

2001 ASSEMBLY BILL 589

1 **AN ACT** *to renumber* 6.86 (3) (a); *to amend* 6.10 (3), 6.275 (1) (c), 6.275 (1) (d),
2 6.28 (1), 6.29 (1), 6.30 (1), 6.33 (2) (b), 6.56 (3), 6.56 (5), 6.79 (4), 6.86 (title), 6.86
3 (3) (b) and 6.86 (3) (c); and *to create* 6.86 (3) (a) 2. of the statutes; **relating to:**
4 registration by certain hospitalized electors.

Analysis by the Legislative Reference Bureau

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

5 **SECTION 1.** 6.10 (3) of the statutes is amended to read:
6 6.10 **(3)** When an elector moves from one ward to another or from one
7 municipality to another within the state after the last registration day but at least
8 10 days before the election, the elector may vote in and be considered a resident of
9 the new ward or municipality where residing upon transferring registration under
10 s. 6.40 (1) or upon registering at the proper polling place or other registration location

ASSEMBLY BILL 589**SECTION 1**

1 in the new ward or municipality under s. 6.55 (2) or 6.86 (3) (a) 2. If the elector moves
2 within 10 days of an election, the elector shall vote in the elector's old ward or
3 municipality if otherwise qualified to vote there.

4 **SECTION 2.** 6.275 (1) (c) of the statutes is amended to read:

5 6.275 (1) (c) Where registration applies, the total number of electors of the
6 municipality residing in that county who registered after the close of registration and
7 prior to the day of the primary or election under ss. 6.28 (1) ~~and~~, 6.29, and 6.86 (3)
8 (a) 2.

9 **SECTION 3.** 6.275 (1) (d) of the statutes is amended to read:

10 6.275 (1) (d) Where registration applies, the total number of electors of the
11 municipality residing in that county who registered on the day of the primary or
12 election under ~~s.~~ ss. 6.55 and 6.86 (3) (a) 2.

13 **SECTION 4.** 6.28 (1) of the statutes is amended to read:

14 6.28 (1) REGISTRATION LOCATIONS; DEADLINE. Except as authorized in ss. 6.29
15 ~~and~~, 6.55 (2), and 6.86 (3) (a) 2., registration in person for any election shall close at
16 5 p.m. on the 2nd Wednesday preceding the election. Registrations made by mail
17 under s. 6.30 (4) must be delivered to the office of the municipal clerk or postmarked
18 no later than the 2nd Wednesday preceding the election. An application for
19 registration in person or by mail may be accepted for placement on the registration
20 list after the specified deadline, if the municipal clerk determines that the
21 registration list can be revised to incorporate the registration in time for the election.
22 All applications for registration corrections and additions may be made throughout
23 the year at the office of the city board of election commissioners, at the office of the
24 municipal clerk, at the office of any register of deeds or at other locations provided
25 by the board of election commissioners or the common council in cities over 500,000

ASSEMBLY BILL 589

1 population or by either or both the municipal clerk, or the common council, village
2 or town board in all other municipalities and may also be made during the school year
3 at any high school by qualified persons under sub. (2) (a). Other registration
4 locations may include but are not limited to fire houses, police stations, public
5 libraries, institutions of higher education, supermarkets, community centers, plants
6 and factories, banks, savings and loan associations and savings banks. Special
7 registration deputies shall be appointed for all locations. An elector who wishes to
8 obtain a confidential listing under s. 6.47 (2) shall register at the office of the
9 municipal clerk of the municipality where the elector resides.

10 **SECTION 5.** 6.29 (1) of the statutes is amended to read:

11 6.29 (1) No names may be added to a registration list for any election after the
12 close of registration, except as authorized under this section or s. 6.28 (1) or 6.55 (2),
13 or 6.86 (3) (a) 2. Any person whose name is not on the registration list but who is
14 otherwise a qualified elector is entitled to vote at the election upon compliance with
15 this section.

16 **SECTION 6.** 6.30 (1) of the statutes is amended to read:

17 6.30 (1) IN PERSON. ~~Registration applications shall be made~~ An elector shall
18 apply for registration in person, except as provided under sub. (4) and s. 6.86 (3) (a)
19 2.

20 **SECTION 7.** 6.33 (2) (b) of the statutes is amended to read:

21 6.33 (2) (b) The Except as provided under ss. 6.30 (4) and 6.86 (3) (a) 2., the
22 registration form shall be signed by the registering elector and any corroborating
23 elector under s. 6.29 (2) (a) or 6.55 (2) before the clerk, issuing officer or registration
24 deputy. The form shall contain a certification by the registering elector that all
25 statements are true and correct.

ASSEMBLY BILL 589**SECTION 8**

1 **SECTION 8.** 6.56 (3) of the statutes is amended to read:

2 6.56 (3) ~~The Upon receipt of the list under sub. (1), the municipal clerk or board~~
3 of election commissioners shall make an audit of all electors registering to vote at the
4 polling place or other registration location under s. 6.55 (2) ~~upon receipt of the list~~
5 ~~under sub. (1) and all electors registering by agent on election day under s. 6.86 (3)~~
6 (a) 2. The audit shall be made by 1st class postcard. The postcard shall be labeled
7 “ADDRESS CORRECTION REQUESTED” or “DO NOT FORWARD—RETURN POSTAGE
8 GUARANTEED”. If any postcard is returned undelivered, or if the clerk or board of
9 election commissioners is informed of a different address than the one specified by
10 the elector which was apparently improper on the day of the election, the clerk or
11 board shall remove the elector’s name from the registration list, mail the elector a
12 notice of the removal and provide the name to the district attorney for the county
13 where the polling place is located.

14 **SECTION 9.** 6.56 (5) of the statutes is amended to read:

15 6.56 (5) Whenever any letter or postcard mailed under this section is returned
16 undelivered, or whenever the U.S. postal service notifies the clerk of an improper
17 address which was apparently improper on the day of the election or whenever it
18 otherwise appears that a person has voted who is not qualified or has voted more
19 than once in an election, and the person has been permitted to vote after
20 corroboration was made under s. 6.55 (2) or (3) or 6.86 (3) (a) 2., the name of the
21 corroborator shall also be provided to the district attorney.

22 **SECTION 10.** 6.79 (4) of the statutes is amended to read:

23 6.79 (4) SUPPLEMENTAL INFORMATION. When any elector provides identification
24 under sub. (1) or s. 6.15, 6.29 or 6.55 (2) or (3), the election officials shall enter the
25 type of identification on the poll or registration list, or supplemental list maintained

ASSEMBLY BILL 589

1 under sub. (2). If the form of identification includes a number which applies only to
2 the individual holding that piece of identification, the election officials shall also
3 enter that number on the list. When any elector corroborates the registration
4 identity or residence of any person offering to vote under sub. (1) or s. 6.55 (2) (b) or
5 (c) or (3), or the registration identity or residence of any person registering on election
6 day under s. 6.86 (3) (a) 2., the name and address of the corroborator shall also be
7 entered next to the name of the elector whose information is being corroborated on
8 the registration or poll list, or the separate list maintained under sub. (2). When any
9 person offering to vote has been challenged and taken the oath, following the person's
10 name on the registration or poll list, the officials shall enter the word "Sworn".

11 **SECTION 11.** 6.86 (title) of the statutes is amended to read:

12 **6.86** (title) **Application for Methods for obtaining an absentee ballot.**

13 **SECTION 12.** 6.86 (3) (a) of the statutes is renumbered 6.86 (3) (a) 1.

14 **SECTION 13.** 6.86 (3) (a) 2. of the statutes is created to read:

15 **6.86 (3) (a) 2.** If a hospitalized elector is not registered where registration is
16 required, the elector may register by agent under this subdivision at the same time
17 that the elector applies for an official ballot by agent under subd. 1. To register the
18 elector under this subdivision, the agent shall present a completed registration form
19 that contains the required information supplied by the elector and the elector's
20 signature, unless the elector is unable to sign due to physical disability. In this case,
21 the elector may authorize another elector to sign on his or her behalf. Any elector
22 signing a form on another elector's behalf shall attest to a statement that the
23 application is made on request and by authorization of the named elector, who is
24 unable to sign the form due to physical disability. The agent shall present this
25 statement along with all other information required under this subdivision. Except

ASSEMBLY BILL 589**SECTION 13**

1 as otherwise provided in this subdivision, the agent shall in every case present
2 acceptable proof of the elector's residence under s. 6.55 (7). If the agent cannot
3 present this proof, the registration form shall be signed and substantiated by
4 another elector residing in the elector's municipality of residence, corroborating the
5 information in the form. The form shall contain the full name and address of the
6 corroborating elector. The agent shall then present acceptable proof of the
7 corroborating elector's residence under s. 6.55 (7).

8 **SECTION 14.** 6.86 (3) (b) of the statutes is amended to read:

9 6.86 (3) (b) When such each properly executed form and statement required
10 under par. (a) is presented to the municipal clerk, if the elector who proposes to vote
11 is qualified, an absentee ballot shall be issued and the name of such hospitalized
12 elector shall be recorded by the clerk or special registration deputy. An agent who
13 is issued an absentee ballot under this section shall present identification, provide
14 his or her name and address, and attest to a statement that the ballot is received
15 solely for the benefit of a named elector who is hospitalized, and the agent will
16 promptly transmit the ballot to such person.

17 **SECTION 15.** 6.86 (3) (c) of the statutes is amended to read:

18 6.86 (3) (c) An application under ~~this subsection by agent~~ par. (a) 1. may be
19 made and a registration form under par. (a) 2. may be filed in person at the office of
20 the municipal clerk not earlier than 7 days before an election and not later than 5
21 p.m. on the day of the election. A list of hospitalized electors applying for ballots
22 under ~~this subsection~~ par. (a) 1. shall be made by the municipal clerk and used to
23 check that the electors vote only once, and by absentee ballot. The ballot shall be
24 sealed by the elector and returned to the municipal clerk either by mail or by personal
25 delivery of the agent; but if the ballot is returned on the day of the election, the agent

ASSEMBLY BILL 589

SECTION 15

1 shall make personal delivery at the polling place serving the hospitalized elector's
2 residence before the closing hour for the ballot to be counted.

3 (END)