



2015 SENATE BILL 771

March 3, 2016 – Introduced by Senators RISSER, RINGHAND, VINEHOUT, CARPENTER, LASSA and MILLER, cosponsored by Representatives BERCEAU, SARGENT, SPREITZER, JOHNSON, KAHL, WACHS, CONSIDINE, GOYKE, SUBECK and C. TAYLOR. Referred to Committee on Elections and Local Government.

1 **AN ACT** *to amend* 6.86 (1) (b) of the statutes; **relating to:** accepting absentee
2 ballot applications in person on weekends.

Analysis by the Legislative Reference Bureau

Currently, a person may apply in person to the municipal clerk for an absentee ballot beginning on the third Monday before the election and ending at 7 p.m. on the Friday before the election. The clerk may only receive applications made in person Monday to Friday between the hours of 8 a.m. and 7 p.m. This bill allows a municipal clerk to accept absentee ballot applications in person between the hours of 8 a.m. and 7 p.m. on any weekend day between the third Monday before the election and the Monday immediately preceding the election.

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

3 **SECTION 1.** 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 by mail,
5 the application shall be received no later than 5 p.m. on the 5th day immediately
6 preceding the election. If application is made in person, the application shall be
7 made no earlier than the opening of business on the 3rd Monday preceding the

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1 election and no later than 7 p.m. on the Friday preceding the election. No application
2 may be received on a legal holiday. An application made in person may only be
3 received Monday to Friday between the hours of 8 a.m. and 7 p.m. each day, except
4 that the municipal clerk may choose to accept applications made in person between
5 the hours of 8 a.m. and 7 p.m. on any weekend day between the 3rd Monday
6 preceding the election and the Monday immediately preceding the election. A
7 municipality shall specify the hours in the notice under s. 10.01 (2) (e). The
8 municipal clerk or an election official shall witness the certificate for any in-person
9 absentee ballot cast. Except as provided in par. (c), if the elector is making written
10 application for an absentee ballot at the partisan primary, the general election, the
11 presidential preference primary, or a special election for national office, and the
12 application indicates that the elector is a military elector, as defined in s. 6.34 (1), the
13 application shall be received by the municipal clerk no later than 5 p.m. on election
14 day. If the application indicates that the reason for requesting an absentee ballot is
15 that the elector is a sequestered juror, the application shall be received no later than
16 5 p.m. on election day. If the application is received after 5 p.m. on the Friday
17 immediately preceding the election, the municipal clerk or the clerk's agent shall
18 immediately take the ballot to the court in which the elector is serving as a juror and
19 deposit it with the judge. The judge shall recess court, as soon as convenient, and
20 give the elector the ballot. The judge shall then witness the voting procedure as
21 provided in s. 6.87 and shall deliver the ballot to the clerk or agent of the clerk who
22 shall deliver it to the polling place or, in municipalities where absentee ballots are
23 canvassed under s. 7.52, to the municipal clerk as required in s. 6.88. If application

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1 is made under sub. (2) or (2m), the application may be received no later than 5 p.m.
2 on the Friday immediately preceding the election.

3 (END)