

2001 Assembly Bill 589

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2001 WISCONSIN ACT 51

AN ACT *to renumber* 6.86 (3) (a); *to amend* 6.10 (3), 6.275 (1) (c), 6.275 (1) (d), 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) (b) and 6.86 (3) (c); and *to create* 6.86 (3) (a) 2. of the statutes; relating to: registration by certain hospitalized electors.

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

SECTION 1. 6.10 (3) of the statutes is amended to read:

6.10 (3) When an elector moves from one ward to another or from one municipality to another within the state after the last registration day but at least 10 days before the election, the elector may vote in and be considered a resident of the new ward or municipality where residing upon transferring registration under s. 6.40 (1) or upon registering at the proper polling place or other registration location in the new ward or municipality under s. 6.55 (2) or 6.86 (3) (a) 2. If the elector moves within 10 days of an election, the elector shall vote in the elector's old ward or municipality if otherwise qualified to vote there.

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

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

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

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

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

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

* Section 991.11, WISCONSIN STATUTES 1999-00 : Effective date of acts. "Every act and every portion of an act enacted by the legislature over the governor's partial veto which does not expressly prescribe the time when it takes effect shall take effect on the day after its date of publication as designated" by the secretary of state [the date of publication may not be more than 10 working days after the date of enactment].

may also be made during the school year at any high school by qualified persons under sub. (2) (a). Other registration locations may include but are not limited to fire houses, police stations, public libraries, institutions of higher education, supermarkets, community centers, plants and factories, banks, savings and loan associations and savings banks. Special registration deputies shall be appointed for all locations. An elector who wishes to obtain a confidential listing under s. 6.47 (2) shall register at the office of the municipal clerk of the municipality where the elector resides.

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

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

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

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

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

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

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

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

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

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

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

6.79 (4) SUPPLEMENTAL INFORMATION. When any elector provides identification under sub. (1) or s. 6.15, 6.29 or 6.55 (2) or (3), the election officials shall enter the type of identification on the poll or registration list, or supplemental list maintained under sub. (2). If the form of identification includes a number which applies only to the individual holding that piece of identification, the election officials shall also enter that number on the list. When any elector corroborates the registration identity or residence of any person offering to vote under sub. (1) or s. 6.55 (2) (b) or (c) or (3), or the registration identity or residence of any person registering on election day under s. 6.86 (3) (a) 2., the name and address of the corroborator shall also be entered next to the name of the elector whose information is being corroborated on the registration or poll list, or the separate list maintained under sub. (2). When any person offering to vote has been challenged and taken the oath, following the person's name on the registration or poll list, the officials shall enter the word "Sworn".

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

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

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

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

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

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

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

6.86 (3) (b) When such each properly executed form and statement required under par. (a) is presented to the municipal clerk, if the elector who proposes to vote is qualified, an absentee ballot shall be issued and the name of such hospitalized elector shall be recorded by the clerk or special registration deputy. An agent who is issued an absentee ballot under this section shall present identification, provide his or her name and address, and attest to a

statement that the ballot is received solely for the benefit of a named elector who is hospitalized, and the agent will promptly transmit the ballot to such person.

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

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