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LRB-4515/1 JTK:kjf:jf

## **2005 SENATE BILL 635**

February 27, 2006 – Introduced by Senator Reynolds. Referred to Committee on Labor and Election Process Reform.

AN ACT *to amend* 6.925, 7.41 (3) (a) and 7.41 (3) (b); and *to create* 7.41 (2m) and 7.41 (3) (c) of the statutes; **relating to:** the privileges of observers at elections

and the procedure for challenging the qualifications of persons offering to vote.

## Analysis by the Legislative Reference Bureau

Currently, any person except a candidate has the right to observe the public aspects of voting at a polling place. The chief inspector (head election official) may order the removal of any individual who disrupts the operation of a polling place or engages in electioneering. This bill prohibits any individual who observes the proceedings at a polling place from handling any election materials used in the voting process or wearing any clothing or insignia that indicates or infers that the individual has the status of an election official. The bill permits the chief inspector to order the removal of any individual who violates the prohibition.

Currently, any elector may challenge for cause the qualifications of any person who offers to vote in an election. The challenge may be presented to any inspector (election official). This bill directs a challenging elector to present his or her challenge, together with the reasons therefor, to the chief inspector.

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

**Section 1.** 6.925 of the statutes is amended to read:

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6.925 Elector making challenge in person. Any elector may challenge for cause any person offering to vote whom the elector knows or suspects is not a qualified elector. An elector who challenges the qualifications of a person offering to vote shall present the challenge and reasons therefor to the chief inspector. If a person is challenged as unqualified by an elector, one of the inspectors may administer the oath or affirmation to the challenged elector under s. 6.92 and ask the challenged elector the questions under that section which are appropriate to test the elector's qualifications. In addition, one of the inspectors shall administer the following oath or affirmation to the challenging elector: "You do solemnly swear (or affirm) that you will fully and truly answer all questions put to you regarding the challenged person's place of residence and qualifications as an elector of this election"; and shall then ask questions which are appropriate as determined by the board, by rule, to test the qualifications of the challenged elector.

**Section 2.** 7.41 (2m) of the statutes is created to read:

7.41 (2m) No individual exercising the right under sub. (1) may handle any election materials used in the voting process. No such individual may wear any clothing or insignia that indicates or infers that the individual has the status of an election official.

**SECTION 3.** 7.41 (3) (a) of the statutes is amended to read:

7.41 (3) (a) Disrupts the operation of the polling place; or

**Section 4.** 7.41 (3) (b) of the statutes is amended to read:

7.41 **(3)** (b) Violates s. 12.03 (2).; or

**Section 5.** 7.41 (3) (c) of the statutes is created to read:

7.41 (3) (c) Violates sub. (2m).

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(END)