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1           **SECTION 109.** 7.30 (2) (b) of the statutes, as affected by 2005 Wisconsin Act 27,  
2 is amended to read:

3           7.30 (2) (b) When a vacancy occurs in an office under this section, the vacancy  
4 shall be filled by appointment of the municipal clerk. ~~The~~ Unless the vacancy occurs  
5 in the position of an inspector appointed under sub. (1) (b), the vacancy shall be filled  
6 from the remaining names on the lists submitted under sub. (4) or from additional  
7 names submitted by the chairperson of the county party committee of the  
8 appropriate party under sub. (4) whenever names are submitted under sub. (4) (d).  
9 If the vacancy is due to candidacy, sickness or any other temporary cause, the  
10 appointment shall be a temporary appointment and effective only for the election at  
11 which the temporary vacancy occurs. The same qualifications that applied to  
12 original appointees shall be required of persons who fill vacancies except that a  
13 vacancy may be filled in cases of emergency or because of time limitations by a person  
14 who resides in another aldermanic district or ward within the municipality, and if  
15 a municipal clerk or deputy clerk fills the vacancy, the clerk or deputy, but not more  
16 than a total of 2 individuals in any municipality, may serve without regard to the  
17 clerk's or deputy's municipality of residence, if the clerk or deputy meets the other  
18 qualifications.

19           **SECTION 110.** 7.30 (2) (c) of the statutes is amended to read:

20           7.30 (2) (c) The governing body of any municipality may require all persons  
21 serving as election officials to prove their ability to read and write English and to  
22 have a general knowledge of the election laws. Examinations may be given to prove  
23 the qualifications can be met. The municipal clerk shall ensure that all training  
24 meets the training requirements prescribed in rules promulgated by the board under  
25 ss. 7.31 and 7.315.

**BILL****SECTION 111**

1           **SECTION 111.** 7.30 (4) (a) of the statutes is amended to read:

2           7.30 (4) (a) Except in cities where there is a board of election commissioners,  
3 the mayor, president or board chairperson of each municipality shall nominate to the  
4 governing body no later than their last regular meeting in December of each  
5 ~~even-numbered~~ odd-numbered year the necessary election officials for each polling  
6 place. If no regular meeting is scheduled, the mayor, president or chairperson shall  
7 call a special meeting for the purpose of considering nominations no later than  
8 December 31.

9           **SECTION 112.** 7.30 (4) (b) (intro.) of the statutes is amended to read:

10          7.30 (4) (b) (intro.) The 2 dominant parties, under sub. (2), are each responsible  
11 for submitting a list of names from which the all appointees to inspector positions,  
12 other than appointees to inspector positions authorized under sub. (1) (b), shall be  
13 chosen.

14          **SECTION 113.** 7.30 (4) (b) 1. of the statutes is amended to read:

15          7.30 (4) (b) 1. In cities where there is a board of election commissioners, the  
16 aldermanic district committeemen or committeewomen under s. 8.17 of each of the  
17 2 dominant recognized political parties shall submit a certified list no later than  
18 November 30 of each ~~even-numbered~~ odd-numbered year containing the names of  
19 at least as many nominees as there are inspectors from that party for each of the  
20 voting wards in the aldermanic district. The chairperson may designate any  
21 individual whose name is submitted as a first choice nominee. The board of election  
22 commissioners shall appoint, no later than December 31 of ~~even-numbered~~  
23 odd-numbered years, at least 5 inspectors for each ward. The board of election  
24 commissioners shall appoint all first choice nominees for so long as positions are  
25 available, unless nonappointment is authorized under par. (e), and shall appoint

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1 other individuals in its discretion. The board of election commissioners may  
2 designate such alternates as it deems advisable.

3 **SECTION 114.** 7.30 (4) (c) of the statutes is amended to read:

4 7.30 (4) (c) ~~For~~ Except with respect to inspectors who are appointed under sub.  
5 (1) (b), for so long as nominees are made available by the political parties under this  
6 section, appointments may be made only from the lists of submitted nominees. If the  
7 lists are not submitted by November 30 of the year in which appointments are to be  
8 made, the board of election commissioners shall appoint, or the mayor, president or  
9 chairperson of a municipality shall nominate qualified persons whose names have  
10 not been submitted. If an insufficient number of nominees appears on the lists as  
11 of November 30, the board of election commissioners shall similarly appoint, or the  
12 mayor, president or chairperson shall similarly nominate sufficient individuals to fill  
13 the remaining vacancies. In addition, the mayor, president, or board chairperson of  
14 the municipality shall similarly nominate qualified persons to serve in the inspector  
15 positions authorized under sub. (1) (b). Any appointment which is made due to the  
16 lack of availability of names submitted under par. (b) may be made without regard  
17 to party affiliation.

18 **SECTION 115.** 7.30 (6) (a) of the statutes is amended to read:

19 7.30 (6) (a) ~~The~~ Except as provided in par. (am), the appointed election officials  
20 shall hold office for 2 years and until their successors are appointed and qualified.  
21 They shall serve at every election held in their ward during their term of office.

22 **SECTION 116.** 7.30 (6) (am) of the statutes is created to read:

23 7.30 (6) (am) A pupil appointed as an inspector under sub. (2) (am) shall serve  
24 as an inspector only for the election for which he or she is appointed. Nothing in this

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1 paragraph shall be construed to limit the number of times a pupil may be appointed  
2 as an inspector.

3 **SECTION 117.** 7.30 (6) (b) of the statutes is amended to read:

4 7.30 (6) (b) Prior to the first election following the appointment of the  
5 inspectors, the municipal clerk shall appoint one of the inspectors at each polling  
6 place, other than an inspector who is appointed under sub. (1) (b), to serve as chief  
7 inspector. No person may serve as chief inspector at any election who is not certified  
8 by the board under s. 7.31 at the time of the election. The chief inspector shall hold  
9 the position for the remainder of the term unless the inspector is removed by the clerk  
10 or the inspector ceases to be certified under s. 7.31, except that whenever wards are  
11 combined or separated under s. 5.15 (6) (b), the municipal clerk shall appoint another  
12 inspector who is certified under s. 7.31 to serve as chief inspector at each polling place  
13 designated under s. 5.15 (6) (b). If a vacancy occurs in the position of chief inspector  
14 at any polling place, the municipal clerk shall appoint one of the other inspectors who  
15 is certified under s. 7.31 to fill the vacancy.

16 **SECTION 118.** 7.30 (6) (c) of the statutes is amended to read:

17 7.30 (6) (c) If any election official appointed under this section lacks the  
18 qualifications set forth in this section, fails to attend training sessions required  
19 under s. 7.15 (1) (e) unless excused therefrom, is guilty of neglecting his or her official  
20 duties or commits official misconduct, the municipal clerk or board of election  
21 commissioners shall summarily remove the official from office and the vacancy shall  
22 be filled under sub. (2) (b).

23 **SECTION 119.** 7.315 of the statutes is created to read:

24 **7.315 Training of other election officials.** (1) (a) The board shall, by rule,  
25 prescribe the contents of the training that municipal clerks must provide to

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1 inspectors, other than chief inspectors, to special voting deputies appointed under  
2 s. 6.875, and to special registration deputies appointed under ss. 6.26 and 6.55 (6).

3 (b) 1. Except as provided in subd. 2., no individual may serve as an inspector,  
4 other than a chief inspector, as a special voting deputy under s. 6.875, or as a special  
5 registration deputy under s. 6.26 or 6.55 (6) at any election unless the individual has  
6 completed training for that election provided by the municipal clerk pursuant to  
7 rules promulgated under par. (a).

8 2. Only when an individual who has received training under subd. 1. is  
9 unavailable to perform his or her election duties due to sickness, injury, or other  
10 unforeseen occurrence may an individual who has not received training under subd.  
11 1. be appointed to serve as an inspector, other than chief inspector, or a special voting  
12 deputy or special registration deputy. The appointment of an individual to serve  
13 under this subdivision shall be for a specific election and no individual may be  
14 appointed under this subdivision more than one time in a 2-year period.

15 (2) The board shall, by rule, prescribe requirements for, and the content of,  
16 training required of municipal clerks under s. 7.15 (1m). The board may provide such  
17 training directly or arrange for such training to be provided by other organizations.  
18 The rules may not require training more than once every 2 years. The rules shall  
19 provide a method for notifying the relevant municipal governing body if a municipal  
20 clerk fails to attend required training.

21 (3) The board may produce and periodically reissue as necessary a video  
22 program for the purpose of training election officials, including special voting  
23 deputies and special registration deputies. The board shall make any such program  
24 available for viewing electronically through an Internet-based system.

25 **SECTION 120.** 7.32 of the statutes is amended to read:

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1           **7.32 Change of election official numbers.** Notwithstanding s. 7.30 (1) (a),  
2 the governing body or board of election commissioners of any municipality may by  
3 resolution reduce the number of election officials and modify or rescind any similar  
4 previous action. No such action may reduce the number of officials at a polling place  
5 to less than 3.

6           **SECTION 121.** 7.33 (3) of the statutes is amended to read:

7           **7.33 (3)** Every employer shall grant to each employee who is appointed to serve  
8 as an election official under s. 7.30 a leave of absence for the entire 24-hour period  
9 of each election day in which the official serves in his or her official capacity. An  
10 employee who serves as an election official shall provide his or her employer with at  
11 least 7 days' notice of application for a leave. The municipal clerk shall verify  
12 appointments upon request of any employer.

13           **SECTION 122.** 7.33 (4) of the statutes is amended to read:

14           **7.33 (4)** Except as otherwise provided in this subsection, each local  
15 governmental unit, as defined in s. 16.97 (7), may, and each state agency shall, upon  
16 proper application under sub. (3), permit each of its employees to serve as an election  
17 official under s. 7.30 without loss of fringe benefits or seniority privileges earned for  
18 scheduled working hours during the period specified in sub. (3), without loss of pay  
19 for scheduled working hours during the period specified in sub. (3) except as provided  
20 in sub. (5), and without any other penalty. For employees who are included in a  
21 collective bargaining unit for which a representative is recognized or certified under  
22 subch. V of ch. 111, this subsection shall apply unless otherwise provided in a  
23 collective bargaining agreement.

24           **SECTION 123.** 7.33 (6) of the statutes is amended to read:

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1           7.33 (6) Each employer other than a state agency shall, upon proper application  
2 under sub. (3), permit each of its employees to serve as an election official under s.  
3 7.30 without loss of fringe benefits or seniority privileges earned for scheduled  
4 working hours during the period specified in sub. (3), and shall not impose any other  
5 penalty upon an employee who serves as an election official, except the employer  
6 need not pay wages to an employee for time not worked while the employee is serving  
7 as an election official.

8           **SECTION 124.** 7.37 (2) of the statutes is amended to read:

9           7.37 (2) PRESERVE ORDER. The inspectors shall possess full authority to  
10 maintain order and to enforce obedience to their lawful commands during the  
11 election and the canvass of the votes. They shall permit only one person in a voting  
12 booth at a time and shall prevent any person from taking notice of how another  
13 person has voted, except when assistance is given under s. 6.82. They shall enforce  
14 s. 5.35 (5) and prevent electioneering and distribution of election-related material  
15 from taking place in violation of ~~s.~~ ss. 12.03 and 12.035. If any person refuses to obey  
16 the lawful commands of an inspector, or is disorderly in the presence or hearing of  
17 the inspectors, interrupts or disturbs the proceedings, they may order any law  
18 enforcement officer to remove the person from the voting area or to take the person  
19 into custody.

20           **SECTION 125.** 7.37 (13) of the statutes is created to read:

21           7.37 (13) CLOSING OF POLLS. At the time the polls officially close, an inspector,  
22 including an inspector appointed under s. 7.30 (1) (b), shall position himself or herself  
23 at the end of the line of individuals waiting to vote, if any. Only individuals in line  
24 ahead of the inspector shall be permitted to vote under s. 6.78 (4).

25           **SECTION 126.** 7.41 of the statutes is amended to read:

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## SECTION 126

1           **7.41 Public's right to access.** (1) Any member of the public may be present  
2 at any polling place, in the office of any municipal clerk whose office is located in a  
3 public building on any day that absentee ballots may be cast in that office, or at an  
4 alternate site under s. 6.855 on any day that absentee ballots may be cast at that site  
5 for the purpose of observation of an election and the absentee ballot voting process,  
6 except a candidate whose name appears on the ballot at the polling place or on an  
7 absentee ballot to be cast at the clerk's office or alternate site at that election. The  
8 chief inspector or municipal clerk may reasonably limit the number of persons  
9 representing the same organization who are permitted to observe an election under  
10 this subsection at the same time.

11           (2) The chief inspector or municipal clerk may restrict the location of any  
12 individual exercising the right under sub. (1) to certain areas within a polling place,  
13 the clerk's office, or alternate site under s. 6.855. The chief inspector or municipal  
14 clerk shall clearly designate such an area as an observation area. Designated  
15 observation areas shall be so positioned to permit any authorized individual to  
16 readily observe all public aspects of the voting process.

17           (3) The chief inspector or municipal clerk may order the removal of any  
18 individual exercising the right under sub. (1) if that individual commits an overt act  
19 which:

20           (a) Disrupts the operation of the polling place, clerk's office, or alternate site  
21 under s. 6.855; or

22           (b) Violates s. 12.03 (2) or 12.035.

23           (4) No individual exercising the right under sub. (1) may view the confidential  
24 portion of a registration list maintained under s. 6.36 (4) or a poll list maintained  
25 under s. 6.79 (6). However, the inspectors or municipal clerk shall disclose to such

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1 an individual, upon request, the existence of such a list, the number of electors whose  
2 names appear on the list, and the number of those electors who have voted at any  
3 point in the proceedings. No such individual may view the certificate of an absent  
4 elector who obtains a confidential listing under s. 6.47 (2).

5 **SECTION 127.** 7.41 (5) of the statutes is created to read:

6 7.41 (5) The board shall promulgate rules regarding the proper conduct of  
7 individuals exercising the right under sub. (1), including the interaction of those  
8 individuals with inspectors and other election officials.

9 **SECTION 128.** 7.51 (1) of the statutes is amended to read:

10 7.51 (1) CANVASS PROCEDURE. Immediately after the polls close the inspectors  
11 except any inspector appointed under s. 7.30 (1) (b) shall proceed to canvass publicly  
12 all votes received at the polling place. In any municipality where an electronic voting  
13 system is used, the municipal governing body or board of election commissioners may  
14 provide or authorize the municipal clerk or executive director of the board of election  
15 commissioners to provide for the adjournment of the canvass to one or more central  
16 counting locations for specified polling places in the manner prescribed in subch. III  
17 of ch. 5. No central counting location may be used to count votes at a polling place  
18 where an electronic voting system is not employed. The canvass, whether conducted  
19 at the polling place or at a central counting location, shall continue without  
20 adjournment until the canvass is completed and the return statements are  
21 statement is made or, in municipalities where absentee ballots are canvassed under  
22 s. 7.52, until the canvass of all ballots cast is completed and the return statement for  
23 those ballots are made. The inspectors shall not permit access to the name of any  
24 elector who has obtained a confidential listing under s. 6.47 (2) during the canvass,  
25 except as authorized in s. 6.47 (8).

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1           **SECTION 129.** 7.51 (2) (c) of the statutes is amended to read:

2           7.51 (2) (c) Whenever the number of ballots exceeds the number of voting  
3 electors as indicated on the poll list, the inspectors shall place all ballots face up to  
4 check for blank ballots. In this paragraph, “blank ballot” means a ballot on which  
5 no votes are cast for any office or question. The inspectors shall mark, lay aside and  
6 preserve any blank ballots. If Except in municipalities where absentee ballots are  
7 canvassed under s. 7.52, if the number of ballots still exceeds the number of voting  
8 electors, the inspectors shall place all ballots face down and proceed to check for the  
9 initials. The inspectors shall mark, lay aside and preserve any ballot not bearing the  
10 initials of 2 inspectors or any absentee ballot not bearing the initials of the municipal  
11 clerk. During the count the inspectors shall count those ballots cast by challenged  
12 electors the same as the other ballots.

13           **SECTION 130.** 7.51 (2) (e) of the statutes is amended to read:

14           7.51 (2) (e) If, Except in municipalities where absentee ballots are canvassed  
15 under s. 7.52, if after any ballots have been laid aside, the number of ballots still  
16 exceeds the total number of electors recorded on the poll list, the inspectors shall  
17 separate the absentee ballots from the other ballots. If there is an excess number of  
18 absentee ballots, the inspectors shall place the absentee ballots in the ballot box and  
19 one of the inspectors shall publicly and without examination draw therefrom by  
20 chance the number of ballots equal to the excess number of absentee ballots. If there  
21 is an excess number of ~~other~~ nonabsentee ballots, the inspectors shall place those  
22 ballots in the ballot box and one of the inspectors shall publicly and without  
23 examination draw therefrom by chance the number of ballots equal to the excess  
24 number of those ballots. All ballots so removed may not be counted but shall be  
25 specially marked as having been removed by the inspectors on original canvass due

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1 to an excess number of ballots, set aside and preserved. When the number of ballots  
2 and total shown on the poll list agree, the inspectors shall return all ballots to be  
3 counted to the ballot box and shall turn the ballot box in such manner as to  
4 thoroughly mix the ballots. The inspectors shall then open, count and record the  
5 number of votes. When the ballots are counted, the inspectors shall separate them  
6 into piles for ballots similarly voted. Objections may be made to placement of ballots  
7 in the piles at the time the separation is made.

8 **SECTION 131.** 7.51 (3) (d) of the statutes is amended to read:

9 7.51 (3) (d) All Except in municipalities where absentee ballots are canvassed  
10 under s. 7.52, all absentee certificate envelopes which have been opened shall be  
11 returned by the inspectors to the municipal clerk in a securely sealed carrier  
12 envelope which is clearly marked “used absentee certificate envelopes”. The  
13 envelopes shall be signed by the chief inspector and 2 other inspectors. Except when  
14 the ballots are used in a municipal or school district election only, the municipal clerk  
15 shall transmit the used envelopes to the county clerk.

16 **SECTION 132.** 7.51 (4) (a) of the statutes is amended to read:

17 7.51 (4) (a) The tally sheets shall state the total number of votes cast for each  
18 office and for each individual receiving votes for that office, whether or not the  
19 individual’s name appears on the ballot, and shall state the vote for and against each  
20 proposition voted on. Upon completion of the tally sheets, the inspectors shall  
21 immediately complete the inspectors’ statements in duplicate statement. The  
22 inspectors shall state the excess, if any, by which the number of ballots exceeds the  
23 number of electors voting as shown by the poll list and shall state the number of the  
24 last elector as shown by the poll lists. At least 3 inspectors, including the chief  
25 inspector and, unless election officials are appointed under s. 7.30 (4) (c) without

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1 regard to party affiliation, at least one inspector representing each political party,  
2 but not including any inspector appointed under s. 7.30 (1) (b), shall then certify to  
3 the correctness of the ~~statements~~ statement and tally sheets and sign their names.  
4 All other election officials assisting with the tally shall also certify to the correctness  
5 of the tally sheets. When the tally is complete, the inspectors shall publicly announce  
6 the results from the ~~statements~~ statement.

7 **SECTION 133.** 7.51 (5) (a) of the statutes is amended to read:

8 7.51 (5) (a) 1. The inspectors shall make full and accurate return of the votes  
9 cast for each candidate and proposition on tally sheet forms provided by the  
10 municipal clerk for that purpose. Each tally sheet shall record the returns for each  
11 office or referendum by ward, unless combined returns are authorized in accordance  
12 with s. 5.15 (6) (b) in which case the tally sheet shall record the returns for each group  
13 of combined wards.

14 2. After recording the votes, the inspectors shall seal in a carrier envelope  
15 outside the ballot bag or container ~~one inspectors' statement under sub. (4) (a), one~~  
16 tally sheet, and one poll list for delivery to the county clerk, unless the election relates  
17 only to municipal or school district offices or referenda.

18 3. The inspectors shall also ~~similarly~~ seal ~~one~~ the inspectors' statement, inside  
19 a separate carrier envelope, and shall similarly seal in a separate carrier envelope  
20 one tally sheet, and one poll list for delivery to the municipal clerk. For school district  
21 elections, except in 1st class cities, the inspectors shall ~~similarly~~ seal ~~one inspectors'~~  
22 statement, one tally sheet, and one poll list for delivery to the school district clerk.

23 4. The inspectors shall immediately deliver all ballots, statements, tally sheets,  
24 lists, and envelopes to the municipal clerk.

25 **SECTION 134.** 7.51 (5) (a) 5. of the statutes is created to read:

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1           7.51 (5) (a) 5. Upon receipt of the materials under subd. 4., the municipal clerk  
2 shall make sufficient copies of the inspectors' statement under sub. (4) (a) and seal  
3 one copy of the statement inside a carrier envelope together with the envelope  
4 containing any materials required to be delivered to the county clerk or the school  
5 district clerk. The municipal clerk shall retain the original inspectors' statement.

6           **SECTION 135.** 7.51 (5) (b) of the statutes is amended to read:

7           7.51 (5) (b) The municipal clerk shall ~~arrange for delivery of~~ deliver all ballots,  
8 statements, tally sheets, lists, and envelopes relating to a school district election to  
9 the school district clerk by 4 p.m. on the day following each such election. The  
10 municipal clerk shall deliver the ballots, statements, tally sheets, lists, and  
11 envelopes for his or her municipality relating to any county, technical college district,  
12 state, or national election to the county clerk by ~~2~~ 4 p.m. on the day following each  
13 such election or, in municipalities where absentee ballots are canvassed under s.  
14 7.52, by 4. p.m. on the 2nd day following each such election. The person delivering  
15 the returns shall be paid out of the municipal treasury. Each clerk shall retain  
16 ballots, statements, tally sheets, or envelopes received by the clerk until destruction  
17 is authorized under s. 7.23 (1).

18           **SECTION 136.** 7.52 of the statutes is created to read:

19           **7.52 Canvassing of absentee ballots.** (1) The governing body of any  
20 municipality may provide by ordinance that, in lieu of canvassing absentee ballots  
21 at polling places under s. 6.88, the municipal board of absentee ballot canvassers  
22 designated under s. 7.53 (2m) shall canvass all absentee ballots at all elections held  
23 in the municipality. Thereafter, at every election, the board of absentee ballot  
24 canvassers shall, any time after the opening of the polls and before 10 p.m. on election  
25 day, publicly convene to count the absentee ballots for the municipality. The

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1 municipal clerk shall give at least 48 hours' notice of any meeting under this  
2 subsection. Any member of the public has the same right of access to a meeting of  
3 the municipal absentee ballot board of canvassers under this subsection that the  
4 individual would have under s. 7.41 to observe the proceedings at a polling place. The  
5 board of absentee ballot canvassers may order the removal of any individual  
6 exercising the right to observe the proceedings if the individual disrupts the meeting.

7 (2) In counting the absentee ballots, the board of absentee ballot canvassers  
8 shall use 2 duplicate copies of a single poll list for the entire municipality prepared  
9 in accordance with s. 6.36 (2). Upon accepting each absentee ballot, the board of  
10 absentee ballot canvassers shall enter a poll list number on the poll list next to the  
11 name of the elector who voted the ballot, beginning with the number one. If the  
12 elector's name does not appear on the poll list, the board of absentee ballot  
13 canvassers shall enter the number on a separate list maintained under this  
14 subsection.

15 (3) (a) The board of absentee ballot canvassers shall first open the carrier  
16 envelope only, and, in such a manner that a member of the public, if he or she desired,  
17 could hear, announce the name of the absent elector or the identification serial  
18 number of the absent elector if the elector has a confidential listing under s. 6.47 (2).  
19 When the board of absentee ballot canvassers finds that the certification has been  
20 properly executed, the applicant is a qualified elector of the ward or election district,  
21 and the applicant has not voted in the election, the board of absentee ballot  
22 canvassers shall enter an indication on the poll list next to the applicant's name  
23 indicating an absentee ballot is cast by the elector. The board of absentee ballot  
24 canvassers shall then open the envelope containing the ballot in a manner so as not  
25 to deface or destroy the certification thereon. The board of absentee ballot

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1 canvassers shall take out the ballot without unfolding it or permitting it to be  
2 unfolded or examined. Unless the ballot is cast under s. 6.95, the board of absentee  
3 ballot canvassers shall verify that the ballot has been endorsed by the issuing clerk.  
4 The board of absentee ballot canvassers shall mark the poll list number of each  
5 elector who casts an absentee ballot on the back of the elector's ballot. The board of  
6 absentee ballot canvassers shall then deposit the ballot into the proper ballot box and  
7 enter the absent elector's name or poll list number after his or her name on the poll  
8 list.

9 (b) When the board of absentee ballot canvassers finds that a certification is  
10 insufficient, that the applicant is not a qualified elector in the ward or election  
11 district, that the ballot envelope is open or has been opened and resealed, that the  
12 ballot envelope contains more than one ballot of any one kind, or that the certificate  
13 of an elector who received an absentee ballot by facsimile transmission or electronic  
14 mail is missing, or if proof is submitted to the board of absentee ballot canvassers that  
15 an elector voting an absentee ballot has since died, the board of absentee ballot  
16 canvassers shall not count the ballot. Each member of the board of absentee ballot  
17 canvassers shall endorse every ballot not counted on the back as "rejected (giving the  
18 reason)." The board of absentee ballot canvassers shall reinsert each rejected ballot  
19 into the certificate envelope in which it was delivered and enclose the certificate  
20 envelopes and ballots, and securely seal the ballots and envelopes in an envelope  
21 marked for rejected absentee ballots. The board of absentee ballot canvassers shall  
22 endorse the envelope as "rejected ballots," with a statement of the ward or election  
23 district and date of the election, and each member of the board of absentee ballot  
24 canvassers shall sign the statement. The board of absentee ballot canvassers shall  
25 then return the envelope containing the ballots to the municipal clerk.

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1           (4) (a) The board of absentee ballot canvassers shall then open the ballot box  
2 and remove and count the number of ballots therein without examination except as  
3 is necessary to ascertain that each is a single ballot. If 2 or more ballots are folded  
4 together so as to appear as a single ballot, the board of absentee ballot canvassers  
5 shall lay them aside until the count is completed; and if, after a comparison of the  
6 count and the appearance of the ballots it appears to the board of absentee ballot  
7 canvassers that the ballots folded together were voted by the same person they shall  
8 not be counted but the board of absentee ballot canvassers shall mark them as to the  
9 reason for removal, set them aside, and carefully preserve them. The board of  
10 absentee ballot canvassers shall then proceed under par. (b).

11           (b) When during the counting of the ballots cast at an election the board of  
12 absentee ballot canvassers finds that a ballot is so defective that it cannot determine  
13 with reasonable certainty for whom it was cast, the board of absentee ballot  
14 canvassers shall so mark the ballot and preserve it. The board of absentee ballot  
15 canvassers shall not count the vote cast on the ballot for any office for which it  
16 determines the ballot to be defective.

17           (c) Whenever the number of ballots exceeds the number of voting electors as  
18 indicated on the poll list, the board of absentee ballot canvassers shall place all  
19 ballots face up to check for blank ballots. In this paragraph, “blank ballot” means  
20 a ballot on which no votes are cast for any office or question. The board of absentee  
21 ballot canvassers shall mark, lay aside, and preserve any blank ballots. If the  
22 number of ballots still exceeds the number of voting electors, the board of absentee  
23 ballot canvassers shall place all ballots face down and proceed to check for the  
24 initials. The board of absentee ballot canvassers shall mark, lay aside, and preserve  
25 any ballot not bearing the initials of the municipal clerk. During the count, the board

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1 of absentee ballot canvassers shall count those ballots cast by challenged electors the  
2 same as the other ballots.

3 (d) The board of absentee ballot canvassers shall keep a written statement, in  
4 duplicate, of the number of ballots set aside and the number of defective ballots and  
5 challenged ballots. The statement shall contain a record of the reasons for setting  
6 aside each ballot and the reasons why each defective or challenged ballot is defective  
7 or challenged. The board of absentee ballot canvassers shall certify that the  
8 statement is correct, sign it, and attach it to the tally sheets.

9 (e) If, after any ballots have been set aside, the number of ballots still exceeds  
10 the total number of electors recorded on the poll list, the board of absentee ballot  
11 canvassers shall place the absentee ballots in the ballot box and one of the members  
12 shall publicly and without examination draw therefrom by chance the number of  
13 ballots equal to the excess number of ballots. All ballots so removed shall not be  
14 counted but shall be specially marked as having been removed by the board of  
15 absentee ballot canvassers on original canvass due to an excess number of ballots,  
16 set aside, and preserved. When the number of ballots and total shown on the poll list  
17 agree, the board of absentee ballot canvassers shall return all ballots to be counted  
18 to the ballot box and shall turn the ballot box in such manner as to thoroughly mix  
19 the ballots. The board of absentee ballot canvassers shall then open, count, and  
20 record the number of votes. When the ballots are counted, the board of absentee  
21 ballot canvassers shall separate them into piles for ballots similarly voted.  
22 Objections may be made to placement of ballots in the piles at the time the separation  
23 is made.

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1 (f) If corrected ballots under s. 5.06 (6) or 5.72 (3) are distributed under s. 7.10  
2 (3), only the votes cast on the corrected ballots may be counted for any office or  
3 referendum in which the original ballots differ from the corrected ballots.

4 (g) The board of absentee ballot canvassers shall place together all ballots  
5 counted by it that relate to any national, state, or county office or any state, county,  
6 or technical college district referendum and secure them together so they cannot be  
7 untied or tampered with without breaking the seal. The secured ballots, together  
8 with any ballots marked “Defective,” shall then be secured by the board of absentee  
9 ballot canvassers in the ballot container in such a manner that the container cannot  
10 be opened without breaking the seals or locks, or destroying the container. The board  
11 of absentee ballot canvassers shall place the ballots cast under s. 6.97 in a separate,  
12 securely sealed carrier envelope which is clearly marked “Section 6.97 ballots.” Each  
13 member of the board of absentee ballot canvassers shall sign the carrier envelope.  
14 The carrier envelope shall not be placed in the ballot container. The board of  
15 absentee ballot canvassers shall then deliver the ballots to the municipal clerk in the  
16 ballot container and carrier envelope.

17 (h) For ballots that relate only to municipal or school district offices or  
18 referenda, the board of absentee ballot canvassers, in lieu of par. (a), after counting  
19 the ballots shall return them to the proper ballot boxes, lock the boxes, paste paper  
20 over the slots, sign their names to the paper, and deliver them and the keys therefor  
21 to the municipal or school district clerk. The clerk shall retain the ballots until  
22 destruction is authorized under s. 7.23.

23 (i) All absentee certificate envelopes that have been opened shall be returned  
24 by the board of absentee ballot canvassers to the municipal clerk in a securely sealed  
25 carrier envelope that is clearly marked “used absentee certificate envelopes.” The

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1 envelopes shall be signed by each member of the board of absentee ballot canvassers.  
2 Except when the ballots are used in a municipal or school district election only, the  
3 municipal clerk shall transmit the used envelopes to the county clerk.

4 (5) The vote of any absent elector may be challenged for cause and the board  
5 of absentee ballot canvassers shall have all the power and authority given the  
6 inspectors to hear and determine the legality of the ballot the same as if the ballot  
7 had been voted in person.

8 (6) (a) The board of absentee ballot canvassers shall review each certificate  
9 envelope to determine whether any absentee ballot is cast by an elector whose name  
10 appears on the poll list as ineligible to vote at the election, including ineligibility to  
11 vote by reason of a felony conviction. If the board of absentee ballot canvassers  
12 receives an absentee ballot that has been cast by an elector whose name appears on  
13 the poll list as ineligible to vote, the inspectors shall challenge the ballot in the same  
14 manner as provided for inspectors making challenges under s. 6.92 and shall treat  
15 the ballot in the manner as provided for treatment of challenged ballots by inspectors  
16 under s. 6.95.

17 (b) Any elector may challenge for cause any absentee ballot. For the purpose  
18 of deciding upon ballots that are challenged for any reason, the board of absentee  
19 ballot canvassers may call before it any person whose absentee ballot is challenged  
20 if the person is available to be called. If the person challenged refuses to answer fully  
21 any relevant questions put to him or her by the board of absentee ballot canvassers  
22 under s. 6.92, the board of absentee ballot canvassers shall reject the person's vote.  
23 If the challenge is not withdrawn after the person offering to vote has answered the  
24 questions, one of the members of the board of absentee ballot canvassers shall  
25 administer to the person the following oath or affirmation: "You do solemnly swear

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1 (or affirm) that: you are 18 years of age; you are a citizen of the United States; you  
2 are now and for 10 days have been a resident of this ward except under s. 6.02 (2),  
3 stats.; you have not voted at this election; you have not made any bet or wager or  
4 become directly or indirectly interested in any bet or wager depending upon the  
5 result of this election; you are not on any other ground disqualified to vote at this  
6 election.” If the person challenged refuses to take the oath or affirmation, the  
7 person’s vote shall be rejected. If the person challenged answers fully all relevant  
8 questions put to the elector by the board of absentee ballot canvassers under s. 6.92,  
9 takes the oath or affirmation, and fulfills the applicable registration requirements,  
10 and if the answers to the questions given by the person indicate that the person meets  
11 the voting qualification requirements, the person’s vote shall be received.

12 (7) The board of absentee ballot canvassers shall maintain tally sheets on  
13 forms provided by the municipal clerk, which shall state the total number of votes  
14 cast for each office and for each individual receiving votes for that office, whether or  
15 not the individual’s name appears on the ballot, and shall state the vote for and  
16 against each proposition voted on. Upon completion of the canvass of the absentee  
17 ballots, the board of absentee ballot canvassers shall immediately complete  
18 statements in duplicate. The statements shall state the excess, if any, by which the  
19 number of ballots exceeds the number of electors voting as shown by the poll list used  
20 by the board of absentee ballot canvassers under this section and shall state the poll  
21 list number of the last elector as shown by the poll list. Each member of the board  
22 of absentee ballot canvassers shall then certify to the correctness of the statements  
23 and tally sheets and sign their names. All other election officials assisting with the  
24 tally shall also certify to the correctness of the tally sheets. When the tally is  
25 complete, the board of absentee ballot canvassers shall publicly announce the results

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1 from the statements, and the records of the count are open to public inspection and  
2 copying under s. 19.35 (1).

3 (8) The board of absentee ballot canvassers shall make full and accurate return  
4 of the votes cast for each candidate and proposition on the tally sheet forms. Each  
5 tally sheet shall record the returns for each office or referendum by ward, unless  
6 combined returns are authorized in accordance with s. 5.15 (6) (b), in which case the  
7 tally sheet shall record the returns for each group of combined wards. After  
8 recording the votes, the board of absentee ballot canvassers shall seal in a carrier  
9 envelope outside the ballot bag or container one inspector's statement under sub. (4)  
10 (d), one tally sheet, and one poll list for delivery to the county clerk, unless the  
11 election relates only to municipal or school district offices or referenda. The board  
12 of absentee ballot canvassers shall also similarly seal one statement, one tally sheet,  
13 and one poll list for delivery to the municipal clerk.

14 (9) The governing body of any municipality that has provided by ordinance  
15 enacted under sub. (1) for the canvassing of absentee ballots at all elections held in  
16 the municipality under this section may by similar action rescind that decision.  
17 Thereafter, the absentee ballots at all elections held in the municipality shall be  
18 canvassed as provided in s. 6.88.

19 **SECTION 137.** 7.53 (1) of the statutes is amended to read:

20 7.53 (1) MUNICIPALITIES WITH ONE POLLING PLACE. Where the municipality  
21 constitutes one ward or combines all wards to utilize a single polling place under s.  
22 5.15 (6) (b), the canvass of the votes cast at the polling place shall be conducted  
23 publicly under s. 7.51 and the inspectors, other than any inspector appointed under  
24 s. 7.30 (1) (b), shall act as the municipal board of canvassers. In municipalities where  
25 absentee ballots are canvassed under s. 7.52, after the canvass of the absentee ballots

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1 is completed under s. 7.52, the board of absentee ballot canvassers shall reconcile the  
2 poll list of the electors who vote by absentee ballot with the corresponding poll list  
3 of the electors who vote in person to ensure that no elector is allowed to cast more  
4 than one ballot. If an elector who votes in person has submitted an absentee ballot,  
5 the absentee ballot is void. Upon completion of the canvass under this subsection and  
6 any canvass that is conducted under s. 7.52 and ascertainment of the results by the  
7 inspectors or, in municipalities where absentee ballots are canvassed under s. 7.52,  
8 by the inspectors and the board of absentee ballot canvassers, the municipal clerk  
9 shall publicly read to the inspectors or the board of absentee ballot canvassers the  
10 names of the persons voted for and the number of votes for each person for each  
11 municipal office, the names of the persons declared by the inspectors or board of  
12 absentee ballot canvassers to have won nomination or election to each municipal  
13 office, and the number of votes cast for and against each municipal referendum  
14 question.

15 **SECTION 138.** 7.53 (2) (a) of the statutes is amended to read:

16 7.53 (2) (a) 1. Except as provided in par. (c), the municipal board of canvassers  
17 for municipal elections in each municipality utilizing more than one polling place  
18 shall be composed of the municipal clerk and 2 other qualified electors of the  
19 municipality appointed by the clerk. The members of the board of canvassers shall  
20 serve for 2-year terms commencing on January 1 of each odd-numbered year, except  
21 that any member who is appointed to fill a permanent vacancy shall serve for the  
22 unexpired term of the original appointee.

23 2. If the municipal clerk's office is vacant, or if the clerk cannot perform his or  
24 her duties ~~or if the clerk is a candidate at an election being canvassed,~~ the mayor,

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1 president or board chairperson of the municipality shall designate another qualified  
2 elector of the municipality to serve in lieu of the clerk for that election.

3 4. If any other member of the board of canvassers is a candidate at the election  
4 being canvassed, the clerk shall appoint another qualified elector of the municipality  
5 to temporarily fill the vacancy.

6 **SECTION 139.** 7.53 (2) (a) 3. of the statutes is created to read:

7 7.53 (2) (a) 3. If the clerk is a candidate at an election being canvassed, the clerk  
8 may perform his or her duties on the board of canvassers only if the clerk does not  
9 have an opponent whose name appears on the ballot, or in the case of a recount, if  
10 the office the clerk is seeking is not a subject of the recount. If the clerk is a candidate  
11 at the election being canvassed and has an opponent whose name appears on the  
12 ballot or if the office the clerk is seeking is a subject of a recount, the mayor, president  
13 of board chairperson of the municipality shall designate another qualified elector of  
14 the municipality to serve in lieu of the elector for that election.

15 **SECTION 140.** 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. After any canvass of the absentee ballots is completed under s. 7.52,  
19 the board of canvassers shall reconcile the poll list of the electors who vote by  
20 absentee ballot with the corresponding poll list of the electors who vote in person to  
21 ensure that no elector is allowed to cast more than one ballot. If an elector who votes  
22 in person has submitted an absentee ballot, the absentee ballot is void. At the spring  
23 election, the board of canvassers shall publicly declare the results on or before the  
24 2nd Tuesday in April. The board of canvassers shall prepare a statement showing  
25 the results of each election for any municipal office and each municipal referendum.

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1 After each primary for municipal offices, the board of canvassers shall prepare a  
2 statement certifying the names of those persons who have won nomination to office.

3 After each other election for a municipal office and each municipal referendum, the  
4 board of canvassers shall prepare a determination showing the names of the persons  
5 who are elected to each municipal office and the results of each municipal  
6 referendum. The board of canvassers shall file each statement and determination  
7 in the office of the municipal clerk or board of election commissioners.

8 **SECTION 141.** 7.53 (2m) of the statutes is created to read:

9 **7.53 (2m) BOARD OF ABSENTEE BALLOT CANVASSERS.** (a) If a municipality elects  
10 to count absentee ballots in the manner provided for in s. 7.52, the municipality shall  
11 establish a board of absentee ballot canvassers as provided in par. (b).

12 (b) Except as provided in par. (c), the municipal board of absentee ballot  
13 canvassers shall be composed of the municipal clerk, or a qualified elector of the  
14 municipality designated by the clerk, and 2 other qualified electors of the  
15 municipality appointed by the clerk. The members of the absentee ballot board of  
16 canvassers shall serve for 2-year terms commencing on January 1 of each  
17 odd-numbered year, except that any member who is appointed to fill a permanent  
18 vacancy shall serve for the unexpired term of the original appointee. If the municipal  
19 clerk's office is vacant or if the clerk and the clerk's designee cannot perform his or  
20 her duties, the mayor, president, or board chairperson of the municipality shall  
21 designate another qualified elector of the municipality to serve in lieu of the clerk for  
22 that election. If the clerk is a candidate at an election being canvassed, the clerk or  
23 the clerk's designee may perform the clerk's duties on the board of absentee ballot  
24 canvassers only if the clerk does not have an opponent whose name appears on the  
25 ballot. If the clerk is a candidate at the election being canvassed by the board of

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1 absentee ballot canvassers and has an opponent whose name appears on the ballot,  
2 the mayor, president, or board chairperson of the municipality shall designate  
3 another qualified elector of the municipality to serve in lieu of the clerk and his or  
4 her designee for that election. If any other member of the board of absentee ballot  
5 canvassers is a candidate at the election being canvassed, the clerk shall appoint  
6 another qualified elector of the municipality to temporarily fill the vacancy.

7 (c) Nothing in this subsection precludes a municipal clerk from appointing  
8 individuals to the board of absentee ballot canvassers who are simultaneously  
9 serving on any other board of canvassers.

10 **SECTION 142.** 7.60 (2) of the statutes is amended to read:

11 **7.60 (2) COUNTY BOARD OF CANVASSERS.** The county clerk and 2 qualified electors  
12 of the county appointed by the clerk constitute the county board of canvassers. The  
13 members of the board of canvassers shall serve for 2-year terms commencing on  
14 January 1 of each odd-numbered year, except that any member who is appointed to  
15 fill a permanent vacancy shall serve for the unexpired term of the original appointee.  
16 One member of the board of canvassers shall belong to a political party other than  
17 the clerk's. The county clerk shall designate a deputy clerk who shall perform the  
18 clerk's duties as a member of the board of canvassers in the event that the county  
19 clerk's office is vacant, or the clerk cannot perform his or her duties, ~~or the clerk is~~  
20 ~~a candidate at an election being canvassed.~~ If the county clerk and designated  
21 deputy clerk are both unable to perform their duties, the county executive or, if there  
22 is no county executive, the chairperson of the county board of supervisors shall  
23 designate another qualified elector of the county to perform the clerk's duties. If a  
24 member other than the clerk cannot perform his or her duties, the clerk shall appoint  
25 another member to serve. No Except as otherwise provided in this subsection, no

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1 person may serve on the county board of canvassers if the person is a candidate for  
2 an office to be canvassed by that board. If the clerk is a candidate at an election being  
3 canvassed, the clerk may perform his or her duties on the board only if the clerk has  
4 no opponent whose name appears on the ballot, or, in the case of a recount, if the office  
5 the clerk is seeking is not a subject of the recount. If lists of candidates for the county  
6 board of canvassers are submitted to the county clerk by political party county  
7 committees, the lists shall consist of at least 3 names and the clerk shall choose the  
8 board members from the lists. Where there is a county board of election  
9 commissioners, it shall serve as the board of canvassers. If the county board of  
10 election commissioners serves as the board of canvassers, the executive director of  
11 the county board of election commissioners shall serve as a member of the board of  
12 canvassers to fill a temporary vacancy on that board.

13 **SECTION 143.** 8.10 (3) (intro.) of the statutes is amended to read:

14 8.10 (3) (intro.) The certification of a qualified elector circulator under s. 8.15  
15 (4) (a) shall be appended to each nomination paper. The number of required  
16 signatures on nomination papers filed under this section is as follows:

17 **SECTION 144.** 8.15 (4) (a) of the statutes is amended to read:

18 8.15 (4) (a) The certification of a qualified elector circulator stating his or her  
19 residence with street and number, if any, shall appear at the bottom of each  
20 nomination paper, stating he or she personally circulated the nomination paper and  
21 personally obtained each of the signatures; he or she knows they are electors of the  
22 ward, aldermanic district, municipality or county, as the nomination papers require;  
23 he or she knows they signed the paper with full knowledge of its content; he or she  
24 knows their respective residences given; he or she knows each signer signed on the  
25 date stated opposite his or her name; and, that he or she, the circulator, resides

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1 ~~within the district which the candidate named therein will represent, if elected is a~~  
2 ~~qualified elector of this state, or if not a qualified elector of this state, is a U.S. citizen~~  
3 ~~age 18 or older who, if he or she were a resident of this state, would not be disqualified~~  
4 ~~from voting under s. 6.03, Wis. stats.;~~ that he or she intends to support the candidate;  
5 and that he or she is aware that falsifying the certification is punishable under s.  
6 12.13 (3) (a), Wis. stats. The circulator shall indicate the date that he or she makes  
7 the certification next to his or her signature. The certification may be made by the  
8 candidate or any qualified elector circulator.

9 **SECTION 145.** 8.20 (3) of the statutes is amended to read:

10 8.20 (3) The certification of ~~an elector~~ a qualified circulator under s. 8.15 (4)  
11 (a) shall be appended to each nomination paper.

12 **SECTION 146.** 8.37 of the statutes is amended to read:

13 **8.37 Filing of referenda petitions or questions.** Unless otherwise required  
14 by law, all proposed constitutional amendments and any other measure or question  
15 that is to be submitted to a vote of the people, or any petitions requesting that a  
16 measure or question be submitted to a vote of the people, if applicable, shall be filed  
17 with the official or agency responsible for preparing the ballots for the election no  
18 later than 42 days prior to the election at which the amendment, measure or question  
19 will appear on the ballot. The school district clerk shall file a copy of any such  
20 measure or question that is placed on the ballot by a school district with the clerk of  
21 each county having territory within the school district no later than 42 days prior to  
22 the election at which such measure or question will appear on the ballot.

23 **SECTION 147.** 8.40 (2) of the statutes is amended to read:

24 8.40 (2) The certification of a qualified elector circulator stating his or her  
25 residence with street and number, if any, shall appear at the bottom of each separate

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1 sheet of each petition specified in sub. (1), stating that he or she personally circulated  
2 the petition and personally obtained each of the signatures; that the circulator knows  
3 that they are electors of the jurisdiction or district in which the petition is circulated;  
4 that the circulator knows that they signed the paper with full knowledge of its  
5 content; that the circulator knows their respective residences given; that the  
6 circulator knows that each signer signed on the date stated opposite his or her name;  
7 that the circulator ~~resides within the jurisdiction or district in which the petition is~~  
8 ~~circulated~~ is a qualified elector of this state, or if not a qualified elector of this state,  
9 that the circulator is a U.S. citizen age 18 or older who, if he or she were a resident  
10 of this state, would not be disqualified from voting under s. 6.03, Wis. stats.; and that  
11 the circulator is aware that falsifying the certification is punishable under s. 12.13  
12 (3) (a). The circulator shall indicate the date that he or she makes the certification  
13 next to his or her signature.

14 **SECTION 148.** 9.01 (1) (ag) 1., 1m. and 2. of the statutes are amended to read:

15 9.01 (1) (ag) 1. If the difference between the votes cast for the leading candidate  
16 and those cast for the petitioner or the difference between the affirmative and  
17 negative votes cast upon any referendum question is less than 10 if 1,000 or less votes  
18 are cast or not more than 0.5% of the total votes cast for the office or on the question  
19 if more than 1,000 votes are cast prior to issuance of any amended return under s.  
20 6.22 (5m) (f), the petitioner is not required to pay a fee.

21 1m. If the difference between the votes cast for the leading candidate and those  
22 cast for the petitioner or the difference between the affirmative and negative votes  
23 cast upon any referendum question is at least 10 if 1,000 or less votes are cast or is  
24 more than 0.5% but not more than 2% if more than 1,000 votes are cast prior to  
25 issuance of any amended return under s. 6.22 (5m) (f), the petitioner shall pay a fee

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1 of \$5 for each ward for which the petition requests a ballot recount, or \$5 for each  
2 municipality for which the petition requests a recount where no wards exist.

3 2. If the difference between the votes cast for the leading candidate and those  
4 cast for the petitioner or the difference between the affirmative and negative votes  
5 cast upon any referendum question is more than 2% if more than 1,000 votes are cast  
6 prior to issuance of any amended return under s. 6.22 (5m) (f), the petitioner shall  
7 pay a fee equal to the actual cost of performing the recount in each ward for which  
8 the petition requests a recount, or in each municipality for which the petition request  
9 a recount where no wards exist.

10 **SECTION 149.** 9.01 (1) (ag) 2m. of the statutes is created to read:

11 9.01 (1) (ag) 2m. For purposes of subds. 1m. and 2., the number of votes cast  
12 at an election excludes any votes that may be eligible to be counted under s. 6.22 (5m)  
13 (a).

14 **SECTION 150.** 9.01 (1) (b) (intro.) of the statutes is amended to read:

15 9.01 (1) (b) (intro.) The Except as provided in this paragraph, the proper board  
16 of canvassers shall reconvene no earlier than 9 a.m. on the day following delivery of  
17 notice to all candidates under sub. (2) and no later than 9 a.m. on the day following  
18 the last day for filing of a petition and proceed to recount the ballots in the wards or  
19 municipalities specified and to review the allegations of fact contained in the petition  
20 or petitions. If s. 6.22 (5m) (dm) applies, the board of canvassers shall not proceed  
21 with the recount until 9 a.m. on the day following the last day for filing of a petition  
22 and, if s. 6.22 (5m) (e) applies, shall not proceed with the recount until it complies  
23 with s. 6.22 (5m) (f). The recount shall proceed for each ward or municipality as  
24 follows:

25 **SECTION 151.** 9.01 (10) of the statutes is amended to read:

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1           9.01 (10) STANDARD FORMS AND METHODS. The elections board shall prescribe  
2 standard forms and procedures for the making of recounts under this section. The  
3 procedures prescribed by the elections board shall require the boards of canvassers  
4 in recounts involving more than one board of canvassers to consult with the elections  
5 board staff prior to beginning any recount in order to ensure that uniform procedures  
6 are used, to the extent practicable, in such recounts.

7           **SECTION 152.** 9.10 (2) (b) of the statutes is amended to read:

8           9.10 (2) (b) A recall petition for requesting the recall of a city, village, town or  
9 school district ~~office~~ officer shall contain a statement of ~~a reason for the recall which~~  
10 ~~is related to the official responsibilities of the official for whom removal is sought~~  
11 each cause for the recall and the grounds that constitute each cause. In this  
12 paragraph, “cause” means official misconduct or malfeasance in office.

13           **SECTION 153.** 9.10 (2) (d) of the statutes is amended to read:

14           9.10 (2) (d) No petition may be offered for filing for the recall of an officer unless  
15 the petitioner first files a registration statement under s. 11.05 (1) or (2) with the  
16 filing officer with whom the petition is filed. The petitioner shall append to the  
17 registration a statement indicating his or her intent to circulate a recall petition, the  
18 name of the officer for whom recall is sought and, in the case of a petition for the recall  
19 of a city, village, town or school district officer, a statement of ~~a reason for the recall~~  
20 ~~which is related to the official responsibilities of the official for whom removal is~~  
21 ~~sought~~ each cause, as defined in par. (b), for the recall and the grounds that constitute  
22 each cause. No petitioner may circulate a petition for the recall of an officer prior to  
23 completing registration. The last date that a petition for the recall of a state,  
24 congressional, legislative, judicial or county officer may be offered for filing is 5 p.m.  
25 on the 60th day commencing after registration. The last date that a petition for the

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1 recall of a city, village, town or school district officer may be offered for filing is 5 p.m.  
2 on the 30th day commencing after registration. After the recall petition has been  
3 offered for filing, no name may be added or removed. No signature may be counted  
4 unless the date of the signature is within the period provided in this paragraph.

5 **SECTION 154.** 9.10 (2) (em) 2. of the statutes is amended to read:

6 9.10 (2) (em) 2. ~~The residency of the circulator cannot be determined by the~~  
7 ~~information given on the petition is not a qualified circulator.~~

8 **SECTION 155.** 9.10 (4) (a) of the statutes is amended to read:

9 9.10 (4) (a) Within 10 days after a petition for the recall of a city, village, town,  
10 or school district ~~official,~~ officer is offered for filing, the officer against whom the  
11 petition is filed may file a written challenge with the municipal clerk or board of  
12 election commissioners or school district clerk with whom it is filed, specifying any  
13 alleged insufficiency. If a challenge is filed, the petitioner may file a written rebuttal  
14 to the challenge with the clerk or board of election commissioners within 5 days after  
15 the challenge is filed. If a rebuttal is filed, the officer against whom the petition is  
16 filed may file a reply to any new matter raised in the rebuttal within 2 days after the  
17 rebuttal is filed. Within 14 days after the expiration of the time allowed for filing a  
18 reply to a rebuttal, the clerk or board of election commissioners shall file the  
19 certificate or an amended certificate. Within 31 days after the petition is offered for  
20 filing, the clerk or board of election commissioners shall determine by careful  
21 examination of the face of the petition whether the petition is sufficient and shall so  
22 state in a certificate attached to the petition. If the petition is found to be insufficient,  
23 the certificate shall state the particulars creating the insufficiency. The petition may  
24 be amended to correct any insufficiency within 5 days following the affixing of the  
25 original certificate. Within 2 days after the offering of the amended petition for filing,

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1 the clerk or board of election commissioners shall again carefully examine the face  
2 of the petition to determine sufficiency and shall attach to the petition a certificate  
3 stating the findings. Immediately upon finding an original or amended petition  
4 sufficient, except in cities over 500,000 population, the municipal clerk or school  
5 district clerk shall transmit the petition to the governing body or to the school board.  
6 Immediately upon finding an original or amended petition sufficient, in cities over  
7 500,000 population, the board of election commissioners shall file the petition in its  
8 office.

9 **SECTION 156.** 10.01 (2) (e) of the statutes is amended to read:

10 10.01 (2) (e) Type E—The type E notice shall state the qualifications for  
11 absentee voting, the procedures for obtaining an absentee ballot in the case of  
12 registered and unregistered voters, and the places and the deadlines for application  
13 and return of application, including any alternate site under s. 6.855, and the office  
14 hours during which an elector may cast an absentee ballot in the municipal clerk's  
15 office or at an alternate site under s. 6.855. The municipal clerk shall publish a type  
16 E notice on the 4th Tuesday preceding each spring primary and election, on the 4th  
17 Tuesday preceding each September primary and general election, on the 4th Tuesday  
18 preceding the primary for each special national, state, county or municipal election  
19 if any, on the 4th Tuesday preceding a special county or municipal referendum, and  
20 on the 3rd Tuesday preceding each special national, state, county or municipal  
21 election to fill an office which is not held concurrently with the spring or general  
22 election. The clerk of each special purpose district which calls a special election shall  
23 publish a type E notice on the 4th Tuesday preceding the primary for the special  
24 election, if any, on the 4th Tuesday preceding a special referendum, and on the 3rd

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1 Tuesday preceding a special election for an office which is not held concurrently with  
2 the spring or general election except as authorized in s. 8.55 (3).

3 **SECTION 157.** 10.02 (3) (a) of the statutes is amended to read:

4 10.02 (3) (a) Upon entering the polling place and before being permitted to vote,  
5 an elector shall state his or her name and address and ~~provide identification if~~  
6 ~~required by federal law.~~ If an elector is not registered to vote, an elector may register  
7 to vote at the polling place serving his or her residence if the elector provides proof  
8 of residence or the elector's registration is verified by another elector of the same  
9 municipality where the elector resides. Where ballots are distributed to electors, the  
10 initials of 2 inspectors must appear on the ballot. Upon being permitted to vote, the  
11 elector shall retire alone to a voting booth or machine and cast his or her ballot, except  
12 that an elector who is a parent or guardian may be accompanied by the elector's  
13 minor child or minor ward. An election official may inform the elector of the proper  
14 manner for casting a vote, but the official may not in any manner advise or indicate  
15 a particular voting choice.

16 **SECTION 158.** 12.03 (title) and (1) of the statutes are amended to read:

17 **12.03 (title) ~~Election day campaigning~~ Campaigning restricted.** (1) No  
18 election official may engage in electioneering on election day. No municipal clerk or  
19 employee of the clerk may engage in electioneering in the clerk's office or at the  
20 alternate site under s. 6.855 during the hours that ballots may be cast at those  
21 locations.

22 **SECTION 159.** 12.03 (2) of the statutes is repealed and recreated to read:

23 12.03 (2) (a) 1. No person may engage in electioneering during polling hours  
24 on election day at a polling place.

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1           2. No person may engage in electioneering in the municipal clerk's office or at  
2 an alternate site under s. 6.855 during the hours that absentee ballots may be cast.

3           (b) 1. No person may engage in electioneering during polling hours on any  
4 public property on election day within 100 feet of an entrance to a building containing  
5 a polling place.

6           2. No person may engage in electioneering during the hours that absentee  
7 ballots may be cast on any public property within 100 feet of an entrance to a building  
8 containing the municipal clerk's office or an alternate site under s. 6.855.

9           3. No person may engage in electioneering within 100 feet of an entrance to or  
10 within a nursing home or qualified retirement home or community-based  
11 residential facility while special voting deputies are present at the home or facility.

12           (d) This subsection does not apply to the placement of any material on the  
13 bumper of a motor vehicle that is parked or operated at a place and time where  
14 electioneering is prohibited under this subsection.

15           **SECTION 160.** 12.035 of the statutes is created to read:

16           **12.035 Posting and distribution of election-related material.** (1) In this  
17 section, "election-related material" means any written matter which describes, or  
18 purports to describe, the rights or responsibilities of individuals voting or registering  
19 to vote at a polling place or voting an absentee ballot at the office of the municipal  
20 clerk or an alternate site under s. 6.855.

21           (2) The legislature finds that posting or distributing election-related material  
22 at the polling place, at locations where absentee ballots may be cast, or near the  
23 entrance to such locations when voting is taking place may mislead and confuse  
24 electors about their rights and responsibilities regarding the exercise of the franchise  
25 and tends to disrupt the flow of voting activities at such locations. The legislature

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1 finds that the restrictions imposed by this section on the posting or distribution of  
2 election-related material are necessary to protect the compelling governmental  
3 interest in orderly and fair elections.

4 (3) (a) No person may post or distribute any election-related material during  
5 polling hours on election day at a polling place.

6 (b) No person may post or distribute any election-related material during  
7 polling hours on any public property on election day within 100 feet of an entrance  
8 to a building containing a polling place.

9 (c) No person may post or distribute any election-related material at the office  
10 of the municipal clerk or at an alternate site under s. 6.855 during hours that  
11 absentee ballots may be cast.

12 (d) No person may post or distribute election-related material during the hours  
13 that absentee ballots may be cast on any public property within 100 feet of an  
14 entrance to a building containing the office of the municipal clerk or an alternate site  
15 under s. 6.855.

16 (4) Subsection (3) does not apply to any of the following:

17 (a) The posting or distribution of election-related material posted or  
18 distributed by the municipal clerk or other election officials.

19 (b) The placement of any material on the bumper of a motor vehicle located on  
20 public property.

21 (5) A municipal clerk, election inspector, or law enforcement officer may  
22 remove election-related material posted in violation of sub. (3) and may confiscate  
23 election-related material distributed in violation of sub. (3).

24 **SECTION 161.** 12.04 (2) of the statutes is amended to read: