



State of Wisconsin  
2005 - 2006 LEGISLATURE

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**ASSEMBLY AMENDMENT 2,  
TO 2005 ASSEMBLY BILL 64**

February 22, 2005 – Offered by Representatives COLON and YOUNG.

1           At the locations indicated, amend the bill as follows:

2           **1.** Page 1, line 4: before that line insert:

3           “**SECTION 1b.** 5.02 (4b) of the statutes is created to read:

4           5.02 (**4b**) “Election day” means the day or days on which an election is  
5 authorized or required to be held.

6           **SECTION 1c.** 5.02 (5) of the statutes is amended to read:

7           5.02 (**5**) “General election” means the election held in even-numbered years on  
8 the Tuesday after the first Monday in November and the 2 days preceding that day  
9 to elect United States senators, representatives in congress, presidential electors,  
10 state senators, representatives to the assembly, district attorneys, state officers  
11 other than the state superintendent and judicial officers, and county officers other  
12 than supervisors and county executives.

13           **SECTION 1d.** 5.02 (18) of the statutes is amended to read:

1           5.02 (18) “September primary” means the primary held the 2nd Tuesday in  
2           September and the 2 days preceding that day to nominate candidates to be voted for  
3           at the general election, and to determine which candidates for state offices other than  
4           district attorney may participate in the Wisconsin election campaign fund.

5           **SECTION 1e.** 5.02 (21) of the statutes is amended to read:

6           5.02 (21) “Spring election” means the election held on the first Tuesday in April  
7           and the 2 days preceding that day to elect judicial, educational and municipal  
8           officers, nonpartisan county officers and sewerage commissioners.

9           **SECTION 1f.** 5.02 (22) of the statutes is amended to read:

10          5.02 (22) “Spring primary” means the primary held on the 3rd Tuesday in  
11          February and the 2 days preceding that day to nominate nonpartisan candidates to  
12          be voted for at the spring election and to express preferences for the person to be the  
13          presidential candidate for each party in a year in which electors for president and  
14          vice president are to be elected.

15          **SECTION 1g.** 5.84 (1) of the statutes is amended to read:

16          5.84 (1) Where any municipality employs an electronic voting system which  
17          utilizes automatic tabulating equipment, either at the polling place or at a central  
18          counting location, the municipal clerk shall, on any day not more than 10 days prior  
19          to the election day on which the equipment is to be utilized, or if the election is held  
20          on more than one day, not more than 10 days prior to the last day of the election at  
21          which the equipment is to be utilized, have the equipment tested to ascertain that  
22          it will correctly count the votes cast for all offices and on all measures. Public notice  
23          of the time and place of the test shall be given by the clerk at least 48 hours prior to  
24          the test by publication of a class 1 notice under ch. 985 in one or more newspapers  
25          published within the municipality if a newspaper is published therein, otherwise in

1 a newspaper of general circulation therein. The test shall be open to the public. The  
2 test shall be conducted by processing a preaudited group of ballots so marked as to  
3 record a predetermined number of valid votes for each candidate and on each  
4 referendum. The test shall include for each office one or more ballots which have  
5 votes in excess of the number allowed by law and, for a partisan primary election, one  
6 or more ballots which have votes cast for candidates of more than one recognized  
7 political party, in order to test the ability of the automatic tabulating equipment to  
8 reject such votes. If any error is detected, the municipal clerk shall ascertain the  
9 cause and correct the error. The clerk shall make an errorless count before the  
10 automatic tabulating equipment is approved by the clerk for use in the election.

11 **SECTION 1h.** 6.02 of the statutes is amended to read:

12 **6.02 Qualifications, general. (1)** Every U.S. citizen age 18 or older who has  
13 resided in an election district or ward for 10 days before any election ~~where, or if an~~  
14 election is held on more one day, for at least 10 days before the last day that the  
15 election is held at which the citizen offers to vote is an eligible elector.

16 **(2)** Any U.S. citizen age 18 or older who moves within this state later than 10  
17 days before an election, ~~or, if an election is held on more than one day, later than 10~~  
18 days before the last day that the election is held, shall vote at his or her previous ward  
19 or election district if the person is otherwise qualified. If the elector can comply with  
20 the 10-day residence requirement at the new address and is otherwise qualified, he  
21 or she may vote in the new ward or election district.

22 **SECTION 1i.** 6.05 of the statutes is amended to read:

23 **6.05 Election day age determines elector's rights.** Any person who will  
24 be 18 years old on or before election day, ~~or if an election is held on more than one day,~~

1 on or before the last day that the election is held, is entitled to vote if the person  
2 complies with this chapter.

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

4 6.10 (3) When an elector moves from one ward to another or from one  
5 municipality to another within the state after the last registration day but at least  
6 10 days before the election, or 10 days before the last day that an election is held  
7 whenever an election is held on more than one day, the elector may vote in and be  
8 considered a resident of the new ward or municipality where residing upon  
9 transferring registration under s. 6.40 (1) or upon registering at the proper polling  
10 place or other registration location in the new ward or municipality under s. 6.55 (2)  
11 or 6.86 (3) (a) 2. If the elector moves within 10 days of an election, or within 10 days  
12 of the last day on which an election is held whenever an election is held on more than  
13 one day, the elector shall vote in the elector's old ward or municipality if otherwise  
14 qualified to vote there.

15 **SECTION 1k.** 6.10 (4) of the statutes is amended to read:

16 6.10 (4) The residence of an unmarried person sleeping in one ward and  
17 boarding in another is the place where the person sleeps. The residence of an  
18 unmarried person in a transient vocation, a teacher or a student who boards at  
19 different places for part of the week, month or year, if one of the places is the residence  
20 of the person's parents, is the place of the parents' residence unless through  
21 registration or similar act the person elects to establish a residence elsewhere. If the  
22 person has no parents and if the person has not registered elsewhere, the person's  
23 residence shall be at the place which the person considered his or her residence in  
24 preference to any other for at least 10 days before an election, or if an election is held  
25 on more than one day, for at least 10 days before the last day that the election is held.

1 If this place is within the municipality, the person is entitled to all the privileges and  
2 subject to all the duties of other citizens having their residence there, including  
3 voting.

4 **SECTION 1L.** 6.15 (1) of the statutes is amended to read:

5 6.15 (1) QUALIFICATIONS. Any person who was or who is a qualified elector under  
6 ss. 6.02 and 6.03, except that he or she has been a resident of this state for less than  
7 10 days prior to the ~~date of~~ last day on which the presidential election is held, is  
8 entitled to vote for the president and vice president but for no other offices. The fact  
9 that the person was not registered to vote in the state from which he or she moved  
10 does not prevent voting in this state if the elector is otherwise qualified.

11 **SECTION 1m.** 6.25 (1) of the statutes is amended to read:

12 6.25 (1) Any individual who qualifies as a military elector under s. 6.22 (1) (b)  
13 or an overseas elector under s. 6.24 (1) and who transmits an application for an  
14 official absentee ballot for a general election no later than 30 days before election day  
15 or, if an election is held on more than one day, no later than 30 days before the last  
16 day that an election is held, may, in lieu of the official ballot, cast a federal write-in  
17 absentee ballot prescribed under 42 USC 1973ff-2 for any candidate or for all of the  
18 candidates of any recognized political party for national office listed on the official  
19 ballot at the general election if the federal write-in absentee ballot is received by the  
20 appropriate municipal clerk no later than the time prescribed in s. 6.87 (6).

21 **SECTION 1n.** 6.25 (2) of the statutes is amended to read:

22 6.25 (2) Any individual who qualifies as a military elector under s. 6.22 (1) (b)  
23 and who transmits an application for an official absentee ballot for any election no  
24 later than 30 days before election day or, if an election is held on more than one day,  
25 no later than 30 days before the last day that an election is held, may, in lieu of the

1 official ballot, cast a write-in absentee ballot for any candidate or for all of the  
2 candidates of any recognized political party listed on the official ballot at the election  
3 if the write-in absentee ballot is received by the appropriate municipal clerk no later  
4 than the time prescribed in s. 6.87 (6). The ballot shall contain the information  
5 required under s. 5.55 whenever applicable and on the face shall indicate the type  
6 and date of election and shall list the offices to be filled and the number of votes that  
7 each elector may cast for each office. The ballot shall include a number of spaces  
8 under each office equal to the number of votes permitted to be cast for that office for  
9 the elector to write in the names of candidates.

10 **SECTION 1o.** 6.25 (3) of the statutes is amended to read:

11 6.25 (3) Any individual who qualifies as an overseas elector under s. 6.24 (1)  
12 and who transmits an application for an official absentee ballot for any election no  
13 later than 30 days before election day or, if an election is held on more than one day,  
14 no later than 30 days before the last day that an election is held, may, at any election  
15 for national office in lieu of the official ballot, cast a write-in absentee ballot for any  
16 candidate for national office or for all of the candidates of any recognized political  
17 party for national office listed on the official ballot at the election if the write-in  
18 absentee ballot is received by the appropriate municipal clerk no later than the time  
19 prescribed in s. 6.87 (6). The ballot shall contain the information required under s.  
20 5.55 whenever applicable and on the face shall indicate the type and date of election  
21 and shall list the offices to be filled. The ballot shall include a space under each office  
22 for the elector to write in the name of a candidate.

23 **SECTION 1p.** 6.40 (1) (a) 1. of the statutes is amended to read:

24 6.40 (1) (a) 1. Any registered elector shall transfer registration after a change  
25 of residence within the state by filing in person with the municipal clerk or by mailing

1 to the municipal clerk a signed request stating his or her present address, affirming  
2 that this will be his or her residence for at least 10 days prior to the election or, if the  
3 election is held on more than one day, for at least 10 days prior to the last day that  
4 the election is held, and providing the address where he or she was last registered.  
5 Alternatively, the elector may transfer his or her registration at the proper polling  
6 place or other registration location under s. 6.02 (2) in accordance with s. 6.55 (2) (a).  
7 If an elector is voting in the ward or election district where the elector formerly  
8 resided, the change shall be effective for the next election.

9 **SECTION 1q.** 6.55 (2) (a) 1. of the statutes is amended to read:

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

19 “I, ..., hereby certify that to the best of my knowledge, I am a qualified elector,  
20 having resided at ... for at least 10 days immediately preceding this election, or if this  
21 election is held on more than one day, for at least 10 days immediately preceding the  
22 last day that this election is held, and that I am not disqualified on any ground from  
23 voting, and I have not voted, at this election.”

24 **SECTION 1r.** 6.55 (3) of the statutes is amended to read:

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

24           **2.** Page 1, line 4: delete “**SECTION 1**” and substitute “**SECTION 1w**”.

1           **3.** Page 2, line 1: delete “8 p.m.” and substitute “8 p.m. on each of the days that  
2 an election is held.”.

3           **4.** Page 2, line 4: after that line insert:

4           “**SECTION 4b.** 6.85 of the statutes is amended to read:

5           **6.85 Absent elector; definition.** An absent elector is any otherwise qualified  
6 elector who for any reason is unable or unwilling to appear at the polling place in his  
7 or her ward. Any otherwise qualified elector who changes residence within this state  
8 by moving to a different ward or municipality later than 10 days prior to an election,  
9 or if an election is held on more than one day, later than 10 days prior to the last day  
10 that an election is held, may vote an absentee ballot in the ward or municipality  
11 where he or she was qualified to vote before moving. An elector qualifying under this  
12 section may vote by absentee ballot under ss. 6.86 to 6.89.

13           **SECTION 4c.** 6.86 (1) (b) of the statutes is amended to read:

14           6.86 (1) (b) Except as provided in this section, if application is made in writing,  
15 the application, signed by the elector, shall be received no later than 5 p.m. on the  
16 Friday immediately preceding the election, or if the election is held on more than one  
17 day, no later than 5 p.m. on the last day that the election is held. If application is  
18 made in person, the application shall be made no later than 5 p.m. on the day  
19 preceding the election. If the elector is making written application and the  
20 application indicates that the reason for requesting an absentee ballot is that the  
21 elector is a sequestered juror, the application shall be received no later than 5 p.m.  
22 on election day, or if the election is held on more than one day, no later than 5 p.m.  
23 on the last day that the election is held. If the application is received after 5 p.m. on  
24 the Friday immediately preceding the election, the municipal clerk or the clerk’s

1 agent shall immediately take the ballot to the court in which the elector is serving  
2 as a juror and deposit it with the judge. The judge shall recess court, as soon as  
3 convenient, and give the elector the ballot. The judge shall then witness the voting  
4 procedure as provided in s. 6.87 and shall deliver the ballot to the clerk or agent of  
5 the clerk who shall deliver it to the polling place as required in s. 6.88. If application  
6 is made under sub. (2), the application may be received no later than 5 p.m. on the  
7 Friday immediately preceding the election.

8 **SECTION 4d.** 6.86 (3) (c) of the statutes is amended to read:

9 6.86 (3) (c) An application under par. (a) 1. may be made and a registration form  
10 under par. (a) 2. may be filed in person at the office of the municipal clerk not earlier  
11 than 7 days before an election and not later than 5 p.m. on the day of the election,  
12 or if the election is held on more than one day, on the last day that the election is held.

13 A list of hospitalized electors applying for ballots under par. (a) 1. shall be made by  
14 the municipal clerk and used to check that the electors vote only once, and by  
15 absentee ballot. If identification is required, the municipal clerk shall so inform the  
16 agent and the elector shall enclose identification in the envelope with the ballot. The  
17 ballot shall be sealed by the elector and returned to the municipal clerk either by mail  
18 or by personal delivery of the agent; but if the ballot is returned on the day of the  
19 election, the agent shall make personal delivery at the polling place serving the  
20 hospitalized elector's residence before the closing hour for the ballot to be counted.

21 **SECTION 4e.** 6.87 (2) of the statutes is amended to read:

22 6.87 (2) Except as authorized under sub. (3) (d), the municipal clerk shall place  
23 the ballot in an unsealed envelope furnished by the clerk. The envelope shall have  
24 the name, official title and post-office address of the clerk upon its face. The other

1 side of the envelope shall have a printed certificate in substantially the following  
2 form:

3 [STATE OF ....

4 County of ....]

5 or

6 [(name of foreign country and city or other jurisdictional unit)]

7 I, ....., certify subject to the penalties of s. 12.60 (1) (b), Wis. Stats., for false  
8 statements, that I am a resident of the [... ward of the] (town) (village) of ....., or of  
9 the .... aldermanic district in the city of ....., residing at ....\* in said city, the county  
10 of ....., state of Wisconsin, and am entitled to vote in the (ward) (election district) at  
11 the election to be held on ....; that I am not voting at any other location in this election;  
12 that I am unable or unwilling to appear at the polling place in the (ward) (election  
13 district) on election day or have changed my residence within the state from one ward  
14 or election district to another within 10 days before the election, or if the election is  
15 held on more than one day, within 10 days before the last day that the election is held.

16 I certify that I exhibited the enclosed ballot unmarked to the witness, that I then in  
17 (his) (her) presence and in the presence of no other person marked the ballot and  
18 enclosed and sealed the same in this envelope in such a manner that no one but  
19 myself and any person rendering assistance under s. 6.87 (5), Wis. Stats., if I  
20 requested assistance, could know how I voted.

21 Signed ....

22 Identification serial number, if any: ....

23 The witness shall execute the following:

24 I, the undersigned witness, subject to the penalties of s. 12.60 (1) (b), Wis.  
25 Stats., for false statements, certify that the above statements are true and the voting

1 procedure was executed as there stated. I am not a candidate for any office on the  
2 enclosed ballot (except in the case of an incumbent municipal clerk). I did not solicit  
3 or advise the elector to vote for or against any candidate or measure.

4 ....(Name)

5 ....(Address)\*\*

6 \* — An elector who provides an identification serial number issued under s.  
7 6.47 (3), Wis. Stats., need not provide a street address.

8 \*\* — If this form is executed before 2 special voting deputies under s. 6.875 (6),  
9 Wis. Stats., both deputies shall witness and sign.

10 **SECTION 4f.** 6.87 (6) of the statutes is amended to read:

11 6.87 (6) The ballot shall be returned so it is received by the municipal clerk in  
12 time for delivery to the polls before the closing hour on election day, or if an election  
13 is held on more than one day, on the last day the election is held. Any ballot not  
14 mailed or delivered as provided in this subsection may not be counted.

15 **SECTION 4g.** 6.875 (6) of the statutes is amended to read:

16 6.875 (6) Special voting deputies in each municipality shall, not later than 5  
17 p.m. on the Friday preceding an election, arrange one or more convenient times with  
18 the administrator of each nursing home, qualified retirement home, and qualified  
19 community-based residential facility in the municipality from which one or more  
20 occupants have filed an application under s. 6.86 to conduct absentee voting for the  
21 election. The time may be no earlier than the 4th Monday preceding the election and  
22 no later than 5 p.m. on the Monday preceding the election, or if the election is held  
23 on more than one day, on the Monday preceding the last day that an election is held.  
24 Upon request of a relative of an occupant of a nursing home or qualified retirement  
25 home or qualified community-based residential facility, the administrator may

1 notify the relative of the time or times at which special voting deputies will conduct  
2 absentee voting at the home or facility, and permit the relative to be present in the  
3 room where the voting is conducted. At the designated time, 2 deputies appointed  
4 under sub. (4) shall visit the home or facility. The municipal clerk or executive  
5 director of the board of election commissioners shall issue a supply of absentee  
6 ballots to the deputies sufficient to provide for the number of valid applications  
7 received by the clerk, and a reasonable additional number of ballots. The municipal  
8 clerk or executive director shall keep a careful record of all ballots issued to the  
9 deputies and shall require the deputies to return every ballot issued to them. The  
10 deputies shall personally offer each elector who has filed a proper application the  
11 opportunity to cast his or her absentee ballot. If an elector is present who has not  
12 filed a proper application, the 2 deputies may accept an application from the elector  
13 and shall issue a ballot to the elector if the elector is qualified and the application is  
14 proper. The deputies shall each witness the certification and may, upon request of  
15 the elector, assist the elector in marking the elector's ballot. Upon request of the  
16 elector, a relative of the elector who is present in the room may assist the elector in  
17 marking the elector's ballot. All voting shall be conducted in the presence of the  
18 deputies. No individual other than a deputy may witness the certification and no  
19 individual other than a deputy or relative of an elector may render voting assistance  
20 to the elector. Upon completion of the voting, the deputies shall promptly deliver,  
21 either personally or by 1st class mail, any absentee ballot applications and the sealed  
22 certificate envelope containing each ballot to the clerk or board of election  
23 commissioners of the municipality in which the elector casting the ballot resides,  
24 within such time as will permit delivery to the polling place serving the elector's  
25 residence on election day or if the election is held more than one day, no later than

1 noon on the last day that the election is held. Personal delivery may be made by the  
2 deputies no later than noon on election day. If a qualified elector is not able to cast  
3 his or her ballot on 2 separate visits by the deputies to the home or facility, they shall  
4 so inform the municipal clerk or executive director of the board of election  
5 commissioners, who may then send the ballot to the elector no later than 5 p.m. on  
6 the Friday preceding the election.

7 **SECTION 4h.** 6.94 of the statutes is amended to read:

8 **6.94 Challenged elector oath.** If the person challenged refuses to answer  
9 fully any relevant questions put to him or her by the inspector under s. 6.92, the  
10 inspectors shall reject the elector’s vote. If the challenge is not withdrawn after the  
11 person offering to vote has answered the questions, one of the inspectors shall  
12 administer to the person the following oath or affirmation: “You do solemnly swear  
13 (or affirm) that: you are 18 years of age; you are a citizen of the United States; you  
14 are now and for at least 10 days prior to this election have been a resident of this  
15 ward, or if this election is held on more than one day, for at least 10 days prior to the  
16 last day on which this election is held have been a resident of this ward, except under  
17 s. 6.02 (2); you have not voted at this election; you have not made any bet or wager  
18 or become directly or indirectly interested in any bet or wager depending upon the  
19 result of this election; you are not on any other ground disqualified to vote at this  
20 election”. If the person challenged refuses to take the oath or affirmation, the  
21 person’s vote shall be rejected. If the person challenged answers fully all relevant  
22 questions put to the elector by the inspector under s. 6.92, takes the oath or  
23 affirmation, and fulfills the applicable registration requirements, and if the answers  
24 to the questions given by the person indicate that the person meets the voting  
25 qualification requirements, the person’s vote shall be received.

1           **SECTION 4i.** 6.97 (3) of the statutes is amended to read:

2           6.97 (3) Whenever the municipal clerk or executive director of the municipal  
3 board of election commissioners is informed by the inspectors that a ballot has been  
4 cast under this section, the clerk or executive director shall promptly provide written  
5 notice to the board of canvassers of each municipality, special purpose district, and  
6 county that is responsible for canvassing the election of the number of ballots cast  
7 under this section in each ward or election district. The municipal clerk or executive  
8 director then shall determine whether each individual voting under this section is  
9 qualified to vote in the ward or election district where the individual's ballot is cast.  
10 The municipal clerk or executive director shall make a record of the procedure used  
11 to determine the validity of each ballot. If, prior to 4 p.m. on the day after the election,  
12 or if the election is held on more than one day, prior to 4 p.m. on the day after the last  
13 day that the election is held, the municipal clerk or executive director determines  
14 that the individual is qualified to vote in the ward or election district where the  
15 individual's ballot is cast, the municipal clerk or executive director shall notify the  
16 board of canvassers for each municipality, special purpose district and county that  
17 is responsible for canvassing the election of that fact.

18           **SECTION 4j.** 7.08 (9) of the statutes is created to read:

19           7.08 (9) SECURING BALLOTS AND OTHER MATERIALS. Prescribe secure procedures  
20 for ensuring that ballots and other materials are not tampered with during the  
21 nights between the days on which any election is held, and instruct municipal clerks  
22 and election officials in carrying out those procedures.

23           **SECTION 4k.** 7.10 (3) (a) of the statutes is amended to read:

24           7.10 (3) (a) The county clerk shall distribute the ballots to the municipal clerks  
25 no later than 31 days before the last day that each September primary and general

1 election is held and no later than 22 days before each other primary and election is  
2 held or, if the other primary or election is held on more than one day, at least 22 days  
3 before the last day that the primary or election is held. Election forms prepared by  
4 the board shall be distributed at the same time. If the board transmits an amended  
5 certification under s. 7.08 (2) (a) or if the board or a court orders a ballot error to be  
6 corrected under s. 5.06 (6) or 5.72 (3) after ballots have been distributed, the county  
7 clerk shall distribute corrected ballots to the municipal clerks as soon as possible.

8 **SECTION 4L.** 7.15 (1) (cm) of the statutes is amended to read:

9 7.15 (1) (cm) Prepare official absentee ballots for delivery to electors requesting  
10 them, and send an official absentee ballot to each elector who has requested one no  
11 later than the 30th day before the last day that each September primary and general  
12 election is held and no later than the 21st day before each other primary and election  
13 is held or, if the other primary or election is held on more than one day, no later than  
14 the 21st day before the primary or election is held if the request is made before that  
15 day; otherwise, the municipal clerk shall send an official absentee ballot within one  
16 day of the time the elector's request is received.

17 **SECTION 4m.** 7.25 (2) of the statutes is amended to read:

18 7.25 (2) Under the direction of the municipal clerk, the custodian shall label  
19 or insert, set, adjust, put in order and deliver the machines with all necessary  
20 furniture and appliances to the rooms where the election will be held for each ward  
21 at least one hour before the time set for opening the polls on election day or, if an  
22 election is held on more than one day, at least one hour before the time set for opening  
23 the polls on the first day that the election is held.

24 **SECTION 4n.** 7.33 (3) of the statutes is amended to read:

1           7.33 (3) Every employer shall grant to each employee who is appointed to serve  
2 as an election official a leave of absence for the entire 24-hour period of each election  
3 day in which the official serves in his or her official capacity, or if an election is held  
4 on more than one day, for the entire 72-hour period of the days on which the election  
5 is held. An employee who serves as an election official shall provide his or her  
6 employer with at least 7 days' notice of application for a leave. The municipal clerk  
7 shall verify appointments upon request of any employer.

8           **SECTION 4p.** 7.37 (13) of the statutes is created to read:

9           7.37 (13) SECURE BALLOTS AND OTHER MATERIALS. Whenever an election is held  
10 on more than one day, before leaving the polling place on any night other than the  
11 night of the final day that the election is held, the inspectors shall secure all ballots  
12 and other materials in accordance with instructions received from the municipal  
13 clerk.

14           **SECTION 4q.** 7.51 (1) of the statutes is amended to read:

15           7.51 (1) CANVASS PROCEDURE. Immediately after the polls close on election day,  
16 or if an election is held on more than one day, on the last day that the election is held  
17 the inspectors shall proceed to canvass publicly all votes received at the polling place.  
18 In any municipality where an electronic voting system is used, the municipal  
19 governing body or board of election commissioners may provide or authorize the  
20 municipal clerk or executive director of the board of election commissioners to  
21 provide for the adjournment of the canvass to one or more central counting locations  
22 for specified polling places in the manner prescribed in subch. III of ch. 5. No central  
23 counting location may be used to count votes at a polling place where an electronic  
24 voting system is not employed. The canvass, whether conducted at the polling place  
25 or at a central counting location, shall continue without adjournment until the

1 canvass is completed and the return statements are made. The inspectors shall not  
2 permit access to the name of any elector who has obtained a confidential listing under  
3 s. 6.47 (2) during the canvass, except as authorized in s. 6.47 (8).

4 **SECTION 4r.** 7.51 (5) (b) of the statutes is amended to read:

5 7.51 (5) (b) The municipal clerk shall arrange for delivery of all ballots,  
6 statements, tally sheets, lists, and envelopes relating to a school district election to  
7 the school district clerk. The municipal clerk shall deliver the ballots, statements,  
8 tally sheets, lists, and envelopes for his or her municipality relating to any county,  
9 technical college district, state, or national election to the county clerk by 2 p.m. on  
10 the day following each such election or if the election is held on more than one day,  
11 by 2 p.m. on the day after the last day that the election is held. The person delivering  
12 the returns shall be paid out of the municipal treasury. Each clerk shall retain  
13 ballots, statements, tally sheets, or envelopes received by the clerk until destruction  
14 is authorized under s. 7.23 (1).

15 **SECTION 4s.** 7.53 (2) (d) of the statutes is amended to read:

16 7.53 (2) (d) The municipal board of canvassers shall publicly canvass the  
17 returns of every municipal election. The canvass shall begin within 24 hours after  
18 the polls close, or if the election is held on more than one day, within 24 hours after  
19 the polls close on the last day that the election is held. At the spring election, the  
20 board of canvassers shall publicly declare the results on or before the 2nd Tuesday  
21 in April. The board of canvassers shall prepare a statement showing the results of  
22 each election for any municipal office and each municipal referendum. After each  
23 primary for municipal offices, the board of canvassers shall prepare a statement  
24 certifying the names of those persons who have won nomination to office. After each  
25 other election for a municipal office and each municipal referendum, the board of

1 canvassers shall prepare a determination showing the names of the persons who are  
2 elected to each municipal office and the results of each municipal referendum. The  
3 board of canvassers shall file each statement and determination in the office of the  
4 municipal clerk or board of election commissioners.

5 **SECTION 4t.** 7.60 (3) of the statutes is amended to read:

6 7.60 (3) CANVASSING. Not later than 9 a.m. on the Thursday after each election  
7 or, if an election is held on more than one day, not later than 9 a.m. on the Thursday  
8 after the last day that the election is held, the county board of canvassers shall open  
9 and publicly examine the returns. If returns have not been received from any  
10 election district or ward in the county, they shall dispatch a messenger and the  
11 person having them shall deliver the returns to the messenger. If, on examination,  
12 any of the returns received are so informal or defective that the board cannot  
13 intelligently canvass them, they shall dispatch a messenger to deliver the returns  
14 back to the municipal board of canvassers with written specifications of the  
15 informalities or defects and command them to immediately complete the returns or  
16 remedy the defects in the manner required and deliver them to the messenger. Every  
17 messenger shall safely keep all returns, show them to no one but the municipal clerk  
18 and board of canvassers and deliver them to the county clerk with all possible  
19 dispatch. To acquire the necessary full returns and remedy any informalities or  
20 defects the county board of canvassers may adjourn not longer than one day at a time  
21 nor more than 2 days in all.

22 **SECTION 4u.** 7.60 (5) (a) of the statutes is amended to read:

23 7.60 (5) (a) Immediately following the canvass, the county clerk shall deliver  
24 or send to the elections board, by 1st class mail, a certified copy of each statement of  
25 the county board of canvassers for president and vice president, state officials,

1 senators and representatives in congress, state legislators, justice, court of appeals  
2 judge, circuit judge, district attorney, and metropolitan sewerage commissioners, if  
3 the commissioners are elected under s. 200.09 (11) (am). The statement shall record  
4 the returns for each office or referendum by ward, unless combined returns are  
5 authorized under s. 5.15 (6) (b) in which case the statement shall record the returns  
6 for each group of combined wards. Following primaries the county clerk shall enclose  
7 on forms prescribed by the elections board the names, party or principle designation,  
8 if any, and number of votes received by each candidate recorded in the same manner.  
9 The county clerk shall deliver or transmit the certified statement to the elections  
10 board no later than 7 days after each primary and no later than 10 days after any  
11 other election or if an election is held on more than one day, no later than 7 days after  
12 the last day after a primary is held or no later than 10 days after the last day that  
13 any other election is held. The board of canvassers shall deliver or transmit a  
14 certified copy of each statement for any technical college district referendum to the  
15 secretary of the technical college district board.

16 **SECTION 4v.** 7.70 (1) (b) of the statutes is amended to read:

17 7.70 (1) (b) If any county clerk fails or neglects to forward any statements, the  
18 elections board may require the clerk to do so immediately and if not received by the  
19 8th day after a primary, or by the 11th day after any other election, or if an election  
20 is held on more than one day, by the 8th day after the last day that a primary is held  
21 or the 11th day after the last day that any other election is held the elections board  
22 may dispatch a special messenger to obtain them. Whenever it appears upon the face  
23 of any statement that an error has been made in reporting or computing, the  
24 elections board may return it to the county clerk for correction.

25 **SECTION 4w.** 9.20 (7) of the statutes is amended to read:

1           9.20 (7) If a majority vote in favor of adoption, the proposed ordinance or  
2 resolution shall take effect upon publication under sub. (5). Publication shall be  
3 made within 10 days after the election or if the election is held on more than one day,  
4 within 10 days after the last day that the election is held.

5           **SECTION 4x.** 10.01 (2) (b) of the statutes is amended to read:

6           10.01 (2) (b) Type B—The type B notice shall include the relevant facsimile  
7 ballots and the relevant portions of voting instructions to electors under s. 10.02 for  
8 each office or referendum and shall specify the date of the election. In counties or  
9 municipalities where an electronic voting system in which ballots are distributed to  
10 electors is used, the notice shall include the information specified in s. 5.94. The type  
11 B notice shall be published once by the county clerks, and for primaries and other  
12 elections in municipalities or special purpose districts, once by the clerk of the  
13 municipality or special purpose district on the day preceding each primary and other  
14 election, or if an election is held on more than one day, on the day preceding the first  
15 day that the primary or other election is held.

16           **SECTION 4y.** 10.01 (2) (d) of the statutes is amended to read:

17           10.01 (2) (d) Type D—The type D notice shall state the hours the polls will be  
18 open and the polling places to be utilized at the election or shall include a concise  
19 statement of how polling place information may be obtained. In cities over 500,000  
20 population, the board of election commissioners shall determine the form of the  
21 notice. In other municipalities and special purpose districts, the clerk of the  
22 municipality or special purpose district shall give the polling place information in the  
23 manner the governing body of the municipality or special purpose district decides  
24 will most effectively inform the electors. The type D notice shall be published by the  
25 municipal clerk or board of election commissioners of each municipality once on the

1 day before the first day of each spring primary and election, on the day before each  
2 special national, state, county or municipal election at which the electors of that  
3 municipality are entitled to vote and on the day before the first day of each September  
4 primary and general election. The clerk of each special purpose district which calls  
5 a special election shall publish a type D notice on the day before the election, and the  
6 day before the special primary, if any, except as authorized in s. 8.55 (3).

7 **SECTION 4z.** 10.06 (2) (d) of the statutes is amended to read:

8 10.06 (2) (d) On the ~~Monday~~ Saturday preceding the first day of the spring  
9 primary, when held, the county clerk shall publish a type B notice. In a year in which  
10 a presidential preference primary is held, the county clerk shall also publish notice  
11 of the presidential preference primary.

12 **SECTION 4za.** 10.06 (2) (g) of the statutes is amended to read:

13 10.06 (2) (g) On the ~~Monday~~ Saturday preceding the first day of the spring  
14 election, the county clerk shall publish a type B notice containing the same  
15 information prescribed in par. (a). In addition, the county clerk shall publish a type  
16 C notice on the ~~Monday~~ Saturday preceding the first day of the spring election for  
17 all state and county referenda to be voted upon by electors of the county.

18 **SECTION 4zb.** 10.06 (2) (j) of the statutes is amended to read:

19 10.06 (2) (j) On the ~~Monday~~ Saturday preceding the first day of the September  
20 primary the county clerk shall publish a type B notice.

21 **SECTION 4zc.** 10.06 (2) (m) of the statutes is amended to read:

22 10.06 (2) (m) On the ~~Monday~~ Saturday preceding the first day of the general  
23 election the county clerk shall publish a type B notice containing the same  
24 information prescribed in par. (h). In addition, the county clerk shall publish a type

1 C notice on the ~~Monday~~ Saturday preceding the first day of the general election for  
2 all state and county referenda to be voted upon by electors of the county.

3 **SECTION 4zd.** 10.06 (3) (b) of the statutes is amended to read:

4 10.06 (3) (b) If there is to be a municipal primary, the municipal clerk shall  
5 publish a type B notice on the ~~Monday~~ Saturday before the first day of the primary  
6 election. In cities and villages, the municipal clerk shall publish a type C notice on  
7 the ~~Monday~~ Saturday before the first day of the primary election of any direct  
8 legislation questions to be voted on at the primary.

9 **SECTION 4ze.** 10.06 (3) (c) of the statutes is amended to read:

10 10.06 (3) (c) On the ~~Monday~~ Saturday before the first day of the spring election,  
11 the municipal clerk shall publish a type B notice and a type D notice. If there are  
12 municipal referenda, the municipal clerk shall publish a type C notice at the same  
13 time.

14 **SECTION 4zf.** 10.06 (3) (d) of the statutes is amended to read:

15 10.06 (3) (d) On the ~~Monday~~ Saturday preceding the first day of the general  
16 election, the municipal clerk shall publish a type D notice. If there are municipal  
17 referenda, the municipal clerk shall publish type B and C notices at the same time.

18 **SECTION 4zg.** 10.06 (3) (e) of the statutes is amended to read:

19 10.06 (3) (e) When electronic or mechanical voting machines or electronic  
20 voting systems in which ballots are distributed to electors are used in a municipality  
21 at a municipal election, the municipal clerk shall publish a type B notice on the  
22 Monday day before the election or if the election is held on more than one day, on the  
23 day before the first day of the election. The notice shall include all offices and  
24 questions to be voted on at the election. The cost of this notice shall be shared under  
25 s. 5.68 (2) and (3).

1           **SECTION 4zh.** 10.06 (4) (g) of the statutes is amended to read:

2           10.06 (4) (g) On the day preceding any primary or election for any office other  
3 than a national, state, county or municipal office, or if the primary or election is held  
4 on more than one day, on the day preceding the first day of the primary or election,  
5 the clerk of the jurisdiction in which the primary or election is held shall publish a  
6 type B notice.

7           **SECTION 4zi.** 10.06 (4) (h) of the statutes is amended to read:

8           10.06 (4) (h) On the day preceding any special primary or election for any office  
9 other than a national, state, county or municipal office, or if the primary or election  
10 is held on more than one day, on the day preceding the first day of the primary or  
11 election, the clerk of the jurisdiction which calls the election shall publish a type D  
12 notice.

13           **SECTION 4zj.** 10.06 (4) (i) of the statutes is amended to read:

14           10.06 (4) (i) On the day preceding any referendum other than a state, county  
15 or municipal referendum, or if the referendum is held on more than one day, on the  
16 day preceding the first day on which the referendum is held, the clerk of the  
17 jurisdiction which calls the referendum shall publish type B, C and D notices.

18           **SECTION 4zk.** 11.12 (5) of the statutes is amended to read:

19           11.12 (5) If any contribution or contributions of \$500 or more cumulatively are  
20 received by a candidate for state office or by a committee or individual from a single  
21 contributor later than 15 days prior to a primary or election, or if a primary or election  
22 is held on more than one day, later than 15 days prior to last day that the primary  
23 or election is held, such that it is not included in the preprimary or preelection report  
24 submitted under s. 11.20 (3), the treasurer of the committee or the individual  
25 receiving the contribution shall within 24 hours of receipt inform the appropriate

1 filing officer of the information required under s. 11.06 (1) in such manner as the  
2 board may prescribe. The information shall also be included in the treasurer's or  
3 individual's next regular report. For purposes of the reporting requirement under  
4 this subsection, only contributions received during the period beginning with the day  
5 after the last date covered on the preprimary or preelection report, and ending with  
6 the day before the primary or election need be reported.

7 **SECTION 4zL.** 11.12 (6) of the statutes is amended to read:

8 11.12 (6) If any disbursement of more than \$20 cumulatively is made to  
9 advocate the election or defeat of a clearly identified candidate by an individual or  
10 committee later than 15 days prior to a primary or election in which the candidate's  
11 name appears on the ballot, or if a primary or election is held on more than one day,  
12 later than 15 days prior to the last day that the primary or election is held, without  
13 cooperation or consultation with a candidate or agent or authorized committee of a  
14 candidate who is supported or opposed, and not in concert with or at the request or  
15 suggestion of such a candidate, agent or committee, the individual or treasurer of the  
16 committee shall, within 24 hours of making the disbursement, inform the  
17 appropriate filing officer of the information required under s. 11.06 (1) in such  
18 manner as the board may prescribe. The information shall also be included in the  
19 next regular report of the individual or committee under s. 11.20. For purposes of  
20 this subsection, disbursements cumulate beginning with the day after the last date  
21 covered on the preprimary or preelection report and ending with the day before the  
22 primary or election. Upon receipt of a report under this subsection, the filing officer  
23 shall, within 24 hours of receipt, mail a copy of the report to all candidates for any  
24 office in support of or opposition to one of whom a disbursement identified in the  
25 report is made.

1           **SECTION 4zm.** 11.20 (2) of the statutes is amended to read:

2           11.20 (2) Preprimary and preelection reports under s. 11.06 (1) shall be  
3 received by the appropriate filing officer no earlier than 14 days and no later than  
4 8 days preceding the primary and the election, or if the primary or election is held  
5 on more than one day, no later than 8 days preceding the last day that the primary  
6 or election is held.

7           **SECTION 4zn.** 11.20 (8) (a) of the statutes is amended to read:

8           11.20 (8) (a) The 15th day preceding the primary or election, or if the primary  
9 or election is held on more than one day, the 15th day preceding the last day that the  
10 primary or election is held, in the case of the preprimary and preelection report.

11           **SECTION 4zp.** 11.23 (6) of the statutes is amended to read:

12           11.23 (6) If any contribution or contributions of \$500 or more cumulatively are  
13 received by a group or individual supporting or opposing the adoption of a  
14 referendum question from a single contributor later than 15 days prior to an election,  
15 or if an election is held on more than one day, later than 15 days prior to the last day  
16 that the election is held, such that it is not included in the preprimary or preelection  
17 report submitted under s. 11.20 (3), the treasurer of the group or the individual  
18 receiving the contribution shall within 24 hours of receipt inform the appropriate  
19 filing officer of the information required under s. 11.06 (1) in such manner as the  
20 board may prescribe. The information shall also be included in the treasurer's or  
21 individual's next regular report. For purposes of the reporting requirement under  
22 this subsection, only contributions received during the period beginning with the day  
23 after the last date covered on the preelection report, and ending with the day before  
24 the election need be reported.”.

