



DUGREJ
State of Wisconsin
2003 - 2004 LEGISLATURE

LRB-0610/12
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2003 BILL

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Repeal cat

1 AN ACT ~~to repeal~~ 5.25 (4) (c), 6.15 (3) (a) (title), 6.15 (3) (b) (title), 6.24 (8), 6.27

2 (2) to (5), 6.33 (3), 6.35 (2), 6.35 (5) and (6), 6.50 (2m), 6.50 (9), 6.79 (1), 6.79 (5),

3 6.79 (6) (a) and 120.06 (5); **to renumber** 5.87 and 6.865; **to renumber and**

4 **amend** 6.15 (3) (a) 1., 2. and 3., 6.15 (3) (b), 6.27 (1), 6.79 (intro.) (except 6.79

5 (title)) and 6.79 (6) (b); **to amend** 5.02 (17), 5.25 (4) (a), 5.40 (6), 5.55 (title), 6.15

6 (2) (title), 6.15 (2) (a) (intro.), 6.15 (4) (d), 6.20, 6.24 (3), 6.24 (4) (a), 6.24 (4) (c),

7 6.28 (2) (b), 6.28 (3), 6.29 (2) (a), 6.29 (2) (b), 6.33 (title), 6.33 (1), 6.33 (2), 6.33

8 (4), 6.35 (3), 6.36 (2) (a), 6.36 (3), 6.40 (2) (b), 6.47 (2), 6.47 (3), 6.50 (1) (intro.),

9 6.50 (7), 6.50 (8), 6.50 (10), 6.55 (2) (a) 1. (intro.), 6.55 (2) (b), 6.55 (2) (c) 1., 6.55

10 (2) (c) 2., 6.55 (2) (d), 6.55 (3), 6.55 (7) (a) (intro.), 6.55 (7) (b), 6.55 (7) (c) (intro.),

11 6.55 (7) (c) 1., 6.55 (7) (c) 2., 6.55 (7) (d), 6.79 (4), 6.80 (2) (b) and (f), 6.82 (1) (a),

12 6.86 (3) (a) 1., 6.86 (3) (a) 2., 6.86 (3) (b), 6.86 (3) (c), 6.865 (title), 6.87 (3) (d), 6.87

13 (4), 6.88 (3) (a), 6.94, 6.95, 7.08 (1) (c), 7.10 (1) (b), 7.15 (1) (c), 7.15 (4), 7.23 (1)

14 (c), 7.23 (1) (e), 7.37 (4), 7.37 (7), 7.51 (2) (a), 7.51 (2) (c), 7.51 (2) (e), 7.51 (3) (a).

BILL

1 7.51 (4) (a), 7.51 (5) (a), 8.17 (1) (a), 9.01 (1) (b) 1., 10.02 (3) (a), 10.02 (3) (f), 11.30
 2 (title), 12.13 (3) (u), 20.510 (1) (h), 51.62 (3m), 59.05 (2), 117.20 (2) and 125.05
 3 (2) (h); *to repeal and recreate* 6.36 (1) and 6.79 (2); and *to create* 5.02 (6m),
 4 5.02 (24w), 5.05 (10) and (11), 5.05 (12) and (13), 5.05 (14), 5.055, 5.056, 5.061,
 5 5.35 (6) (a) 2m., 4., 4a. and 4b., 5.87 (2), 5.91 (15) to (18), 6.06, 6.276, 6.33 (5),
 6 6.36 (2) (c), 6.865 (1), 6.865 (3) and (4), 6.869, 6.96, 6.97, 7.08 (6) and (8), 7.10
 7 (7) to (9), 7.10 (10), 7.15 (9) to (13), 15.617, 19.69 (4), 20.002 (11) (d) 2m., 20.510
 8 (1) (t), 20.510 (1) (u), 20.510 (1) (v), ~~20.510 (1) (x)~~, ~~20.855 (4) (hp)~~, 25.17 (1) (e),
 9 ~~25.425~~, 51.62 (3) (a) 4 and ~~85.61~~ of the statutes; relating to: election
 10 administration, voter registration and voting requirements and procedures,
 11 administration of elections, granting rule-making authority, and making
 12 appropriations.

Analysis by the Legislative Reference Bureau

This bill makes various changes in state law relating to voter registration and voting requirements and procedures and administration of elections. Most of the changes are made for the purpose of implementing numerous federal mandates imposed upon this state under the federal Help America Vote Act of 2002 and enabling receipt of federal aids by this state under that act. Significant provisions include:

STATEWIDE VOTER REGISTRATION

Under current law, voter registration is required in every municipality with a population of greater than 5,000. This bill requires voter registration in every municipality. The bill also establishes a centralized, state-wide voter registration list that is compiled and maintained by the state Elections Board. Under the bill, the list must be electronically accessible by any person, but access to certain identifying information is limited to the board and municipal clerks and boards of election commissioners, and no person other than the board or an authorized election official may make a change in the list. The bill also permits the board to make changes to the list with notice to the appropriate municipal clerks or boards of election commissioners. Under the bill, each municipal clerk or board of election commissioners must electronically enter valid registrations or changes of registration and voting record information on the list, except that the bill permits any municipal clerk or board of election commissioners, by mutual consent, to

BILL

delegate this electronic maintenance function to another municipal clerk or board of election commissioners, to a county clerk or board of election commissioners, or to the state Elections Board. Each municipality must retain the original registrations or changes of registration as provided under current law. Under the bill, the original forms are controlling whenever there is a discrepancy between the list and the original forms. Currently, municipalities must maintain records of voter participation in elections manually or electronically. Under the bill, municipalities must maintain voter participation records electronically as a part of the state-wide registration list.

REQUIREMENTS FOR REGISTRATION

Currently, if registration is required, any individual who qualifies as an elector of a municipality but who is not registered to vote may register in person at various locations within the applicable municipality or may mail to the appropriate municipal clerk a completed registration form. With certain exceptions, the deadline for voter registration is 5 p.m. on the second Wednesday preceding the election. Registrations made by mail must be delivered to the office of the municipal clerk or board of election commissioners or postmarked not later than this deadline. However, under current law, voters may also register in person at the office of the municipal clerk or board of election commissioners up to 5 p.m. on the day before the election or, in most cases, may register at the proper polling place on election day. In addition, voters may register at any time after the deadline if the municipal clerk determines that the registration list can be revised to incorporate the registration in time for the election. Currently, an individual who makes a late or election day registration must complete a registration form and a certification of eligibility and must present acceptable proof of residence. If an individual attempting to vote under these late registration or election day registration procedures is not able to present acceptable proof of residence, as an alternative, current law permits another qualified elector who resides in the same municipality to corroborate the information contained in the individual's registration form or certification. The corroborating elector must then provide acceptable proof of residence.

This bill requires every elector who registers to vote to provide his or her date of birth and a driver's license number from a valid Wisconsin driver's license, or if the elector does not have a driver's license, the last four digits of the elector's social security number, if the elector has a social security number. The bill also requires the board to assign a registration identification number to every registered elector.

The bill also permits an elector who does not register by the close of registration to register at the office of the municipal clerk or board of election commissioners by 5 p.m. or the close of business, whichever is later, on the day before an election.

IDENTIFICATION REQUIRED TO VOTE

With certain limited exceptions, before being permitted to vote at any polling place, an elector currently must provide his or her name and address. If registration is required in order to vote and the elector is not registered, the elector must provide a specified form of proof of residence in order to register after the close of registration (usually the second Wednesday preceding an election). If an elector at a polling place claims to be registered but his or her name does not appear on the appropriate

BILL

registration list, the elector must complete a certification of eligibility and present acceptable proof of residence in order to vote. In addition, an elector who appears to vote at a polling place may be required to provide acceptable proof of residence even if registration is not required. If an elector is not able to present any required proof of residence, as an alternative, current law permits another qualified elector who resides in the same municipality to corroborate the elector's information. Currently, an elector who votes an absentee ballot and who is registered, if registration is required, is not required to provide acceptable proof of residence.

This bill provides that if an elector other than a military or overseas elector, as defined by federal law, registers to vote by mail and has never voted in a federal election in this state, the elector must provide a form of identification specified by federal law in order to be permitted to vote in a federal election. The form of identification used must be either 1) a current and valid piece of identification containing a photograph of the elector; or 2) a copy of a utility bill, bank statement, paycheck, or a check or other document issued by a unit of government that shows the current name and address of the elector. If the elector votes by absentee ballot, the elector must provide a copy of any identification used. If an elector who votes at a polling place is required to provide identification and fails to do so or fails to provide sufficient identification, the elector may vote provisionally. If an elector who fails to provide required identification or sufficient identification votes by absentee ballot, the ballot is treated as a provisional ballot. A provisional ballot is marked by the poll workers, who immediately contact the municipal clerk or board of election commissioners. The clerk or board is then directed to determine whether the individual submitting the ballot is a qualified elector where he or she is attempting to vote. If the clerk or board of election commissioners does not notify the municipal board of canvassers that the elector is qualified before the municipal canvass is completed, the elector's vote is not counted.

COMPLIANCE WITH HELP AMERICA VOTE ACT

Currently, an elector who believes that the action or inaction of an election official concerning nominations, qualification of candidates, voting qualifications, ward division and numbering, recall, ballot preparation, election administration, or the conduct of elections is contrary to law or that the actions or inactions of an election official with respect to any such matter constitute an abuse of discretion, may file a complaint with the Elections Board and the board may order appropriate relief. The decision of the board may be appealed to the courts. Any elector who believes that an election official is acting in violation of the law may request the appropriate district attorney or, in some cases, the attorney general to petition a court for appropriate relief. However, the recount procedure is the exclusive judicial remedy for addressing any alleged irregularity, defect, or mistake committed during the voting or canvassing process.

This bill creates another procedure for addressing alleged noncompliance with any provision of the federal Help America Vote Act relating to voting system standards, provisional voting, voting information, registration procedure and administration, and voter identification. Under the bill, whenever any person (whether an individual or another entity and whether inside or outside this state)

BILL

believes that a violation of the act has occurred, is occurring, or is proposed to occur with respect to an election for national office in this state, that person may file a written, sworn complaint with the Elections Board. The board must grant the complainant a formal hearing upon request and must issue a decision on the complaint, together with an order for any appropriate relief, within 89 days. Under the bill, the relief may not include any order affecting the right of any person to hold an elective office or affecting the canvass of an election on or after the date of that election.

VOTING PROCESS***Standards for determining validity of votes***

Currently, state law specifies in detail whether particular indications of elector intent shall be counted as votes cast for particular candidates or propositions. The standards for determining the validity of votes are to some degree applicable to votes cast using electronic voting systems. This bill directs the Elections Board to prescribe, by rule, uniform standards for determining the validity of votes cast or attempted to be cast with each electronic voting system that the board approves for use in this state. The rules apply only in situations that are not addressed under current law.

Federal absentee ballot procedures

Currently, when a uniformed service or overseas voter (as defined by federal law) requests an absentee ballot in a timely manner, the voter is sent an absentee ballot for the next election. Under this bill, such a voter may request and receive an absentee ballot for the next two general (national) elections at the same time, unless the voter is subject to a registration requirement and the voter is no longer registered to vote in this state at the time that an absentee ballot would otherwise be transmitted.

The bill also provides that if any municipal clerk or board of election commissioners rejects a request for an absentee ballot from a uniformed service or overseas voter, the clerk or board must promptly inform the voter of the reason for the rejection.

Voting after hours pursuant to federal court order

This bill provides that if a federal court orders that a polling place remain open after the official closing hour of 8 p.m., any electors who vote after hours must vote by ballot and have their ballots marked. The late ballots are then counted unless the court order is overturned. If the order is overturned after the canvass of the election, the bill requires the canvass to be reopened.

Protection and advocacy activities

Under current law, the state protection and advocacy agency implements a system to protect and advocate for the rights of persons with developmental disabilities or mental illness.

The bill authorizes the protection and advocacy agency to engage in activities to ensure full participation in the electoral process for eligible electors with developmental disabilities or mental illness and requires the Department of Health and Family Services to distribute federal funding to the agency for these activities.

to indicate that they voted after the closing hour pursuant to a federal court order

BILL***Voting by new residents***

Currently, an individual who has resided in this state for less than ten days at the time of a presidential election may vote for president and vice president only at the office of a municipal clerk or board of election commissioners, by absentee ballot, or at a polling place on election day. This bill provides that such an individual may only vote at the office of a municipal clerk or board of election commissioners or at a polling place on election day.

REVISION OF REGISTRATION LIST

Under current law, municipalities must use either a "negative purge" or a "positive purge" system to maintain their voter registration lists. Under the negative purge procedure, an elector who does not vote for a four-year period and does not respond to a notice by requesting continuation of his or her registration is purged from the list. Under the positive purge procedure, the municipal clerk or board of election commissioners sends a registration verification notice to each elector who does not vote for a four-year period. Each elector whose notice is returned as undeliverable is purged from the list. This bill deletes the "positive purge" procedure.

ELECTION ADMINISTRATION ENHANCEMENT***Federal and state financial assistance***

Under the federal Help America Vote Act of 2002, this state is eligible to receive federal financial assistance for the purchase of voting equipment, compliance with federal requirements for the conduct of federal elections and other election administration costs, construction of barrier-free polling places, and outreach and training of election officials to enable greater participation of individuals with disabilities in federal elections. To be eligible for most of this federal assistance, this state must make expenditures from state moneys equal to at least 5% of the amount spent by this state for the same purposes for which federal assistance is received.

This bill appropriates to the Elections Board all amounts received by this state from the federal government under this act, together with a sum sufficient amount from general purpose revenue to enable this state to meet minimum federal requirements for continued eligibility for federal assistance. The bill permits the board to use a portion of the federal aid to provide financial assistance to eligible counties and municipalities for election administration purposes authorized by federal law. The bill also establishes a segregated fund, as required by federal law, for disbursement of all federal and state moneys to be expended for election administration purposes under the Help America Vote Act.

Federal and state advisory bodies

In accordance with the Help America Vote Act, the bill creates an Election Administration Council whose members are appointed by the executive director of the board to develop and revise as necessary a proposed state plan for the expenditure of federal moneys under the Help America Vote Act. The bill also directs the board to adopt this plan and revise the plan as necessary. In addition, the bill directs the executive director, in consultation with the Elections Board, to appoint a representative of this state as a member of the federal Election Assistance Commission standards board, and to supervise the selection by county and

BILL

municipal clerks and boards of election commissioners in this state of a representative of this state to serve as a member of the standards board.

Voter educational programs and information systems

This bill permits the Elections Board, with the assistance of county and municipal clerks and boards of election commissioners, to conduct or prescribe requirements for educational programs to inform electors about voting procedures, voting rights, and voting technology. However, the bill requires the board to conduct an educational program for the specific purpose of educating electors who cast paper ballots, ballots that are counted at a central counting location, and absentee ballots of the effect of casting excess votes for an office. The bill also permits the board, with the assistance of county and municipal clerks, to maintain one or more toll-free telephone lines for electors to report possible voting fraud and voting rights violations, to obtain general election information and to access information concerning their registration status, current polling place locations, and other information relevant to voting in elections. The bill requires the municipal clerks and boards of election commissioners to maintain a free access system under which electors who vote without providing required identification and electors who vote pursuant to a federal court order after a polling place is scheduled to close may ascertain the status of their votes.

Requirements to match information

In accordance with the Help America Vote Act, the bill requires the secretary of transportation (secretary) to enter into two agreements. First, the secretary and the executive director of the Elections Board must enter into an agreement to match personally identifiable information on the official registration list maintained by the Elections Board with personally identifiable information in driver licensing and vehicle registration records maintained by the Department of Transportation (DOT), for the purpose of verifying voter registration information. Second, the secretary must enter into an agreement with the commissioner of the federal Social Security Administration to match the name, date of birth, and social security number of individuals in DOT's driver licensing and vehicle registration records with such information in the records of the Social Security Administration. This agreement must contain safeguards to maintain the confidentiality of any information disclosed and procedures to allow the secretary to use any information disclosed in maintaining the records of DOT.

Instructions for absentee voters

The bill directs the Elections Board to prescribe uniform instructions for absentee voters. The instructions must include information concerning the procedure for correcting errors in marking a ballot and obtaining a replacement for a spoiled ballot.

Electronic voting system standards

Effective on January 1, 2006, the bill creates new standards for approval by the Elections Board of electronic voting systems for use at elections in this state. Under the bill, all electronic voting systems must enable an elector to privately verify the votes selected by the elector before casting his or her ballot, they must provide the

BILL

elector with an opportunity to change his or her votes or to obtain a replacement for a spoiled ballot before casting his or her vote, and, unless a ballot is counted at a central counting location, they must include a mechanism for notifying an elector of an overvote for an office and provide an opportunity for the elector to correct his or her ballot or to cast a replacement ballot to eliminate the overvote. The system must also produce a permanent paper record of the vote cast by each elector who uses an electronic voting system at the time the elector casts his or her vote that enables a manual count or recount of the elector's vote.

Enforcement of federal voting system standards

Effective on January 1, 2006, the bill directs the Elections Board to audit the performance of each voting system used in this state, including any paper ballot voting system, following each general election. In the audit, the board must determine the error rate of the system in counting ballots that are validly cast by electors. If the error rate exceeds the rate permitted by the federal government, the bill directs the board to take remedial action and to order affected counties and municipalities to take remedial action. The bill requires counties and municipalities to comply with remedial orders.

Polling place accessibility, equipment and materials

Currently, each polling place in the state is required to be accessible to elderly and handicapped individuals, unless the Elections Board otherwise permits in accordance with guidelines prescribed by rule. This bill requires, effective January 1, 2006, that each polling place in the state be accessible to all ~~physically disabled~~ individuals. The bill also directs the board to ensure that the voting system used at each polling place allows all such individuals to vote without the need for assistance and with the same degree of privacy that is accorded to nondisabled electors voting at the same polling place. In any jurisdiction that is currently subject to federal requirements to provide voting materials in any language other than English, the board must ensure that the voting system used at each polling place in the jurisdiction is in compliance with those requirements. In addition, the bill deletes the authority of the board to waive compliance with accessibility requirements.

*with physical or mental disabilities
except individuals who
are currently disqualified
from voting due to
mental disability*

Notices posted at polling places

Currently, municipalities are required to post at each polling place relevant voting instructions, a copy of state election fraud laws, two sample ballots, special information concerning voting at partisan primaries, and other information directed to be posted by the Elections Board. This bill requires, in addition, that municipalities post information concerning the date of the election, the hours during which the polling place is open, special instructions for electors ~~who are voting for the first time after registering to vote~~, and general information prescribed by the board concerning voting rights under applicable state and federal laws and federal laws relating to election fraud and misrepresentation in elections.

Statistical reports

This bill requires each municipal clerk and board of election commissioners to report to the Elections Board, within 30 days after each general election, the number of absentee ballots transmitted to absent uniformed services and overseas voters, as

*... are required to
provide identification in order*

BILL

defined by federal law, for that election and the combined number of those ballots that were cast by those electors in that election. The bill then directs the board, within 90 days after each general election, to compile the information received from municipal clerks and boards of election commissioners and transmit the compiled information to the federal Election Assistance Commission. Currently, there is no similar requirement.

The bill also permits the elections board to request that county or municipal clerks or boards of election commissioners provide information to the board relating to election administration, performance of electronic voting systems and voting machines, and use of paper ballots in elections, and directs the clerks and boards to provide the board with any such requested information.

Currently, the Elections Board conducts information and training meetings for election officials and also conducts a training program for chief inspectors (supervising poll workers). This bill directs county and municipal clerks and boards of election commissioners to assist the board in conducting those training programs.

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

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

- 1 SECTION 1. 5.02 (6m) of the statutes is created to read:
- 2 5.02 (6m) "Identification" means:
- 3 (a) In the case of an elector who votes in person, either of the following:
- 4 1. A current and valid piece of identification containing a photograph of the
- 5 elector.
- 6 2. A copy of a utility bill, bank statement, paycheck, or a check or other
- 7 document issued by a unit of government that shows the current name and address
- 8 of the elector.
- 9 (b) In the case of an elector who votes by absentee ballot, either of the following:
- 10 1. A copy of a current and valid piece of identification containing a photograph
- 11 of the elector.

BILL

1 2. A copy of a utility bill, bank statement, paycheck, or a check or other
2 document issued by a unit of government that shows the current name and address
3 of the elector.

4 **SECTION 2.** 5.02 (17) of the statutes is amended to read:

5 5.02 (17) "Registration list" means the list of electors who are properly
6 registered to vote ~~in municipalities in which registration is required.~~

7 **SECTION 3.** 5.02 (24w) of the statutes is created to read:

8 5.02 (24w) "Voting system" means:

9 (a) The total combination of mechanical, electromechanical, or electronic
10 equipment, including the software, hardware, and documentation required to
11 program, control, and support the equipment, that is used to define ballots, to cast
12 and count votes, to report or display election results, and to maintain and produce
13 any audit trail information.

14 (b) The practices and associated documentation for any of the following
15 purposes:

- 16 1. To identify equipment components and versions of such components.
- 17 2. To test the equipment during its development and maintenance.
- 18 3. To maintain records of equipment errors and defects.
- 19 4. To determine specific equipment changes to be made after the initial
20 qualification of the equipment.
- 21 5. To make available any materials to an elector.

22 **SECTION 4.** 5.05 (10) and (11) of the statutes are created to read:

23 5.05 (10) **STATE ELECTION ADMINISTRATION PLAN.** With the assistance of the
24 election administration council, the board shall adopt and modify as necessary a
25 state plan that meets the requirements of P.L. 107-252 to enable participation by

BILL

1 this state in federal financial assistance programs authorized under that law. The
2 board shall adopt the plan and any modifications only after publishing a class I notice
3 under ch. 985 or posting on the Internet a statement describing the proposed plan
4 or modification and receiving public comment thereon.

5 (11) AIDS TO COUNTIES AND MUNICIPALITIES. From the appropriations under s.
6 20.510 (1) (t), (v), and (w), the board may provide financial assistance to eligible
7 counties and municipalities for election administration costs in accordance with the
8 plan adopted under sub. (10). As a condition precedent to receipt of assistance under
9 this subsection, the board shall enter into an agreement with the county or
10 municipality receiving the assistance specifying the intended use of the assistance
11 and shall ensure compliance with the terms of the agreement. Each agreement shall
12 provide that if the federal government objects to the use of any assistance moneys
13 provided to the county or municipality under the agreement, the county or
14 municipality shall repay the amount of the assistance provided to the board.

15 SECTION 5. 5.05 (12) and (13) of the statutes are created to read:

16 5.05 (12) VOTER EDUCATION. The board may conduct or prescribe requirements
17 for educational programs to inform electors about voting procedures, voting rights,
18 and voting technology. The board shall conduct an educational program for the
19 purpose of educating electors who cast paper ballots, ballots that are counted at a
20 central counting location, and absentee ballots of the effect of casting excess votes for
21 a single office.

22 (13) TOLL-FREE ELECTION INFORMATION EXCHANGE. (a) The board may maintain
23 one or more toll-free telephone lines for electors to report possible voting fraud and
24 voting rights violations, to obtain general election information, and to access

BILL

1 information concerning their registration status, current polling place locations, and
2 other information relevant to voting in elections.

3 (b) The board may maintain a free access system under which an elector who
4 votes under s. 6.96 or 6.97 may ascertain current information concerning whether
5 the elector's vote has been counted, and, if the vote will not be counted, the reason
6 that it will not be counted.

7 **SECTION 6.** 5.05 (14) of the statutes is created to read:

8 **5.05 (14) INFORMATION FROM COUNTY AND MUNICIPAL CLERKS.** The board may
9 request information from county and municipal clerks relating to election
10 administration, performance of electronic voting systems and voting machines, and
11 use of paper ballots in elections.

12 **SECTION 7.** 5.055 of the statutes is created to read:

13 **5.055 Election assistance commission standards board.** The executive
14 director of the board shall, in consultation with the board, appoint an individual to
15 represent this state as a member of the federal election assistance commission
16 standards board. The executive director shall also conduct and supervise a process
17 for the selection of an election official by county and municipal clerks and boards of
18 election commissioners to represent local election officials of this state as a member
19 of the federal election assistance commission standards board. The executive
20 director shall ensure that the members of the federal election assistance commission
21 standards board representing this state shall at no time be members of the same
22 political party. Upon appointment or election of any new member of the federal
23 election assistance commission standards board representing this state, the
24 executive director shall transmit a notice of that member's appointment or election
25 to the officer or agency designated by federal law.

BILL

1 **SECTION 8. 5.056 of the statutes is created to read:**

2 **5.056 Matching program with secretary of transportation.** The
3 executive director of the board shall enter into the agreement with the secretary of
4 transportation specified under s. 85.61 (1) to match personally identifiable
5 information on the official registration list maintained by the board under s. 6.36 (1)
6 with personally identifiable information maintained by the department of
7 transportation.

8 **SECTION 9. 5.061 of the statutes is created to read:**

9 **5.061 Compliance with federal Help America Vote Act.** (1) Whenever
10 any person believes that a violation of Title III of P.L. 107-252 has occurred, is
11 occurring, or is proposed to occur with respect to an election for national office in this
12 state, that person may file a written, verified complaint with the board.

13 (2) If the board receives more than one complaint under sub. (1) relating to the
14 same subject matter, the board may consolidate the complaints for purposes of this
15 section.

16 (3) A complainant under sub. (1) or any of the complainants in a consolidated
17 complaint under sub. (2) may request a hearing and the matter shall then be treated
18 as a contested case under ch. 227, except that the board shall make a final
19 determination with respect to the merits of the complaint and issue a decision within
20 89 days of the time that the complaint or the earliest of any complaints was filed,
21 unless the complainant, or each of any complainants whose complaints are
22 consolidated, consents to a specified longer period.

23 (4) If the board finds the complaint to be without merit, it shall issue a decision
24 dismissing the complaint. If the board finds that the violation alleged in the
25 complaint has occurred, is occurring, or is proposed to occur, the board shall order

plain period

BILL

This paragraph does not apply to any individual who is disqualified from voting under s. 6.03(1)(a)

1 appropriate relief, except that the board shall not issue any order under this
2 subsection affecting the right of any person to hold an elective office or affecting the
3 canvass of an election on or after the date of that election.

4 SECTION 10. 5.25 (4) (a) of the statutes is amended to read:

5 5.25 (4) (a) Each polling place shall be accessible to elderly and handicapped

6 ~~all physically disabled~~ individuals. *(with disabilities)* The board shall ensure that the voting system

7 used at each polling place will permit all ~~physically disabled~~ *with disabilities* individuals to vote

8 without the need for assistance and with the same degree of privacy that is accorded

9 to nondisabled electors voting at the same polling place. *SECTION # CR: 5.25 1*

10 *plain text* subject to the requirement under 42 USC 1973aa-1a to provide voting materials in

11 any language other than English, the board shall ensure that the voting system used

12 at each polling place in that jurisdiction is in compliance with 42 USC 1973aa-1a. *(4)(b)*

13 SECTION 11. 5.25 (4) (c) of the statutes is repealed. *FW S*

14 SECTION 12. 5.35 (6) (a) 2m., 4., 4a. and 4b. of the statutes are created to read:

15 5.35 (6) (a) 2m. General information prescribed by the board on federal laws
16 relating to election fraud and misrepresentation in federal elections.

17 4. The date of the election and the hours during which the polling place is open.

18 4a. Instructions prescribed by the board for electors *(for whom identification*
19 *is required under s. 6.36(2)(c) 2.* ~~who are voting for the first~~
~~time after registering to vote~~ ✓

20 4b. General information prescribed by the board concerning voting rights
21 under applicable state and federal laws, including the method of redress for any
22 alleged violations of those rights.

23 SECTION 13. 5.40 (6) of the statutes is amended to read:

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1 5.40 (6) A municipality which utilizes voting machines or an electronic voting
2 system at a polling place may permit use of the machines or system by electors voting
3 under s. 6.15 only as authorized under s. 6.15 (3) (b).

4 **SECTION 14.** 5.55 (title) of the statutes is amended to read:

5 5.55 (title) ~~Ballot identification~~ **Information.**

6 **SECTION 15.** 5.87 of the statutes is renumbered 5.87 (1).

7 **SECTION 16.** 5.87 (2) of the statutes is created to read:

8 5.87 (2) The board shall, by rule, prescribe uniform standards for determining
9 the validity of votes cast or attempted to be cast with each electronic voting system
10 approved for use in this state under s. 5.91. The rules shall apply only to situations
11 that may arise in which the validity of a vote or attempted vote cast by an elector
12 utilizing a particular system cannot be determined under s. 7.50.

13 **SECTION 17.** 5.91 (15) to (18) of the statutes are created to read:

14 5.91 (15) It permits an elector to privately verify the votes selected by the
15 elector before casting his or her ballot.

16 (16) It provides an elector with the opportunity to change his or her votes and
17 to correct any error or to obtain a replacement for a spoiled ballot prior to casting his
18 or her ballot.

19 (17) Unless the ballot is counted at a central counting location, it includes a
20 mechanism for notifying an elector who attempts to cast an excess number of votes
21 for a single office that his or her votes for that office will not be counted, and provides
22 the elector with an opportunity to correct his or her ballot or to receive and cast a
23 replacement ballot.

24 (18) It produces a permanent paper record of the vote cast by each elector at
25 the time that it is cast that enables a manual count or recount of the elector's vote.

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1 SECTION 18. 6.06 of the statutes is created to read:

2 **6.06 Information for uniformed service members.** The board is the
3 agency designated by this state under 42 USC 1973ff-1 to provide information
4 regarding voter registration and absentee balloting procedures to absent members
5 of the uniformed services and overseas voters with respect to elections for national
6 office.

7 SECTION 19. 6.15 (2) (title) of the statutes is amended to read:

8 6.15 (2) (title) ~~APPLICATION FOR BALLOT~~ PROCEDURE AT CLERK'S OFFICE.

9 SECTION 20. 6.15 (2) (a) (intro.) of the statutes is amended to read:

10 6.15 (2) (a) (intro.) The elector's request for the application form may be made
11 in person to the proper municipal clerk either in person or in writing any time during
12 the 10 day period in which the elector's residence requirement is incomplete, but not
13 later than the applicable deadline for making application for an absentee ballot of
14 the municipality where the person resides. Application may be made not sooner than
15 9 days nor later than 5 p.m. on the day before the election, or may be made at the
16 proper polling place in the ward or election district in which the elector resides. The
17 If an elector makes application before election day, the application form shall be
18 returned to the municipal clerk after the affidavit has been signed in the presence
19 of the clerk or any officer authorized by law to administer oaths. The affidavit shall
20 be in substantially the following form:

21 SECTION 21. 6.15 (3) (a) (title) of the statutes is repealed.

22 SECTION 22. 6.15 (3) (a) 1., 2. and 3. of the statutes are renumbered 6.15 (2) (d)
23 1r., 2. and 3., and 6.15 (2) (d) 1r., as renumbered, is amended to read:

24 6.15 (2) (d) 1r. Upon proper completion of the application and cancellation card,
25 the municipal clerk shall ~~inform the elector that he or she may vote for the~~

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1 ~~presidential electors not sooner than 9 days nor later than 5 p.m. on the day before~~
2 ~~the election at the office of the municipal clerk, or at a specified polling place on~~
3 ~~election day. When voting at the municipal clerk's office, the applicant shall provide~~
4 ~~identification and require the elector to provide acceptable proof of residence under~~
5 ~~s. 6.55 (7). If the elector cannot provide acceptable proof of residence, the elector may~~
6 ~~have his or her residence corroborated in a statement that is signed by another~~
7 ~~elector of the municipality and that contains the current street address of the~~
8 ~~corroborating elector. If the residence is corroborated by another elector, that elector~~
9 ~~shall then provide proof of residence under s. 6.55 (7). The elector shall then mark~~
10 ~~the ballot in the clerk's presence in a manner that will not disclose his or her vote.~~
11 ~~Unless the ballot is utilized with an electronic voting system, the applicant~~ ~~The~~
12 ~~elector shall then fold the ballot so as to conceal his or her vote. The applicant clerk~~
13 ~~or elector shall then deposit the ballot and seal it in place the ballot in an envelope~~
14 ~~furnished by the clerk.~~

15 **SECTION 23.** 6.15 (3) (b) (title) of the statutes is repealed.

16 **SECTION 24.** 6.15 (3) (b) of the statutes is renumbered 6.15 (3) and amended to
17 read:

18 **6.15 (3) ~~VOTING PROCEDURE~~ PROCEDURE AT POLLING PLACE.** An eligible elector
19 may appear at the polling place for the ward or election district where he or she
20 resides and make application for a ballot under sub. (2). ~~In such case, the inspector~~
21 ~~or special registration deputy~~ Except as otherwise provided in this subsection, an
22 elector who casts a ballot under this subsection shall follow the same procedure
23 required for casting a ballot at the municipal clerk's office under sub. (2). The
24 inspectors shall perform the duties of the municipal clerk. The elector shall provide
25 identification. If the elector is qualified, he or she shall be permitted to vote, except

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1 that the inspectors shall return the cancellation card under sub. (2) (b) to the
 2 municipal clerk and the clerk shall forward the card as provided in sub. (2) (c) if
 3 required. Upon proper completion of the application and cancellation card and
 4 submittal of acceptable proof of residence under s. 6.55 (7) or providing corroboration
 5 of residence, the inspectors shall permit the elector to cast his or her ballot for
 6 president and vice president. The elector shall mark the ballot and, unless the ballot
 7 is utilized with an electronic voting system, the elector shall fold the ballot, and shall
 8 deposit the ballot into the ballot box or give it to the inspector. The inspector shall
 9 deposit it directly into the ballot box. Voting machines or ballots utilized with
 10 electronic voting systems may only be used by electors voting under this section if
 11 they permit voting for president and vice president only.

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SECTION 25. 6.15 (4) (d) of the statutes is amended to read:

12 6.15 (4) (d) Upon satisfactory completion of the procedure under pars. (b) and
 13 (c) the inspectors shall deposit the ballot in the ballot box. The inspectors shall enter
 14 the name of each elector voting under this section on the poll list with an indication
 15 that the elector is voting under this section or on a separate list maintained for the
 16 purpose under s. 6.79 (2) (c).

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SECTION 26. 6.20 of the statutes is amended to read:

17 6.20 Absent electors. Any qualified elector of this state who registers where
 18 required may vote by absentee ballot under ss. 6.84 to 6.89.
 19

SECTION 27. 6.24 (3) of the statutes is amended to read:

20 6.24 (3) REGISTRATION. ~~If registration is required in the municipality where the~~
 21 The overseas elector resided or where the elector's parent resided, the elector shall
 22 register in the municipality where he or she was last domiciled or where the overseas
 23 elector's parent was last domiciled on a form prescribed by the board designed to
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1 ascertain the elector's qualifications under this section. The form shall be
2 substantially similar to the original form under s. 6.33 (1), insofar as applicable.
3 Registration shall be accomplished in accordance with s. 6.30 (4).

4 **SECTION 28.** 6.24 (4) (a) of the statutes is amended to read:

5 6.24 (4) (a) An overseas elector who is properly registered ~~where registration~~
6 ~~is required~~ may request an absentee ballot in writing under ss. 6.86 to 6.89.

7 **SECTION 29.** 6.24 (4) (c) of the statutes is amended to read:

8 6.24 (4) (c) Upon receipt of a timely application from an individual who
9 qualifies as an overseas elector and who has registered to vote in a municipality
10 under sub. (3) ~~whenever registration is required in that municipality~~, the municipal
11 clerk of the municipality shall send an absentee ballot to the individual for all
12 subsequent elections for national office to be held during the year in which the ballot
13 is requested, unless the individual otherwise requests or until the individual no
14 longer qualifies as an overseas elector.

15 **SECTION 30.** 6.24 (8) of the statutes is repealed.

16 **SECTION 31.** 6.27 (1) of the statutes is renumbered 6.27 and amended to read:

17 **6.27** ~~Where elector~~ Elector registration required. ~~Every municipality~~
18 ~~over 5,000 population shall keep a registration list consisting of all currently~~
19 ~~registered electors. Where used, registration applies to~~ Registration is required in
20 every municipality for all elections.

21 **SECTION 32.** 6.27 (2) to (5) of the statutes are repealed.

22 **SECTION 33.** 6.276 of the statutes is created to read:

23 **6.276 Federal absentee voting statistics.** (1) In this section, "military
24 elector" and "overseas elector" have the meanings given in s. 6.36 (2) (c).

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BILL

1 (2) Within 30 days after each general election, each municipal clerk shall
2 transmit to the board a report of the number of absentee ballots transmitted by the
3 clerk to absent military electors and overseas electors for that election and the
4 combined number of those ballots that were cast by those electors in that election.

5 (3) Within 90 days after each general election, the board shall compile the
6 information contained in the reports received from municipal clerks under sub. (2)
7 and transmit the information to the federal Election Assistance Commission.

8 **SECTION 34.** 6.28 (2) (b) of the statutes is amended to read:

9 6.28 (2) (b) The municipal clerk of each municipality ~~in which elector~~
10 ~~registration is required~~ shall notify the school board of each school district in which
11 the municipality is located that high schools shall be used for registration pursuant
12 to par. (a). The school board and the municipal clerk shall agree upon the
13 appointment of at least one qualified elector at each high school as a special school
14 registration deputy. The municipal clerk shall appoint such person as a school
15 registration deputy and explain the person's duties and responsibilities. Students
16 and staff may register at the high school on any day that classes are regularly held.
17 The school registration deputies shall promptly forward properly completed
18 registration forms to the municipal clerk of the municipality in which the registering
19 student or staff member resides. The municipal clerk, upon receiving such
20 registration forms, shall add all those registering electors who have met the
21 registration requirements to the registration list. The municipal clerk may reject
22 any registration form and shall promptly notify the person whose registration is
23 rejected of the rejection and the reason therefor. A person whose registration is
24 rejected may reapply for registration if he or she is qualified. The form of each high
25 school student who is qualified and will be eligible to vote at the next election shall

BILL

1 be filed in such a way that when a student attains the age of 18 years the student is
2 registered to vote automatically. Each school board shall assure that the principal
3 of every high school communicates elector registration information to students.

4 **SECTION 35.** 6.28 (3) of the statutes is amended to read:

5 6.28 (3) AT OFFICE OF REGISTER OF DEEDS. Any person who ~~resides in a~~
6 ~~municipality requiring registration of electors~~ shall be given an opportunity to
7 register to vote at the office of the register of deeds for the county in which the
8 person's residence is located. An applicant may fill out the required registration form
9 under s. 6.33. Upon receipt of a completed form, the register of deeds shall forward
10 the form within 5 days to the appropriate municipal clerk, or to the board of election
11 commissioners in cities over 500,000 population. The register of deeds shall forward
12 the form immediately whenever registration closes within 5 days of receipt.

13 **SECTION 36.** 6.29 (2) (a) of the statutes is amended to read:

14 6.29 (2) (a) Any qualified elector of a municipality ~~where registration is~~
15 ~~required~~ who has not previously filed a registration form or whose name does not
16 appear on the registration list of the municipality ~~shall be entitled to vote at the~~
17 ~~election if he or she delivers to the municipal clerk~~ may register after the close of
18 registration but not later than 5 p.m. or the close of business, whichever is later, on
19 the day before an election at the office of the municipal clerk and at the office of the
20 clerk's agent if the clerk delegates responsibility for electronic maintenance of the
21 registration list to an agent under s. 6.33 (5) (b). The elector shall complete, in the
22 manner provided under s. 6.33 (2), a registration form executed by the elector. The
23 ~~form shall contain a certification by the elector that all statements are true and~~
24 ~~correct.~~ ~~Alternatively, if the elector cannot obtain a registration form, the elector~~
25 ~~may deliver a statement, signed by the elector, containing all of the information~~

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1 ~~required on the registration form~~ containing all information required under s. 6.33
2 (1). The elector shall ~~present~~ also provide acceptable proof of residence ~~as provided~~
3 ~~in under s. 6.55 (7). If no proof is presented~~ Alternatively, if the elector is unable to
4 provide acceptable proof of residence under s. 6.55 (7), the information contained in
5 the registration form or the listing of required information shall be substantiated
6 corroborated in a statement that is signed by one any other elector of the
7 municipality, corroborating all the material statements therein and that contains
8 the current street address of the corroborating elector. The corroborating elector
9 shall then provide acceptable proof of residence under s. 6.55 (7). ~~The signing of the~~
10 ~~form by the registering elector and statement by the corroborating elector shall be~~
11 ~~done in the presence of the municipal clerk or deputy clerk not later than 5 p.m. of~~
12 ~~the day before an election.~~

13 SECTION 37. 6.29 (2) (b) of the statutes is amended to read:

14 6.29 (2) (b) ~~Upon~~ Unless the municipal clerk determines that the registration
15 list will be revised to incorporate the registration in time for the election, upon the
16 filing of the registration form required by this section, the municipal clerk or clerk's
17 agent under s. 6.33 (5) (b) shall issue a certificate containing the name and address
18 of the elector addressed to the inspectors of the proper ward or election district
19 directing that the elector be permitted to cast his or her vote, unless the clerk
20 determines that the registration list will be revised to incorporate the registration
21 in time for the election if the elector complies with all requirements for voting at the
22 polling place. The certificate shall be numbered serially, prepared in duplicate and
23 one copy preserved in the office of the municipal clerk.

24 SECTION 38. 6.33 (title) of the statutes is amended to read:

25 **6.33 (title) Registration forms; manner of completing.**

BILL

1 **SECTION 39.** 6.33 (1) of the statutes is amended to read:

2 6.33 (1) The municipal clerk shall supply sufficient registration forms as
3 prescribed by the board printed on loose-leaf sheets or cards to obtain from each
4 applicant information as to name,; date,; residence location,; citizenship,; date of
5 birth; age,; the number of a valid operator's license issued to the elector under ch. 343
6 or the last 4 digits of the elector's social security account number; whether the
7 applicant has resided within the ward or election district for at least 10 days,;
8 whether the applicant has lost his or her right to vote,; and whether the applicant
9 is currently registered to vote at any other location,and. The forms shall also provide
10 a space for the applicant's signature and the ward and aldermanic district, if any,
11 where the elector resides and any other information required to determine the offices
12 and referenda for which the elector is certified to vote. The forms shall also include
13 a space ~~for the identification serial number of any elector who is issued such a~~
14 ~~number under s. 6.47 (3) where the clerk may record an indication of whether the~~
15 ~~form is received by mail and a space where the clerk, for any applicant who possesses~~
16 ~~a valid voting identification card issued to the person under s. 6.47 (3), may record~~
17 ~~the identification serial number appearing on the voting identification card.~~ Each
18 register of deeds shall obtain sufficient registration forms at the expense of the unit
19 of government by which he or she is employed for completion by any elector who
20 desires to register to vote at the office of the register of deeds under s. 6.28 (3).

21 **SECTION 40.** 6.33 (2) of the statutes is amended to read:

22 6.33 (2) (a) The All information may be recorded by any person, but the except
23 that the ward and aldermanic district, if any, other geographic information under
24 sub. (1) the indication of whether the registration is received by mail, and any
25 information relating to an applicant's voting identification card shall be recorded by

BILL

1 the clerk. Each applicant shall sign his or her own name unless the applicant is
2 unable to sign his or her name due to physical disability. In such case, the applicant
3 may authorize another elector to sign the form on his or her behalf. If the applicant
4 so authorizes, the elector signing the form shall attest to a statement that the
5 application is made upon request and by authorization of a named elector who is
6 unable to sign the form due to physical disability. ~~Ward and aldermanic district~~
7 ~~information shall be filled in by the clerk.~~

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

13 **SECTION 41.** 6.33 (3) of the statutes is repealed.

14 **SECTION 42.** 6.33 (4) of the statutes is amended to read:

15 6.33 (4) When an individual's registration is canceled, the municipal clerk or
16 board of election commissioners shall enter the date and reason for cancellation on
17 the individual's registration form list.

18 **SECTION 43.** 6.33 (5) of the statutes is created to read:

19 6.33 (5) (a) Except as provided in par. (b), whenever a municipal clerk receives
20 a valid registration or valid change of a name or address under an existing
21 registration and whenever a municipal clerk cancels a registration, the municipal
22 clerk shall promptly enter electronically on the list maintained by the board under
23 s. 6.36 (1) the information required under that subsection, except that the municipal
24 clerk may update any entries that change on the date of an election in the
25 municipality within 10 days after that date, and the municipal clerk shall provide

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1 to the board information that is confidential under s. 6.47 (2) in such manner as the
2 board prescribes.

3 (b) The municipal clerk of any municipality may, by mutual consent, designate
4 any other municipal clerk, any county clerk, or the board as the clerk's agent to carry
5 out the functions of the municipal clerk under this section for that municipality. The
6 municipal clerk shall notify the county clerk of each county in which the municipality
7 is located and the board of any such designation in writing. The municipal clerk may,
8 by similar notice to the clerk's agent at least 14 days prior to the effective date of any
9 change, discontinue the designation. If the municipal clerk designates another
10 municipal clerk, a county clerk, or the board as his or her agent, the municipal clerk
11 shall immediately forward all registration changes filed with the clerk and voting
12 record information obtained by the clerk to the clerk's agent for electronic entry on
13 the registration list.

14 **SECTION 44.** 6.35 (2) of the statutes is repealed.

15 **SECTION 45.** 6.35 (3) of the statutes is amended to read:

16 6.35 (3) ~~In municipalities employing data processing for keeping of registration~~
17 ~~records, original~~ Original registration records shall be maintained in the office of the
18 municipal clerk or board of election commissioners at all times.

19 **SECTION 46.** 6.35 (5) and (6) of the statutes are repealed.

20 **SECTION 47.** 6.36 (1) of the statutes is repealed and recreated to read:

21 6.36 (1) (a) The board shall compile and maintain electronically an official
22 registration list. The list shall contain the name and address of each registered
23 elector in the state, the ward and aldermanic district of the elector, if any, and, for
24 each elector, a unique registration identification number assigned by the board, the
25 number of a valid operator's license issued to the elector under ch. 343, if any, or the

BILL

1 last 4 digits of the elector's social security account number, if any, any identification
2 serial number issued to the elector under s. 6.47 (3) and such other information as
3 may be determined by the board to facilitate administration of elector registration
4 requirements.

5 (b) 1. The list shall be open to public inspection under s. 19.35 (1) and shall be
6 electronically accessible by any person, except that:

7 a. No person other than an employee of the board, a municipal clerk, a deputy
8 clerk, an executive director of a city board of election commissioners, or a deputy
9 designated by the executive director may view the date of birth, registration
10 identification number, operator's license number, social security account number,

11 the address of an elector to whom an identification serial number is issued under s.
12 6.47 (3), or any indication of an accommodation required under
13 s. 5.25(4)(a) to permit voting by an elector.

14 b. No person other than an employee of the board, a municipal clerk, or an
15 election official who is authorized by a municipal clerk may make a change in the list.

16 2. The list shall be electronically accessible by name and shall also be accessible
17 in alphabetical order of the electors' names for the entire state and for each county,
18 municipality, ward, and combination of wards authorized under s. 5.15 (6) (b).

19 (c) The list shall be designed in such a way that the municipal clerk or board
20 of election commissioners of any municipality and any election official who is
21 authorized by the clerk or executive director of the board of election commissioners
22 may, by electronic transmission, add, revise, or remove entries on the list for any
23 elector who resides in, or who the list identifies as residing in, that municipality and
24 no other municipality.

25 (d) Upon receipt of official notification by the appropriate election
administrative authority of another state, territory, or possession that an elector

the elector is an overseas elector, as defined in s. 6.24 (1), an indication of any accommodation required under s. 5.25(4)(a) to permit voting by the elector.

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1 6.36 (2) (a) Except as provided in ~~par. (b) and (c), the~~ each registration
2 list ^{as a poll list} ~~prepared for use at a polling place~~ shall contain the full name and address
3 of each registered elector; a blank column for the entry of the serial number of the
4 electors when they vote; if the list is prepared for use at an election for national
5 office, an indication next to the name of each elector for whom identification is
6 required under par. (c) 2.; and a form of a certificate bearing the certification of the
7 executive director of the board stating that each the list is a true and complete
8 combined check and registration list of the respective municipality or the ward or
9 wards for which the list is prepared.

10 SECTION 49. 6.36 (2) (c) of the statutes is created to read:

11 6.36 (2) (c) 1. In this paragraph:

12 a. "Military elector" means a member of a uniformed service on active duty who,
13 by reason of that duty, is absent from the residence where the member is otherwise
14 qualified to vote; a member of the merchant marine, as defined in s. 6.22 (1) (a), who
15 by reason of service in the merchant marine, is absent from the residence where the
16 member is otherwise qualified to vote; or the spouse or dependent of any such
17 member who, by reason of the duty or service of the member, is absent from the
18 residence where the spouse or dependent is otherwise qualified to vote.

19 b. "Overseas elector" means an elector who resides outside the United States
20 and who is qualified under federal law to vote in elections for national office in this
21 state because the elector was last domiciled in this state immediately prior to the
22 elector's departure from the United States.

23 2. If the registration list is prepared for use at an election for national office,
24 the list shall contain, next to the name of each elector, an indication of whether
25 identification is required for the elector to be permitted to vote. Identification is

BILL

1 whose name appears on the list has registered to vote in that state, territory, or
2 possession, the board or the municipal clerk of the municipality where the elector
3 formerly resided shall remove the name of that elector from the list.

4 (e) If the board adds the name of any elector to the list, the board shall promptly
5 notify the municipal clerk of the municipality where the elector resides. If the board
6 removes the name of any elector from the list, the board shall promptly notify the
7 municipal clerk of the municipality where the elector resides or, if the elector has
8 changed his or her residence from one municipality to another municipality in this
9 state, shall promptly notify the municipal clerk of the municipality where the elector
10 resided prior to the change. Notification shall be made in writing or by electronic
11 transmission. If the board removes the name of any elector from the list, the board
12 shall make an entry on the list giving the date of and the reason for the removal.

13 (f) 1. If a municipal clerk receives a request from an elector to transfer his or
14 her registration to another municipality in this state, the clerk shall cancel the
15 elector's registration and shall notify the municipal clerk of the municipality to
16 which the elector is changing his or her residence.

17 2. If a municipal clerk receives a request from an elector who is registered in
18 another municipality to transfer his or her registration to the municipality served
19 by the clerk, the clerk shall notify the municipal clerk of the municipality where the
20 elector formerly resided of the elector's change of residence. Upon receipt of such
21 notification, that municipal clerk shall cancel the elector's registration.

22 (g) The board shall make all reasonable efforts to ensure that the list is
23 maintained in a manner that precludes unauthorized persons from making
24 alterations to the list.

25 SECTION 48. 6.36 (2) (a) of the statutes is amended to read:

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1 required if the elector is not a military elector or an overseas elector and the elector
2 registers by mail and has not previously voted in an election for national office in this
3 state.

4 **SECTION 50.** 6.36 (3) of the statutes is amended to read:

5 ~~6.36 (3) Municipalities shall prepare at least 2 copies of the registration list for~~
6 ~~each ward and bind them in book form.~~ The original registration forms constitute the
7 ~~official registration list and shall be controlling whenever discrepancies occur in~~
8 ~~entering information from the forms under s. 6.33 (5).~~

9 **SECTION 51.** 6.40 (2) (b) of the statutes is amended to read:

10 6.40 (2) (b) In addition to the revision which is required under s. 6.50,
11 municipal clerks may conduct door-to-door and mail registration canvasses at any
12 time. The door-to-door canvass shall consist of both the deletion from the
13 registration list of the names of electors who no longer reside at the address for which
14 they are registered and the addition to the registration list of the names of electors
15 who reside at that address. The mail canvass shall consist of the municipal clerk
16 examining the registration records and canceling the registration of electors after
17 the mailing of notices in accordance with s. 6.50 (1) and (2) ~~or (2m)~~. The mail canvass
18 may also consist of adding to the registration list the names of eligible electors. Both
19 door-to-door and mail canvasses whenever made shall be made throughout the
20 municipality in a uniform manner. An elector who wishes to obtain a confidential
21 listing under s. 6.47 (2) shall register at the office of the municipal clerk of the
22 municipality where the elector resides.

23 **SECTION 52.** 6.47 (2) of the statutes is amended to read:

24 6.47 (2) Except as authorized in sub. (8), the board, each municipal clerk, each
25 agent designated under s. 6.33 (5) (b), and each election official shall withhold from

BILL

1 public inspection under s. 19.35 (1) the name and address of any eligible individual
2 whose name appears on a poll list or registration list if the individual ~~files~~ provides
3 the municipal clerk with a valid written request ~~with the clerk~~ to protect the
4 individual's confidentiality. To be valid, a request under this subsection must be
5 accompanied by a copy of a protective order that is in effect, an affidavit under sub.
6 (1) (a) 2. that is dated within 30 days of the date of the request or a statement signed
7 by the operator or an authorized agent of the operator of a shelter that is dated within
8 30 days of the date of the request and that indicates that the operator operates the
9 shelter and that the individual making the request resides in the shelter. A
10 physically disabled individual who appears personally at the office of the municipal
11 clerk accompanied by another elector of this state may designate that elector to make
12 a request under this subsection on his or her behalf.

13 SECTION 53. 6.47 (3) of the statutes is amended to read:

14 6.47 (3) Upon ~~listing of~~ receiving a valid written request from an elector under
15 sub. (2), the municipal clerk shall issue to the elector a voting identification card on
16 a form prescribed by the board that shall contain the name of the elector's
17 municipality issuing the card of residence and, in the case of a town, the county in
18 which the town is located, the elector's name, the ward in which the elector resides,
19 if any, and a unique identification serial number issued by the board. The number
20 issued to an elector under this subsection shall not be changed for so long as the
21 elector continues to qualify for a listing under sub. (2).

22 SECTION 54. 6.50 (1) (intro.) of the statutes is amended to read:

23 6.50 (1) (intro.) Within 90 days following each general election, the municipal
24 clerk or board of election commissioners of each municipality ~~in which registration~~
25 ~~is required~~ shall examine the registration records and identify each elector who has

BILL

1 not voted within the previous 4 years if qualified to do so during that entire period
2 and shall mail a notice to the elector in substantially the following form:

3 **SECTION 55.** 6.50 (2m) of the statutes is repealed.

4 **SECTION 56.** 6.50 (7) of the statutes is amended to read:

5 6.50 (7) When an elector's registration is canceled, the municipal clerk shall
6 make an entry upon on the registration card list, giving the date of and the cause of
7 for cancellation.

8 **SECTION 57.** 6.50 (8) of the statutes is amended to read:

9 6.50 (8) Any municipal governing body may direct the municipal clerk or board
10 of election commissioners to arrange with the U.S. postal service pursuant to
11 applicable federal regulations, to receive change of address information with respect
12 to individuals residing within the municipality for revision of the elector registration
13 list. If required by the U.S. postal service, the governing body may create a
14 registration commission consisting of the municipal clerk or executive director of the
15 board of election commissioners and 2 other electors of the municipality appointed
16 by the clerk or executive director for the purpose of making application for address
17 changes and processing the information received. The municipal clerk or executive
18 director shall act as chairperson of the commission. Any authorization under this
19 subsection shall be for a definite period or until the municipal governing body
20 otherwise determines. The procedure shall apply uniformly to the entire
21 municipality whenever used. The procedure shall provide for receipt of complete
22 change of address information on an automatic basis, or not less often than once
23 every 2 years during the 60 days preceding the close of registration for the September
24 primary. If a municipality adopts the procedure for obtaining address corrections

BILL

1 under this subsection, it need not comply with the procedure for mailing address
2 verification cards under subs. (1) and (2) ~~or (2m)~~.

3 **SECTION 58.** 6.50 (9) of the statutes is repealed.

4 **SECTION 59.** 6.50 (10) of the statutes is amended to read:

5 **6.50 (10)** Any qualified elector whose registration is canceled under this section
6 may ~~have his or her registration reinstated by filing a new registration form~~
7 reregister as provided under s. 6.28 (1), 6.29 (2), or 6.55 (2).

8 **SECTION 60.** 6.55 (2) (a) 1. (intro.) of the statutes is amended to read:

9 **6.55 (2) (a) 1. (intro.)** Except where the procedure under par. (c) or (cm) is
10 employed, any person who qualifies as an elector in the ward or election district
11 where he or she desires to vote, but has not previously filed a registration form, or
12 was registered at another location ~~in a municipality where registration is required,~~
13 may request permission to vote at the polling place for that ward or election district,
14 or at an alternate polling place assigned under s. 5.25 (5) (b). When a proper request
15 is made, the inspector shall require the person to execute a registration form
16 prescribed by the board ~~that.~~ The registration form shall be completed in the manner
17 provided under s. 6.33 (2) and shall contain all information required under s. 6.33
18 (1), together with the following certification:

19 **SECTION 61.** 6.55 (2) (b) of the statutes is amended to read:

20 **6.55 (2) (b)** Upon executing the registration form under par. (a), the person
21 ~~elector shall be required by a special registration deputy or inspector to present~~
22 provide acceptable proof of residence under sub. (7). If the ~~person~~ elector cannot
23 ~~supply such~~ provide acceptable proof of residence, the information contained in the
24 registration form shall be substantiated and signed corroborated in a statement that
25 is signed by one other any elector who resides in the same municipality as the

BILL

1 ~~registering elector, corroborating all the material statements therein and that~~
2 ~~contains the current street address of the corroborating elector.~~ The corroborator
3 shall then provide acceptable proof of residence as provided in sub. (7). The signing
4 by the elector executing the registration form and by any ~~elector who corroborates~~
5 ~~the information in the form~~ corroborator shall be in the presence of the special
6 registration deputy or inspector. Upon compliance with this procedure, ~~such person~~
7 ~~shall then be given the right to vote~~ the elector shall be permitted to cast his or her
8 vote, if the elector complies with all other requirements for voting at the polling
9 place.

10 SECTION 62. 6.55 (2) (c) 1. of the statutes is amended to read:

11 6.55 (2) (c) 1. As an alternative to registration at the polling place under pars.
12 (a) and (b), the board of election commissioners, or the governing body of any
13 municipality ~~in which registration is required~~ may by resolution require a person
14 who qualifies as an elector and who is not registered and desires to register on the
15 day of an election to do so at another readily accessible location in the same building
16 as the polling place serving the elector's residence or at an alternate polling place
17 assigned under s. 5.25 (5) (b), instead of at the polling place serving the elector's
18 residence. In such case, the municipal clerk shall prominently post a notice of the
19 registration location at the polling place. The municipal clerk, deputy clerk or special
20 registration deputy at the registration location shall require such person to execute
21 a registration form as prescribed under par. (a) and to provide acceptable proof of
22 residence as provided under sub. (7). ~~If the person elector cannot supply such~~ provide
23 acceptable proof of residence, the information contained in the registration form
24 shall be corroborated in the manner provided in par. (b). The signing by the elector
25 executing the registration form and by any ~~corroborating elector~~ corroborator shall

BILL

1 be in the presence of the municipal clerk, deputy clerk or special registration deputy.
2 Upon proper completion of registration, the municipal clerk, deputy clerk or special
3 registration deputy shall serially number the registration and give one copy to the
4 elector for presentation at the polling place serving the elector's residence or an
5 alternate polling place assigned under s. 5.25 (5) (b).

6 **SECTION 63.** 6.55 (2) (c) 2. of the statutes is amended to read:

7 6.55 (2) (c) 2. Upon compliance with the procedures under subd. 1., the
8 municipal clerk or deputy clerk shall issue a certificate addressed to the inspectors
9 of the proper polling place directing that the elector be permitted to cast his or her
10 vote if the elector complies with all requirements for voting at the polling place. The
11 clerk shall enter the name and address of the elector and the number provided by the
12 elector on the face of the certificate. If the elector's registration is corroborated, the
13 clerk shall also enter the name and address of the corroborator on the face of the
14 certificate. The certificate shall be numbered serially and prepared in duplicate. The
15 municipal clerk shall preserve one copy in his or her office.

16 **SECTION 64.** 6.55 (2) (d) of the statutes is amended to read:

17 6.55 (2) (d) A registered elector who has changed his or her name but resides
18 at the same address, and has not notified the municipal clerk under s. 6.40 (1) (c),
19 shall notify the inspector of the change before voting. The inspector shall then notify
20 the municipal clerk at the time ~~which~~ when materials are returned under s. 6.56 (1).
21 If an elector ~~changes~~ has changed both a name and address, the elector shall
22 ~~complete a registration form~~ register at the polling place or other registration
23 location under pars. (a) and (b).

24 **SECTION 65.** 6.55 (3) of the statutes is amended to read:

BILL

1 6.55 (3) Any qualified elector in the ward or election district where the elector
2 desires to vote whose name does not appear on the registration list where
3 ~~registration is required~~ but who claims to be registered to vote in the election may
4 request permission to vote at the polling place for that ward or election district.
5 When the request is made, the inspector shall require the person to give his or her
6 name and address. If the elector is not at the polling place which serves the ward or
7 election district where the elector resides, the inspector shall provide the elector with
8 directions to the correct polling place. If the elector is at the correct polling place, the
9 elector shall then execute the following written statement: "I, ..., hereby certify that
10 to the best of my knowledge, I am a qualified elector, having resided at for at least
11 10 days immediately preceding this election, and that I am not disqualified on any
12 ground from voting, and I have not voted at this election and am properly registered
13 to vote in this election." The person shall be required to provide acceptable proof of
14 residence as provided under sub. (7) and shall then be given the right to vote. If
15 ~~acceptable proof is presented, the elector need not have the information corroborated~~
16 ~~by any other elector. If acceptable the elector cannot provide acceptable proof is not~~
17 ~~presented of residence, the statement shall be certified by the elector and shall be~~
18 ~~corroborated in a statement that is signed by another any other elector who resides~~
19 ~~in the municipality and that contains the current street address of the corroborating~~
20 ~~elector.~~ The corroborator shall then provide acceptable proof of residence as provided
21 in sub. (7). Whenever the question of identity or residence cannot be satisfactorily
22 resolved and the elector cannot be permitted to vote, an inspector shall telephone the
23 office of the municipal clerk to reconcile the records at the polling place with those
24 at the office.

25 **SECTION 66.** 6.55 (7) (a) (intro.) of the statutes is amended to read:

BILL

1 6.55 (7) (a) (intro.) For purposes of this section, ~~a form of identification~~ an
2 identifying document constitutes acceptable proof of residence if it includes:

3 SECTION 67. 6.55 (7) (b) of the statutes is amended to read:

4 6.55 (7) (b) If an elector's address has changed since ~~a piece of identification~~
5 an identifying document was issued, the new information may be typed or printed
6 on the identification document by hand, in ink.

7 SECTION 68. 6.55 (7) (c) (intro.) of the statutes is amended to read:

8 6.55 (7) (c) (intro.) ~~Forms of identification~~ Identifying documents which
9 constitute acceptable proof of residence under this section, when they contain the
10 information specified in par. (a), include the following:

11 SECTION 69. 6.55 (7) (c) 1. of the statutes is amended to read:

12 6.55 (7) (c) 1. ~~A Wisconsin motor vehicle~~ An operator's license issued under ch.
13 343.

14 SECTION 70. 6.55 (7) (c) 2. of the statutes is amended to read:

15 6.55 (7) (c) 2. ~~A Wisconsin~~ An identification card issued under s. 125.08, 1987
16 stats s. 343.50.

17 SECTION 71. 6.55 (7) (d) of the statutes is amended to read:

18 6.55 (7) (d) ~~Forms of identification~~ Identifying documents specified in par. (c)
19 which are valid for use during a specified period shall be valid on the day of an
20 election in order to constitute acceptable proof of residence at that election.

21 SECTION 72. 6.79 (intro.) (except 6.79 (title)) of the statutes is renumbered 6.79
22 (1m) and amended to read:

23 6.79 (1m) SEPARATE POLL LISTS. Two election officials at each election ward shall
24 be in charge of and shall maintain 2 separate poll lists of containing information
25 relating to all persons voting. The municipal clerk may elect to maintain the

BILL

1 information on the ~~poll list~~ lists manually or electronically. If the ~~list is~~ lists are
2 maintained electronically, the officials shall enter the information into an electronic
3 data recording system that enables retrieval of ~~a printed copy~~ copies of the ~~poll list~~
4 lists at the polling place. The system employed is subject to the approval of the board.

5 **SECTION 73.** 6.79 (1) of the statutes is repealed.

6 **SECTION 74.** 6.79 (2) of the statutes is repealed and recreated to read:

7 **6.79 (2) VOTING PROCEDURE.** (a) Unless information on the poll list is entered
8 electronically, the municipal clerk shall supply the inspectors with 2 copies of the
9 most current official registration list or lists prepared under s. 6.36 (2) (a) for use as
10 poll lists at the polling place. Except as provided in sub. (6), each person, before
11 receiving a serial number, shall state his or her full name and address. The officials
12 shall verify that the name and address provided by the person are the same as the
13 person's name and address on the poll list.

14 (b) Upon the poll list, after the name of each elector, the officials shall enter a
15 serial number for each elector in the order that votes are cast, beginning with
16 number one.

17 (c) The officials shall maintain separate lists for electors who are voting under
18 s. 6.15, 6.29, or 6.55 (2) or (3) and electors who are reassigned from another polling
19 place under s. 5.25 (5) (b) and shall enter the full name, address, and serial number
20 of each of these electors on the appropriate separate list. Alternatively, if the poll list
21 is maintained electronically, the officials may enter on the poll list the information
22 that would otherwise appear on a separate list if the information that would be
23 obtainable from a separate list is entered on the poll list.

24 (d) If the registration list indicates that identification is required, the officials
25 shall require the elector to provide identification. If identification is provided, the

BILL

1 officials shall verify that any photograph reasonably resembles the elector or that the
2 name and address on the identification provided is the same as the name and address
3 shown on the registration list. If identification is required and not provided or if the
4 document that is provided cannot be verified by the officials, the officials shall offer
5 the opportunity for the elector to vote under s. 6.97.

6 (e) The officials shall then provide each elector with a slip bearing the same
7 serial number as is recorded for the elector upon the poll list or separate list.

8 **SECTION 75.** 6.79 (4) of the statutes is amended to read:

9 6.79 (4) SUPPLEMENTAL INFORMATION. When any elector provides ~~identification~~
10 acceptable proof of residence under ~~sub. (1) or~~ s. 6.15, 6.29 or 6.55 (2) or (3), the
11 election officials shall enter the type of ~~identification~~ identifying document provided
12 on the poll ~~or registration~~ list, or ~~supplemental~~ separate list maintained under sub.
13 (2) (c). If the ~~form of identification~~ document submitted as proof of identity or
14 residence includes a number which applies only to the individual holding that piece
15 of ~~identification~~ document, the election officials shall also enter that number on the
16 list. When any elector corroborates the registration identity or residence of any
17 person offering to vote under ~~sub. (1) or~~ s. 6.55 (2) (b) or (c) or (3), or the registration
18 identity or residence of any person registering on election day under s. 6.86 (3) (a)
19 2., the election officials shall also enter the name and address of the corroborator
20 ~~shall also be entered~~ next to the name of the elector whose information is being
21 corroborated on the ~~registration or~~ poll list, or the separate list maintained under
22 sub. (2) (c). When any person offering to vote has been challenged and taken the oath,
23 following the person's name on the ~~registration or~~ poll list, the officials shall enter
24 the word "Sworn".

25 **SECTION 76.** 6.79 (5) of the statutes is repealed.