in a securely sealed carrier
14 envelope which is clearly marked “used absentee certificate envelopes”. The
15 envelopes shall be signed by the chief inspector and 2 other inspectors. Except when
16 the ballots are used in a municipal or school district election only, the municipal clerk
17 shall transmit the used envelopes to the county clerk.

18 **SECTION 23.** 7.51 (5) (b) of the statutes is amended to read:

19 7.51 (5) (b) The municipal clerk shall arrange for delivery of all ballots,
20 statements, tally sheets, lists, and envelopes relating to a school district election to
21 the school district clerk. The municipal clerk shall deliver the ballots, statements,
22 tally sheets, lists, and envelopes for his or her municipality relating to any county,
23 technical college district, state, or national election to the county clerk by 2 p.m. on
24 the 2nd day following each such election or, in municipalities where absentee ballots
25 are canvassed under s. 7.52, by 2 p.m. on the 2nd day following each such election.

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1 The person delivering the returns shall be paid out of the municipal treasury. Each
2 clerk shall retain ballots, statements, tally sheets, or envelopes received by the clerk
3 until destruction is authorized under s. 7.23 (1).

4 **SECTION 24.** 7.52 of the statutes is created to read:

5 **7.52 Canvassing of absentee ballots.** (1) The governing body of any
6 municipality may provide by ordinance that, in lieu of canvassing absentee ballots
7 at polling places under s. 6.88, the municipal board of canvassers designated under
8 s. 7.53 (1) or (2) shall canvass all absentee ballots at all elections held in the
9 municipality. Thereafter, at every election, the board of canvassers shall, at one or
10 more times no earlier than the 7th day after absentee ballots are distributed for each
11 election under s. 7.15 (1) (cm) and no later than 10 a.m. on the day after an election,
12 publicly convene to count the absentee ballots for the municipality. The municipal
13 clerk shall give at least 48 hours' notice of any meeting under this subsection. Any
14 member of the public has the same right of access to a meeting of the municipal board
15 of canvassers under this subsection that the individual would have under s. 7.41 to
16 observe the proceedings at a polling place. The board of canvassers may order the
17 removal of any individual exercising the right to observe the proceedings if the
18 individual disrupts the meeting.

19 (2) In counting the absentee ballots, the board of canvassers shall use 2
20 duplicate copies of a single poll list for the entire municipality prepared in accordance
21 with s. 6.36 (2). Upon accepting each absentee ballot, the board of canvassers shall
22 enter a poll list number on the poll list next to the name of the elector who voted the
23 ballot, beginning with the number one. If the elector's name does not appear on the
24 poll list, the board of canvassers shall enter the number on a separate list maintained
25 under this subsection.

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1 **(3)** (a) The board of canvassers shall first open the carrier envelope only, and
2 announce the name of the absent elector or the identification serial number of the
3 absent elector if the elector has a confidential listing under s. 6.47 (2). When the
4 board of canvassers finds that the certification has been properly executed, the
5 applicant is a qualified elector of the ward or election district, and the applicant has
6 not voted in the election, the board of canvassers shall enter an indication on the poll
7 list next to the applicant's name indicating an absentee ballot is cast by the elector.
8 The board of canvassers shall then open the envelope containing the ballot in a
9 manner so as not to deface or destroy the certification thereon. The board of
10 canvassers shall take out the ballot without unfolding it or permitting it to be
11 unfolded or examined. Unless the ballot is cast under s. 6.95, the board of canvassers
12 shall verify that the ballot has been endorsed by the issuing clerk. If the poll list
13 indicates that identification is required and no identification is enclosed or the name
14 or address on the document that is provided is not the same as the name and address
15 shown on the poll list, the board of canvassers shall proceed as provided under s. 6.97
16 (2). The board of canvassers shall mark the poll list number of each elector who casts
17 an absentee ballot on the back of the elector's ballot. The board of canvassers shall
18 then deposit the ballot into the proper ballot box and enter the absent elector's name
19 or poll list number after his or her name on the poll list.

20 (b) When the board of canvassers finds that a certification is insufficient, that
21 the applicant is not a qualified elector in the ward or election district, that the ballot
22 envelope is open or has been opened and resealed, that the ballot envelope contains
23 more than one ballot of any one kind, or that the certificate of an elector who received
24 an absentee ballot by facsimile transmission or electronic mail is missing, or if proof
25 is submitted to the board of canvassers that an elector voting an absentee ballot has

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1 since died, the board of canvassers shall not count the ballot. Each member of the
2 board of canvassers shall endorse every ballot not counted on the back as “rejected
3 (giving the reason).” The board of canvassers shall reinsert each rejected ballot into
4 the certificate envelope in which it was delivered and enclose the certificate
5 envelopes and ballots, and securely seal the ballots and envelopes in an envelope
6 marked for rejected absentee ballots. The board of canvassers shall endorse the
7 envelope as “rejected ballots,” with a statement of the ward or election district and
8 date of the election, and each member of the board of canvassers shall sign the
9 statement. The board of canvassers shall then return the envelope containing the
10 ballots to the municipal clerk.

11 (4) (a) The board of canvassers shall then open the ballot box and remove and
12 count the number of ballots therein without examination except as is necessary to
13 ascertain that each is a single ballot. If 2 or more ballots are folded together so as
14 to appear as a single ballot, the board of canvassers shall lay them aside until the
15 count is completed; and if, after a comparison of the count and the appearance of the
16 ballots it appears to the board of canvassers that the ballots folded together were
17 voted by the same person they shall not be counted but the board of canvassers shall
18 mark them as to the reason for removal, set them aside, and carefully preserve them.
19 The board of canvassers shall then proceed under par. (b).

20 (b) When during the counting of the ballots cast at an election the board of
21 canvassers finds that a ballot is so defective that it cannot determine with reasonable
22 certainty for whom it was cast, the board of canvassers shall so mark the ballot and
23 preserve it. The board of canvassers shall not count the vote cast on the ballot for
24 any office for which it determines the ballot to be defective.

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1 (c) Whenever the number of ballots exceeds the number of voting electors as
2 indicated on the poll list, the board of canvassers shall place all ballots face up to
3 check for blank ballots. In this paragraph, "blank ballot" means a ballot on which
4 no votes are cast for any office or question. The board of canvassers shall mark, lay
5 aside, and preserve any blank ballots. If the number of ballots still exceeds the
6 number of voting electors, the board of canvassers shall place all ballots face down
7 and proceed to check for the initials. The inspectors shall mark, lay aside, and
8 preserve any ballot not bearing the initials of the municipal clerk. During the count
9 the board of canvassers shall count those ballots cast by challenged electors the same
10 as the other ballots.

11 (d) The board of canvassers shall keep a written statement, in duplicate, of the
12 number of ballots set aside and the number of defective ballots and challenged
13 ballots. The statement shall contain a record of the reasons for setting aside each
14 ballot and the reasons why each defective or challenged ballot is defective or
15 challenged. The board of canvassers shall certify that the statement is correct, sign
16 it, and attach it to the tally sheets.

17 (e) If, after any ballots have been set aside, the number of ballots still exceeds
18 the total number of electors recorded on the poll list, the board of canvassers shall
19 place the absentee ballots in the ballot box and one of the members shall publicly and
20 without examination draw therefrom by chance the number of ballots equal to the
21 excess number of ballots. All ballots so removed shall not be counted but shall be
22 specially marked as having been removed by the board of canvassers on original
23 canvass due to an excess number of ballots, set aside, and preserved. When the
24 number of ballots and total shown on the poll list agree, the board of canvassers shall
25 return all ballots to be counted to the ballot box and shall turn the ballot box in such

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1 manner as to thoroughly mix the ballots. The board of canvassers shall then open,
2 count, and record the number of votes. When the ballots are counted, the board of
3 canvassers shall separate them into piles for ballots similarly voted. Objections may
4 be made to placement of ballots in the piles at the time the separation is made.

5 (f) If corrected ballots under s. 5.06 (6) or 5.72 (3) are distributed under s. 7.10
6 (3), only the votes cast on the corrected ballots may be counted for any office or
7 referendum in which the original ballots differ from the corrected ballots.

8 (g) The board of canvassers shall place together all ballots counted by it which
9 relate to any national, state, or county office or any state, county, or technical college
10 district referendum and secure them together so that they cannot be untied or
11 tampered with without breaking the seal. The secured ballots, together with any
12 ballots marked "Defective," shall then be secured by the board of canvassers in the
13 ballot container in such a manner that the container cannot be opened without
14 breaking the seals or locks, or destroying the container. The board of canvassers
15 shall place the ballots cast under s. 6.97 in a separate, securely sealed carrier
16 envelope which is clearly marked "Section 6.97 ballots." Each member of the board
17 of canvassers shall sign the carrier envelope. The carrier envelope shall not be placed
18 in the ballot container. The board of canvassers shall then deliver the ballots to the
19 municipal clerk in the ballot container and carrier envelope.

20 (h) For ballots that relate only to municipal or school district offices or
21 referenda, the board of canvassers, in lieu of par. (a), after counting the ballots shall
22 return them to the proper ballot boxes, lock the boxes, paste paper over the slots, sign
23 their names to the paper, and deliver them and the keys therefor to the municipal
24 or school district clerk. The clerk shall retain the ballots until destruction is
25 authorized under s. 7.23.

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1 (i) All absentee certificate envelopes which have been opened shall be returned
2 by the board of canvassers to the municipal clerk in a securely sealed carrier envelope
3 that is clearly marked "used absentee certificate envelopes." The envelopes shall be
4 signed by each member of the board of canvassers. Except when the ballots are used
5 in a municipal or school district election only, the municipal clerk shall transmit the
6 used envelopes to the county clerk.

7 (5) The vote of any absent elector may be challenged for cause and the board
8 of canvassers shall have all the power and authority given the inspectors to hear and
9 determine the legality of the ballot the same as if the ballot had been voted in person.

10 (6) (a) The board of canvassers shall review each certificate envelope to
11 determine whether any absentee ballot is cast by an elector whose name appears on
12 the poll list as ineligible to vote at the election. If the board of canvassers receives
13 an absentee ballot that has been cast by an elector whose name appears on the poll
14 list as ineligible to vote, the inspectors shall challenge the ballot in the same manner
15 as provided for inspectors making challenges under s. 6.92 and shall treat the ballot
16 in the manner as provided for treatment of challenged ballots by inspectors under
17 s. 6.95.

18 (b) Any elector may challenge for cause any absentee ballot other than a ballot
19 that was cast in person under s. 6.86 (1) (a) 2. or under s. 6.873. For the purpose of
20 deciding upon ballots that are challenged for any reason, the board of canvassers
21 may call before it any person whose absentee ballot is challenged if the person is
22 available to be called. If the person challenged refuses to answer fully any relevant
23 questions put to him or her by the board of canvassers under s. 6.92, the board of
24 canvassers shall reject the elector's vote. If the challenge is not withdrawn after the
25 person offering to vote has answered the questions, one of the members of the board

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1 of canvassers shall administer to the person the following oath or affirmation: “You
2 do solemnly swear (or affirm) that: you are 18 years of age; you are a citizen of the
3 United States; you are now and for 10 days have been a resident of this ward except
4 under s. 6.02 (2); you have not voted at this election; you have not made any bet or
5 wager or become directly or indirectly interested in any bet or wager depending upon
6 the result of this election; you are not on any other ground disqualified to vote at this
7 election.” If the person challenged refuses to take the oath or affirmation, the
8 person’s vote shall be rejected. If the person challenged answers fully all relevant
9 questions put to the elector by the board of canvassers under s. 6.92, takes the oath
10 or affirmation, and fulfills the applicable registration requirements, and if the
11 answers to the questions given by the person indicate that the person meets the
12 voting qualification requirements, the person’s vote shall be received.

13 (7) The board of canvassers shall maintain tally sheets on forms provided by
14 the municipal clerk, which shall state the total number of votes cast for each office
15 and for each individual receiving votes for that office, whether or not the individual’s
16 name appears on the ballot, and shall state the vote for and against each proposition
17 voted on. If the board of canvassers recesses without completing the canvass of the
18 absentee ballots, the municipal clerk shall secure the tally sheets, together with all
19 ballots, envelopes, and other materials, and shall deliver them to the board of
20 canvassers at its next meeting under sub. (1). Upon completion of the canvass of the
21 absentee ballots, the board of canvassers shall immediately complete statements in
22 duplicate. The statements shall state the excess, if any, by which the number of
23 ballots exceeds the number of electors voting as shown by the poll list used by the
24 board of canvassers under this section and shall state the poll list number of the last
25 elector as shown by the poll list. Each member of the board of canvassers shall then

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1 certify to the correctness of the statements and tally sheets and sign their names.
2 All other election officials assisting with the tally shall also certify to the correctness
3 of the tally sheets. If the board of canvassers meets under sub. (1) before the day after
4 election day, the canvassers shall not announce the results and the records of the
5 count are not open to public inspection and copying under s. 19.35 (1). When the tally
6 is complete, the board of canvassers shall publicly announce the results from the
7 statements and the records of the count are open to public inspection and copying
8 under s. 19.35 (1).

9 (8) The board of canvassers shall make full and accurate return of the votes cast
10 for each candidate and proposition on the tally sheet forms. Each tally sheet shall
11 record the returns for each office or referendum by ward, unless combined returns
12 are authorized in accordance with s. 5.15 (6) (b), in which case the tally sheet shall
13 record the returns for each group of combined wards. After recording the votes, the
14 board of canvassers shall seal in a carrier envelope outside the ballot bag or container
15 one inspector's statement under sub. (4) (d), one tally sheet, and one poll list for
16 delivery to the county clerk, unless the election relates only to municipal or school
17 district offices or referenda. The board of canvassers shall also similarly seal one
18 statement, one tally sheet, and one poll list for delivery to the municipal clerk.

19 (9) The governing body of any municipality that has provided by ordinance
20 enacted under sub. (1) for the canvassing of absentee ballots at all elections held in
21 the municipality under this section may by similar action rescind that decision.
22 Thereafter, the absentee ballots at all elections held in the municipality shall be
23 canvassed as provided in s. 6.88.

24 **SECTION 25.** 7.53 (1) of the statutes is amended to read:

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1 7.53 (1) MUNICIPALITIES WITH ONE POLLING PLACE. Where the municipality
2 constitutes one ward or combines all wards to utilize a single polling place under s.
3 5.15 (6) (b), the canvass of the votes cast at the polling place shall be conducted
4 publicly under s. 7.51 and the inspectors shall act as the municipal board of
5 canvassers. In municipalities where absentee ballots are canvassed under s. 7.52,
6 after the canvass of the absentee ballots is completed under s. 7.52, the board of
7 canvassers shall reconcile the poll list of the electors who vote by absentee ballot with
8 the corresponding poll list of the electors who vote in person to ensure that no elector
9 is allowed to cast more than one ballot. If an elector who votes in person has
10 submitted an absentee ballot, the absentee ballot is void. Upon completion of the
11 canvass under this section and any canvass that is conducted under s. 7.52 and
12 ascertainment of the results by the inspectors or, in municipalities where absentee
13 ballots are canvassed under s. 7.52, by the inspectors and the board of canvassers,
14 the municipal clerk shall publicly read to the inspectors or the board of canvassers
15 the names of the persons voted for and the number of votes for each person for each
16 municipal office, the names of the persons declared by the ~~inspectors~~ board of
17 canvassers to have won nomination or election to each municipal office, and the
18 number of votes cast for and against each municipal referendum question.

19 **SECTION 26.** 7.53 (2) (d) of the statutes is amended to read:

20 7.53 (2) (d) The municipal board of canvassers shall publicly canvass the
21 returns of every municipal election. The canvass shall begin within 24 hours after
22 the polls close except in municipalities where absentee ballots are canvassed under
23 s. 7.52. In municipalities where absentee ballots are canvassed under s. 7.52, the
24 canvass shall begin as soon as possible after the canvass of absentee ballots is
25 completed under s. 7.52 but no later than 9 a.m. on the 2nd day after election day.

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1 After any canvass of the absentee ballots is completed under s. 7.52, the board of
2 canvassers shall reconcile the poll list of the electors who vote by absentee ballot with
3 the corresponding poll list of the electors who vote in person to ensure that no elector
4 is allowed to cast more than one ballot. If an elector who votes in person has
5 submitted an absentee ballot, the absentee ballot is void. At the spring election, the
6 board of canvassers shall publicly declare the results on or before the 2nd Tuesday
7 in April. The board of canvassers shall prepare a statement showing the results of
8 each election for any municipal office and each municipal referendum. After each
9 primary for municipal offices, the board of canvassers shall prepare a statement
10 certifying the names of those persons who have won nomination to office. After each
11 other election for a municipal office and each municipal referendum, the board of
12 canvassers shall prepare a determination showing the names of the persons who are
13 elected to each municipal office and the results of each municipal referendum. The
14 board of canvassers shall file each statement and determination in the office of the
15 municipal clerk or board of election commissioners.

16 **SECTION 27.** 7.60 (3) of the statutes is amended to read:

17 7.60 (3) CANVASSING. Not later than 9 a.m. on the Thursday after each election,
18 or in any county that includes the territory of a municipality where absentee ballots
19 are canvassed under s. 7.52, not later than 9 a.m. on the Friday after each election,
20 the county board of canvassers shall open and publicly examine the returns. If
21 returns have not been received from any election district or ward in the county, they
22 shall dispatch a messenger and the person having them shall deliver the returns to
23 the messenger. If, on examination, any of the returns received are so informal or
24 defective that the board cannot intelligently canvass them, they shall dispatch a
25 messenger to deliver the returns back to the municipal board of canvassers with

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1 written specifications of the informalities or defects and command them to
2 immediately complete the returns or remedy the defects in the manner required and
3 deliver them to the messenger. Every messenger shall safely keep all returns, show
4 them to no one but the municipal clerk and board of canvassers and deliver them to
5 the county clerk with all possible dispatch. To acquire the necessary full returns and
6 remedy any informalities or defects the county board of canvassers may adjourn not
7 longer than one day at a time nor more than 2 days in all.

8 **SECTION 28.** 10.06 (1) (h) of the statutes is amended to read:

9 10.06 (1) (h) As soon as possible after the deadline for determining ballot
10 arrangement for the September primary ~~on~~, but no later than the Thursday after the
11 3rd Tuesday in July, the board shall send a type B notice to each county clerk
12 certifying the list of candidates for the September primary.

13 **SECTION 29.** 10.06 (2) (b) of the statutes is amended to read:

14 10.06 (2) (b) ~~Upon~~ As soon as possible after receipt of the type B notice from
15 the board preceding the spring election, but no later than the Thursday after the 2nd
16 Tuesday in January, each county clerk shall add any county offices, ~~prepare~~ begin
17 preparation of the ballots, and send notice to each municipal clerk of the spring
18 primary. When there is no state spring primary within the county and there is no
19 presidential preference primary scheduled for the date of the spring primary, but
20 there is to be a county spring primary, the county clerk shall prepare the ballots and
21 send notice to each municipal clerk.

22 **SECTION 30.** 10.06 (2) (e) of the statutes is amended to read:

23 10.06 (2) (e) ~~Upon~~ As soon as possible after receipt of the type B notice from the
24 board, but no later than the Thursday after the first Tuesday in March, each county

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1 clerk shall add any county offices and referenda, ~~prepare~~ begin preparation of the
2 ballots, and send notice to each municipal clerk of the coming spring election.

3 **SECTION 31.** 10.06 (2) (j) of the statutes is created to read:

4 10.06 (2) (j) No later than the Monday after the county clerk receives from the
5 board a type B notice for the September primary, the county clerk shall add the
6 county offices and the county referenda, if any, begin preparation of the ballots, and
7 send notice to each municipal clerk of the coming September primary.

8 **SECTION 32.** 10.06 (2) (k) of the statutes is amended to read:

9 10.06 (2) (k) ~~Upon~~ As soon as possible following receipt of the type B notice from
10 the board preceding the general election, but no later than the Thursday after the
11 4th Tuesday in September, the county clerk shall add county offices and referenda,
12 if any, and send notice to each municipal clerk of the coming general election and
13 ~~prepare~~ begin preparation of the ballots.

14 **SECTION 33.** 12.13 (3) (ze) of the statutes is created to read:

15 12.13 (3) (ze) Compensate a person for obtaining voter registrations from other
16 persons at a rate that varies in relation to the number of voter registrations obtained
17 by the person.

18 **SECTION 34.** 12.60 (1) (b) of the statutes is amended to read:

19 12.60 (1) (b) Whoever violates s. 12.03, 12.05, 12.07, 12.08, or 12.13 (2) (b) 8.,
20 or (3) (b), (c), (d), (g), (i), (n) to (x), (ze), (zm), or (zn) may be fined not more than \$1,000,
21 or imprisoned not more than 6 months, or both.

22 **SECTION 35.** 20.005 (3) (schedule) of the statutes: at the appropriate place,
23 insert the following amounts for the purposes indicated:

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2005-06 2006-07

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20.510 Elections Board

(1) ADMINISTRATION OF ELECTION AND CAMPAIGN LAWS

(e) Election administration costs —

state funds	GPR	A	-0-	-0-
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SECTION 36. 20.510 (1) (e) of the statutes is created to read:

20.510 (1) (e) *Election administration costs — state funds.* The amounts in the schedule to pay for election administration costs not financed under par. (t) or (x).

SECTION 37. 880.33 (9) of the statutes is amended to read:

880.33 (9) All the rights and privileges afforded a proposed incompetent under this section shall be given to any person who is alleged to be ineligible to register to vote or to vote in an election by reason that such person is incapable of understanding the objective of the elective process. The determination of the court shall be limited to a finding that the elector is either eligible or ineligible to register to vote or to vote in an election by reason that the person is or is not capable of understanding the objective of the elective process. The determination of the court shall be communicated in writing by the clerk of court to the election official or agency charged under s. 6.48, 6.92, 6.925 ~~or~~, 6.93, or 7.52 (5) with the responsibility for determining challenges to registration and voting which may be directed against that elector. The determination may be reviewed as provided in s. 880.34 (4) and (5) and any subsequent determination of the court shall be likewise communicated by the clerk of court.

SECTION 38. Effective date.

