

2001 ASSEMBLY BILL 12

January 16, 2001 – Introduced by Representatives LADWIG, FREESE, KRAWCZYK, McCORMICK, STARZYK, ALBERS, DUFF, GROTHMAN, HAHN, HOVEN, HUEBSCH, JESKEWITZ, KEDZIE, KESTELL, F. LASEE, M. LEHMAN, MONTGOMERY, MUSSER, NASS, STONE, TOWNSEND, URBAN, VRAKAS, WADE, GUNDERSON and OTT, cosponsored by Senators FARROW, COWLES, ROESSLER and SCHULTZ. Referred to Committee on Campaigns and Elections.

1 **AN ACT to amend** 6.79 (1), 6.79 (2), 6.82 (1) (a) and 10.02 (3) (a) of the statutes;
2 **relating to:** requiring individuals to present identification in order to vote at
3 a polling place.

Analysis by the Legislative Reference Bureau

Currently, before being permitted to vote at any polling place, an elector must provide or confirm his or her name and address. This bill requires an elector, in addition, to present a valid Wisconsin driver's license issued to the elector that contains a photograph of the license holder, a valid Wisconsin identification card issued to the elector, or a copy of the elector's birth certificate. This bill does not affect the absentee voting procedure.

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

4 **SECTION 1.** 6.79 (1) of the statutes is amended to read:
5 6.79 (1) MUNICIPALITIES WITHOUT REGISTRATION. Except as provided in sub. (6)
6 (a), where there is no registration, before being permitted to vote, each person shall
7 state his or her full name and address and present to the officials a valid operator's

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1 license issued to the person under ch. 343 that contains a photograph of the license
2 holder, a valid identification card issued to the person under s. 343.50, or a copy of
3 the person's birth certificate. The officials shall enter each name and address on a
4 poll list in the same order as the votes are cast. If the residence of the elector does
5 not have a number, the election officials shall, in the appropriate space, enter "none".
6 Alternatively, the municipal clerk may maintain a poll list consisting of the full name
7 and address of electors compiled from previous elections. Whenever an elector
8 appears to vote, the officials shall verify the correctness of the elector's name and
9 address, and shall enter a serial number next to the name of the elector in the order
10 that the votes are cast, beginning with the number one. If the name and address of
11 an elector do not appear on the prepared poll list, the officials shall enter the name,
12 address and serial number of the elector at the bottom of the list. Before being
13 permitted to vote, each elector shall present to the officials a valid operator's license
14 issued to the elector under ch. 343 that contains a photograph of the license holder,
15 a valid identification card issued to the elector under s. 343.50, or a copy of the
16 elector's birth certificate. The officials may require any elector to provide
17 ~~identification, including~~ acceptable proof of residence, or to have another elector
18 corroborate his or her information in accordance with the procedure specified in s.
19 6.55 (2) (b) before permitting the elector to vote. ~~An elector who presents an~~
20 ~~identification card under sub. (6) (a) is not required to provide separate~~
21 ~~identification.~~ The officials shall maintain a separate list of those persons voting
22 under ss. 6.15 and 6.24.

23 **SECTION 2.** 6.79 (2) of the statutes is amended to read:

24 **6.79 (2) MUNICIPALITIES WITH REGISTRATION.** Except as provided in sub. (6) (b),
25 where there is registration, each person, before receiving a voting number, shall state

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1 his or her full name and address and present to the officials a valid operator's license
2 issued to the person under ch. 343 that contains a photograph of the license holder,
3 a valid identification card issued to the person under s. 343.50, or a copy of the
4 person's birth certificate. Upon the prepared registration list, after the name of each
5 elector, the officials shall enter the serial number of the vote as it is polled, beginning
6 with number one. Each elector shall receive a slip bearing the same serial number.
7 A separate list shall be maintained for electors who are voting under s. 6.15, 6.29 or
8 6.55 (2) or (3) and electors who are reassigned from another polling place under s.
9 5.25 (5) (b). Each such elector shall have his or her full name, address and serial
10 number likewise entered and shall be given a slip bearing such number.

11 **SECTION 3.** 6.82 (1) (a) of the statutes is amended to read:

12 6.82 (1) (a) When any inspectors are informed that an elector is at the entrance
13 to the polling place who as a result of disability is unable to enter the polling place,
14 they shall permit the elector to be assisted in marking or punching a ballot by any
15 individual selected by the elector, except the elector's employer or an agent of that
16 employer or an officer or agent of a labor organization which represents the elector.
17 The individual selected by the elector shall provide all information necessary for the
18 elector to obtain a ballot under s. 6.79 (1) or (2). The inspectors shall then issue a
19 ballot to the individual selected by the elector and shall accompany the individual
20 to the polling place entrance where the assistance is to be given. If the ballot is a
21 paper ballot, the assisting individual shall fold the ballot after the ballot is marked
22 or punched by the assisting individual. The assisting individual shall then
23 immediately take the ballot into the polling place and give the ballot to an inspector.
24 The inspector shall distinctly announce that he or she has "a ballot offered by
25 (stating person's name), an elector who, as a result of disability, is unable to enter the

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1 polling place without assistance”. The inspector shall then ask, “Does anyone object
2 to the reception of this ballot?” If no objection is made, the inspectors shall record
3 the elector’s name under s. 6.79 and deposit the ballot in the ballot box, and shall
4 make a notation on the registration or poll list: “Ballot received at poll entrance”.

5 **SECTION 4.** 10.02 (3) (a) of the statutes is amended to read:

6 10.02 **(3)** (a) Upon entering the polling place, an elector shall give his or her
7 name and address and present a valid Wisconsin driver’s license, a valid Wisconsin
8 identification card, or a copy of the elector’s birth certificate before being permitted
9 to vote. Where ballots are distributed to electors, the initials of 2 inspectors must
10 appear on the ballot. Upon being permitted to vote, the elector shall retire alone to
11 a voting booth or machine and cast his or her ballot, except that an elector who is a
12 parent or guardian may be accompanied by the elector’s minor child or minor ward.
13 An election official may inform the elector of the proper manner for casting a vote,
14 but the official may not in any manner advise or indicate a particular voting choice.

15 **(END)**