2007 SENATE BILL 567

March 11, 2008 – Introduced by Senators CARPENTER, PLALE and SULLIVAN. Referred to Committee on Labor, Elections and Urban Affairs.

AN ACT to repeal 6.56 (5) and 12.13 (3) (v); to renumber 6.79 (3); to renumber and amend 6.87 (4) and 6.97 (3); to amend 5.35 (6) (a) 2., 5.35 (6) (a) 4a., 6.15 (2) (d) 1r., 6.15 (3), 6.29 (1), 6.29 (2) (a), 6.33 (1), 6.33 (2) (b), 6.55 (2) (b), 6.55 (2) (c) 1., 6.55 (2) (c) 2., 6.79 (2) (a) and (d), 6.79 (3) (title), 6.79 (4), 6.79 (6), 6.82 (1) (a), 6.86 (1) (ar), 6.86 (3) (a) 1., 6.86 (3) (a) 2., 6.869, 6.87 (3) (d), 6.875 (title), 6.875 (2) (a), 6.875 (3) and (4), 6.875 (6) (a) and (c), 6.88 (3) (a), 6.97 (1) and (2), 7.08 (8) (title), 7.52 (3) (a), 10.02 (3) (form) (a), 12.13 (2) (b) 6m., 343.50 (3), 343.50 (4), 343.50 (5), 343.50 (5m) and 343.50 (6); to repeal and recreate 343.50 (5); and to create 6.15 (2) (bm), 6.15 (2) (d) 1g., 6.79 (3) (b), 6.79 (7), 6.87 (4) (a), 6.87 (4) (b) 2. to 5., 6.875 (1) (ap) and (asm), 6.875 (2) (d), 6.965, 6.97 (3) (a) and (c) and 343.50 (4g) of the statutes; relating to: requiring certain identification in order to vote at a polling place or obtain an absentee ballot, verification of the addresses of electors, absentee voting procedure in certain
Analysis by the Legislative Reference Bureau

With certain limited exceptions, before being permitted to vote at any polling place, an elector currently must provide his or her name and address. If the elector is not registered, the elector must provide a specified form of proof of residence in order to register. If an elector is not able to present any required proof of residence, as an alternative, current law permits another qualified elector who resides in the same municipality to corroborate the elector’s registration information. In addition, an elector other than a military elector or an overseas elector, as defined by federal law, who registers by mail and who has not voted in an election in this state must provide one of the forms of identification specified by federal law, or a copy thereof if voting by absentee ballot, in order to be permitted to vote. Corroboration may not be substituted for this identification requirement, but an elector who cannot provide the required identification may cast a provisional ballot. The municipal clerk or board of election commissioners must determine whether electors casting provisional ballots are qualified to vote by 4 p.m. on the day after an election.

With certain limited exceptions, this bill requires each person attempting to register or vote at the polls on election day to present a valid Wisconsin driver’s license issued by the Department of Transportation (DOT) to the person, a valid, current identification card issued to the person by a U.S. uniformed service, or a valid Wisconsin identification card issued by DOT to the person. A person whose address is confidential as a result of domestic abuse or in certain cases a person who has been required by a law enforcement officer to surrender his or her license (see below) is exempted from the requirement. Under the bill, any person who applies for an absentee ballot, except a military or overseas elector, as defined by federal law, or a person whose address is confidential as a result of domestic abuse, must provide a copy of the license or identification card, unless: 1) the person has already provided a copy of his or her license or identification card in connection with an absentee ballot cast at a previous election and has not changed his or her name or address since that election; 2) the person has been required by a law enforcement officer to surrender his or her license (see below); 3) the person is indefinitely confined, in which case the person may submit a statement signed by the person who witnesses his or her absentee ballot verifying his or her identity; or 4) the person is an occupant of any nursing home, or of a community-based residential facility, retirement home, adult family home, or residential care apartment complex where a municipality sends special voting deputies, in which case the person may submit a statement signed by the deputies verifying his or her identity. The bill continues current requirements for certain electors to provide proof of residence in order to register or to vote, but discontinues the use of corroborating electors to verify residence. If a person votes at a polling place fails to provide a license or identification card, the person may vote provisionally. If a person votes by absentee ballot and fails to provide a copy of the
license or identification card, unless exempted from the requirement, the ballot is treated as a provisional ballot. A provisional ballot is marked by the poll workers, who immediately contact the municipal clerk or board of election commissioners. The person may then provide the required identification either at the polling place before the closing hour or at the office of the clerk or board. If the person does not provide the required identification to the clerk or board by 4 p.m. on the day following the election, the person’s vote is not counted. If a person receives a citation from a law enforcement officer in any jurisdiction that is dated within 60 days of the date of an election and is required to surrender his or her Wisconsin operator’s license at the time the citation is issued, the elector may present an original copy of the citation or notice of intent to revoke or suspend the elector’s operator’s license in lieu of his or her operator’s license or, if the elector is voting an absentee ballot by mail, may enclose a copy of the citation or notice in lieu of a copy of his or her operator’s license. In this case, the bill provides that the elector’s ballot is received and counted if otherwise valid, but the ballot is marked so it can be identified during the canvassing and recount process if the validity of the ballot is questioned.

The bill also permits an elector who is eligible to obtain a Wisconsin identification card to obtain the card from DOT free of charge, if the elector specifically requests not to be charged. The bill permits an applicant to receive a Wisconsin identification card without a photograph being taken, as currently required, if the applicant provides an affidavit stating that he or she has sincerely held religious beliefs against being photographed, that he or she is a member of a religious organization or identifies with the tenets of a religious organization and names that organization, and that the religious tenets of that organization prohibit such photographing.

Currently, municipalities must send two special voting deputies (one designated by each major political party if the party wishes) to conduct absentee voting in nursing homes. Municipalities may also send the deputies to conduct absentee voting in community-based residential facilities and retirement homes that qualify for the service in accordance with standards prescribed by law. This bill permits municipal clerks and boards of election commissioners to send two special voting deputies to conduct absentee voting in adult family homes and residential care apartment complexes that qualify for the service in accordance with similar standards prescribed by law.

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

1. **SECTION 1.** 5.35 (6) (a) 2. of the statutes is amended to read:

2. 5.35 (6) (a) 2. A copy of the election fraud laws provided in s. 12.13 (1) and (3) (intro), (d), (f), (g), (k), (L), (o), (q), (r), (u), (v) and (x), together with the applicable penalties provided in s. 12.60 (1).
SECTION 2. 5.35 (6) (a) 4a. of the statutes is amended to read:

5.35 (6) (a) 4a. Instructions prescribed by the board for electors for whom a license or identification card is required under s. 6.79 (2) or for whom proof of residence under s. 6.34 is required under s. 6.55 (2).

SECTION 3. 6.15 (2) (bm) of the statutes is created to read:

6.15 (2) (bm) Except as authorized in s. 6.79 (7), when making application in person at the office of the municipal clerk, each applicant shall present a valid operator’s license issued to the person under ch. 343, a valid, current identification card issued to the person by a U.S. uniformed service, or a valid identification card issued to the person under s. 343.50. If any document presented by the applicant is not proof of residence under s. 6.34, the applicant shall also present proof of residence under s. 6.34.

SECTION 4. 6.15 (2) (d) 1g. of the statutes is created to read:

6.15 (2) (d) 1g. If the elector makes application in person at the office of the municipal clerk, the clerk shall verify that the name on the license or identification card provided by the elector under par. (bm) is the same as the name on the elector’s application and shall verify that any photograph appearing on that document reasonably resembles the elector.

SECTION 5. 6.15 (2) (d) 1r. of the statutes is amended to read:

6.15 (2) (d) 1r. Upon proper completion of the application and cancellation card, the municipal clerk shall require the elector to provide proof of residence under s. 6.34. If the elector cannot provide proof of residence, the elector may have his or her residence corroborated in a statement that is signed by another elector of the municipality and that contains the current street address of the corroborating elector. If the residence is corroborated by another elector, that elector shall then
provide proof of residence under s. 6.34 permit the elector to cast his or her ballot for president and vice president. The elector shall then mark the ballot in the clerk’s presence in a manner that will not disclose his or her vote. The elector shall then fold the ballot so as to conceal his or her vote. The clerk or elector shall then place the ballot in an envelope furnished by the clerk.

SECTION 6. 6.15 (3) of the statutes is amended to read:

6.15 (3) PROCEDURE AT POLLING PLACE. An eligible elector may appear at the polling place for the ward or election district where he or she resides and make application for a ballot under sub. (2). Except as otherwise provided in this subsection, an elector who casts a ballot under this subsection shall follow the same procedure required for casting a ballot at the municipal clerk’s office under sub. (2). The inspectors shall perform the duties of the municipal clerk, except that the inspectors shall return the cancellation card under sub. (2) (b) to the municipal clerk and the clerk shall forward the card as provided in sub. (2) (c) if required. Upon proper completion of the application and cancellation card and submittal of proof of residence under s. 6.34 or providing corroboration of residence verification of the elector’s license or identification card as provided in sub. (2) (d) 1g., the inspectors shall permit the elector to cast his or her ballot for president and vice president. The elector shall mark the ballot and, unless the ballot is utilized with an electronic voting system, the elector shall fold the ballot, and deposit the ballot into the ballot box or give it to the inspector. The inspector shall deposit it directly into the ballot box. Voting machines or ballots utilized with electronic voting systems may only be used by electors voting under this section if they permit voting for president and vice president only.

SECTION 7. 6.29 (1) of the statutes is amended to read:
6.29 (1) No names may be added to a registration list for any election after the
close of registration, except as authorized under this section or s. 6.55 (2) or 6.86 (3)
(a) 2. Any person whose name is not on the registration list but who is otherwise a
qualified elector is entitled to vote at the election upon compliance with this section,
if the person complies with all other requirements for voting at the polling place.

SECTION 8. 6.29 (2) (a) of the statutes is amended to read:

6.29 (2) (a) Any qualified elector of a municipality who has not previously filed
a registration form or whose name does not appear on the registration list of the
municipality may register after the close of registration but not later than 5 p.m. or
the close of business, whichever is later, on the day before an election at the office of
the municipal clerk and at the office of the clerk’s agent if the clerk delegates
responsibility for electronic maintenance of the registration list to an agent under
s. 6.33 (5) (b). The elector shall complete, in the manner provided under s. 6.33 (2),
a registration form containing all information required under s. 6.33 (1). The
registration form shall also contain the following certification: “I, ...., hereby certify
that, to the best of my knowledge, I am a qualified elector, having resided at ... for
at least 10 days immediately preceding this election, and I have not voted at this
election”. The elector shall also provide proof of residence under s. 6.34.
Alternatively, if the elector is unable to provide proof of residence under s. 6.34, the
information contained in the registration form shall be corroborated in a statement
that is signed by any other elector of the municipality and that contains the current
street address of the corroborating elector. The corroborating elector shall then
provide proof of residence under s. 6.34. If the elector is registering after the close
of registration for the general election and the elector presents a valid driver’s license
issued by another state, the municipal clerk or agent shall record on a separate list
the name and address of the elector, the name of the state, and the license number
and expiration date of the license.

**Section 9.** 6.33 (1) of the statutes is amended to read:

6.33 (1) The board shall prescribe the format, size, and shape of registration
forms. All forms shall be printed on cards and each item of information shall be of
uniform font size, as prescribed by the board. The municipal clerk shall supply
sufficient forms to meet voter registration needs. The forms shall be designed
to obtain from each applicant information as to name; date; residence location;
citizenship; date of birth; age; the number of a valid operator’s license issued to the
elector under ch. 343 or the last 4 digits of the elector’s social security account
number; whether the applicant has resided within the ward or election district for
at least 10 days; whether the applicant has been convicted of a felony for which he
or she has not been pardoned, and if so, whether the applicant is incarcerated, or on
parole, probation, or extended supervision; whether the applicant is disqualified on
any other ground from voting; and whether the applicant is currently registered to
vote at any other location. The form shall include a space for the applicant’s
signature and the signature of any corroborating elector. The form shall include a
space to enter the name of any special registration deputy under s. 6.26 or 6.55 (6)
or inspector, municipal clerk, or deputy clerk under s. 6.55 (2) who obtains the form
and a space for the deputy, inspector, clerk, or deputy clerk to sign his or her name,
affirming that the deputy, inspector, clerk, or deputy clerk has accepted the form.
The form shall include a space for entry of the ward and aldermanic district, if any,
where the elector resides and any other information required to determine the offices
and referenda for which the elector is certified to vote. The form shall also include
a space where the clerk may record an indication of whether the form is received by
mail, a space where the clerk may record an indication of the type of identifying
document submitted by the elector as proof of residence under s. 6.34, whenever
required, and a space where the clerk, for any applicant who possesses a valid voting
identification card issued to the person under s. 6.47 (3), may record the
identification serial number appearing on the voting identification card. Each
county clerk shall obtain sufficient registration forms for completion by an elector
who desires to register to vote at the office of the county clerk under s. 6.28 (4).

SECTION 10. 6.33 (2) (b) of the statutes is amended to read:

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

SECTION 11. 6.55 (2) (b) of the statutes is amended to read:

6.55 (2) (b) Upon executing the registration form under par. (a), except as
authorized under s. 6.79 (7), the elector shall be required by a special registration
deputy or inspector to present a valid operator’s license issued to the elector under
ch. 343, a valid, current identification card issued to the elector by a U.S. uniformed
service, or a valid identification card issued to the elector under s. 343.50. If any
document presented is not proof of residence under s. 6.34, the elector shall also
provide proof of residence under s. 6.34. If the elector cannot provide proof of
residence, the information contained in the registration form shall be corroborated
in a statement that is signed by any elector who resides in the same municipality as
the registering elector and that contains the current street address of the
corroborating elector. The corroborator shall then provide proof of residence as
If the elector is registering to vote in the general election and the elector presents a valid driver’s license issued by another state, the inspector or deputy shall record on a separate list the name and address of the elector, the name of the state, and the license number and expiration date of the license. The signing by the elector executing the registration form and by any corroborator shall be in the presence of the special registration deputy or inspector who shall then print his or her name on and sign the form, indicating that the deputy or inspector has accepted the form. Upon compliance with this procedure, the elector shall be permitted to cast his or her vote, if the elector complies with all other requirements for voting at the polling place.

Section 12. 6.55 (2) (c) 1. of the statutes is amended to read:

6.55 (2) (c) 1. As an alternative to registration at the polling place under pars. (a) and (b), the board of election commissioners, or the governing body of any municipality may by resolution require a person who qualifies as an elector and who is not registered and desires to register on the day of an election to do so at another readily accessible location in the same building as the polling place serving the elector’s residence or at an alternate polling place assigned under s. 5.25 (5) (b), instead of at the polling place serving the elector’s residence. In such case, the municipal clerk shall prominently post a notice of the registration location at the polling place. The elector who desires to register shall execute a registration form as prescribed under par. (a) and, except as authorized in s. 6.79 (7), present a valid operator’s license issued to the person under ch. 343, a valid, current identification card issued to the person by a U.S. uniformed service, or a valid identification card issued to the person under s. 343.50. If any document presented by the person is not acceptable proof of residence under s. 6.34, the person shall also provide proof of
residence as provided under s. 6.34. If the elector cannot provide proof of residence, the information contained in the registration form shall be corroborated in the manner provided in par. (b). If the elector a person is registering to vote in the general election and the elector person presents a valid driver’s license issued by another state, the municipal clerk, deputy clerk, or special registration deputy shall record on a separate list the name and address of the elector person, the name of the state, and the license number and expiration date of the license. The signing by the elector person executing the registration form and by any corroborator, except as provided under par. (a), shall be in the presence of the municipal clerk, deputy clerk or special registration deputy. The municipal clerk, the deputy clerk, or the special registration deputy shall then print his or her name and sign the form, indicating that the clerk, deputy clerk, or deputy has accepted the form. Upon proper completion of registration, the municipal clerk, deputy clerk or special registration deputy shall serially number the registration and give one copy to the elector person for presentation at the polling place serving the elector’s person’s residence or an alternate polling place assigned under s. 5.25 (5) (b).

**SECTION 13.** 6.55 (2) (c) 2. of the statutes is amended to read:

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

copy in his or her office.

SECTION 14. 6.56 (5) of the statutes, as affected by 2007 Wisconsin Act 1, is
repealed.

SECTION 15. 6.79 (2) (a) and (d) of the statutes are amended to read:

6.79 (2) (a) Unless information on the poll list is entered electronically, the
municipal clerk shall supply the inspectors with 2 copies of the most current official
registration list or lists prepared under s. 6.36 (2) (a) for use as poll lists at the polling
place. Except as provided in sub. subs. (6) and (7), each person elector, before
receiving a serial number, shall state his or her full name and address and present
to the officials a valid operator’s license issued to the elector under ch. 343, a valid,
current identification card issued to the elector by a U.S. uniformed service, or a valid
identification card issued to the elector under s. 343.50. The officials shall verify that
the name and address provided stated by the person elector are the same as the
person’s elector’s name and address on the poll list.

(d) If the poll list, indicates that proof of residence under s. 6.34 is required and
the document provided by the elector under par. (a) does not constitute proof of
residence under s. 6.34, the officials shall require the elector to provide proof of
residence. If proof of residence is provided, the officials shall verify that the name
and address on the document submitted as proof of residence provided is the same
as the name and address shown on the registration list. If proof of residence is
required and not provided, or if the elector does not present a license or identification
card under par. (a), whenever required, the officials shall offer the opportunity for
the elector to vote under s. 6.97.

SECTION 16. 6.79 (3) (title) of the statutes is amended to read:
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6.79 (3) (title) REFUSAL TO GIVE NAME AND ADDRESS PROVIDE NAME, ADDRESS, LICENSE, OR IDENTIFICATION CARD.

SECTION 17. 6.79 (3) of the statutes is renumbered 6.79 (3) (a).

SECTION 18. 6.79 (3) (b) of the statutes is created to read:

6.79 (3) (b) If a license or identification card under sub. (2) is not provided by
the elector or if the name or any photograph appearing on the document that is
provided cannot be verified by the officials, the elector shall not be permitted to vote,
except as authorized under sub. (6) or (7), but if the elector is entitled to cast a
provisional ballot under s. 6.97, the officials shall offer the opportunity for the elector
to vote under s. 6.97.

SECTION 19. 6.79 (4) of the statutes is amended to read:

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

SECTION 20. 6.79 (6) of the statutes is amended to read:
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6.79 (6) CONFIDENTIAL NAMES AND ADDRESSES. An elector who has a confidential listing under s. 6.47 (2) may present his or her identification card issued under s. 6.47 (3), or give his or her name and identification serial number issued under s. 6.47 (3), in lieu of stating his or her name and address and presenting a license or identification card under sub. (2). If the elector’s name and identification serial number appear on the confidential portion of the list, the inspectors shall issue a voting serial number to the elector, record that number on the poll list and permit the elector to vote.

SECTION 21. 6.79 (7) of the statutes is created to read:

6.79 (7) LICENSE SURRENDER. If an elector receives a citation or notice of intent to revoke or suspend an operator’s license from a law enforcement officer in any jurisdiction that is dated within 60 days of the date of an election and is required to surrender his or her operator’s license issued to the elector under ch. 343 at the time the citation or notice is issued, the elector may present an original copy of the citation or notice in lieu of an operator’s license under ch. 343. In such case, the elector shall cast his or her ballot under s. 6.965.

SECTION 22. 6.82 (1) (a) of the statutes is amended to read:

6.82 (1) (a) When any inspectors are informed that an elector is at the entrance to the polling place who as a result of disability is unable to enter the polling place, they shall permit the elector to be assisted in marking a ballot by any individual selected by the elector, except the elector’s employer or an agent of that employer or an officer or agent of a labor organization which represents the elector. The except as authorized in s. 6.79 (6) and (7), the individual selected by the elector shall present to the inspectors a valid operator’s license issued to the elector under ch. 343, a valid, current identification card issued to the elector by a U.S. uniformed service, or a valid
identification card issued to the elector under s. 343.50 and, if the license or
identification card does not constitute proof of residence under s. 6.34, shall also
provide proof of residence under s. 6.34 for the assisted elector, whenever required,
and all other information necessary for the elector to obtain a ballot under s. 6.79 (2).
The inspectors shall issue a ballot to the individual selected by the elector and shall
accompany the individual to the polling place entrance where the assistance is to be
given. If the ballot is a paper ballot, the assisting individual shall fold the ballot after
the ballot is marked by the assisting individual. The assisting individual shall then
immediately take the ballot into the polling place and give the ballot to an inspector.
The inspector shall distinctly announce that he or she has “a ballot offered by ....
(stating person’s name), an elector who, as a result of disability, is unable to enter the
polling place without assistance”. The inspector shall then ask, “Does anyone object
to the reception of this ballot?” If no objection is made, the inspectors shall record
the elector’s name under s. 6.79 and deposit the ballot in the ballot box, and shall
make a notation on the poll list: “Ballot received at poll entrance”.

SECTION 23. 6.86 (1) (ar) of the statutes is amended to read:

6.86 (1) (ar) Except as authorized in s. 6.875 (6), the municipal clerk shall not
issue an absentee ballot unless the clerk receives a written application therefor from
a qualified elector of the municipality. The clerk shall retain each absentee ballot
application until destruction is authorized under s. 7.23 (1). Except as authorized
in s. 6.79 (6) and (7), if an elector applies for an absentee ballot in person at the clerk’s
office, the clerk shall not issue the elector an absentee ballot unless the elector
presents a valid operator’s license issued to the elector under ch. 343, a valid, current
identification card issued to the elector by a U.S. uniformed service, or a valid
identification card issued to the elector under s. 343.50. The clerk shall make a copy
of the document presented by the elector and shall enclose the copy in the certificate envelope.

**SECTION 24.** 6.86 (3) (a) 1. of the statutes is amended to read:

6.86 (3) (a) 1. Any elector who is registered and who is hospitalized, may apply for and obtain an official ballot by agent. The agent may apply for and obtain a ballot for the hospitalized absent elector by presenting a form prescribed by the board and containing the required information supplied by the hospitalized elector and signed by that elector and any other elector residing in the same municipality as the hospitalized elector, corroborating the information contained therein. The corroborating elector shall state on the form his or her full name and address. Except as authorized for an elector who has a confidential listing under s. 6.47 (2) or as authorized in s. 6.87 (4) (b) 4., the agent shall present the license or identification card required under sub. (1) (ar). The clerk shall make a copy of the document presented by the agent and shall enclose the copy in the certificate envelope.

**SECTION 25.** 6.86 (3) (a) 2. of the statutes is amended to read:

6.86 (3) (a) 2. If a hospitalized elector is not registered, the elector may register by agent under this subdivision at the same time that the elector applies for an official ballot by agent under subd. 1. To register the elector under this subdivision, the agent shall present a completed registration form that contains the required information supplied by the elector and the elector’s signature, unless the elector is unable to sign due to physical disability. In this case, the elector may authorize another elector to sign on his or her behalf. Any elector signing a form on another elector’s behalf shall attest to a statement that the application is made on request and by authorization of the named elector, who is unable to sign the form due to physical disability. The agent shall present this statement along with all other
information required under this subdivision. **Except as otherwise provided in this subdivision,** the agent shall in every case provide proof of the elector’s residence under s. 6.34. If the elector is registering to vote in the general election and the agent presents a valid driver’s license issued to the elector by another state, the municipal clerk shall record on a separate list the name and address of the elector, the name of the state, and the license number and expiration date of the license. **If the agent cannot present proof of residence,** the registration form shall be signed and substantiated by another elector residing in the elector’s municipality of residence, corroborating the information in the form. The form shall contain the full name and address of the corroborating elector. The agent shall then present proof of the corroborating elector’s residence under s. 6.34.

**SECTION 26.** 6.869 of the statutes is amended to read:

6.869 Uniform instructions. The board shall prescribe uniform instructions for absentee voters. The instructions shall include information concerning whether identification is required under s. 6.87 (4) or a copy of a license or identification card is required under s. 6.86 (1) (ar) and information concerning whether a copy of identification is required to be submitted and, if so, the form of identification that is required.

**SECTION 27.** 6.87 (3) (d) of the statutes is amended to read:

6.87 (3) (d) A municipal clerk may, if the clerk is reliably informed by an absent elector of a facsimile transmission number or electronic mail address where the elector can receive an absentee ballot, transmit a facsimile or electronic copy of the absent elector’s ballot to that elector in lieu of mailing under this subsection if, in the judgment of the clerk, the time required to send the ballot through the mail may not be sufficient to enable return of the ballot by the time provided under sub. (6). An
elector may receive an absentee ballot under this subsection only if the elector has
filed a valid application for the ballot under s. 6.86 (1). If the clerk transmits an
absentee ballot under this paragraph, the clerk shall also transmit a facsimile or
electronic copy of the text of the material that appears on the certificate envelope
prescribed in sub. (2), together with instructions prescribed by the board. The
instructions shall require the absent elector to make and subscribe to the
certification as required under sub. (4) (b) and to enclose the absentee ballot in a
separate envelope contained within a larger envelope, that shall include the
completed certificate. The elector shall then affix sufficient postage unless the
absentee ballot qualifies for mailing free of postage under federal free postage laws
and shall mail the absentee ballot to the municipal clerk. Except as authorized in
s. 6.97 (2), an absentee ballot received under this paragraph shall not be counted
unless it is cast in the manner prescribed in this paragraph and in accordance with
the instructions provided by the board.

SECTION 28. 6.87 (4) of the statutes is renumbered 6.87 (4) (b) 1. and amended
to read:

6.87 (4) (b) 1. Except as otherwise provided in s. 6.875, the elector voting
absentee shall make and subscribe to the certification before one witness who is an
adult U.S. citizen. The absent elector, in the presence of the witness, shall mark the
ballot in a manner that will not disclose how the elector’s vote is cast. The elector
shall then, still in the presence of the witness, fold the ballots so each is separate and
so that the elector conceals the markings thereon and deposit them in the proper
envelope. If a consolidated ballot under s. 5.655 is used, the elector shall fold the
ballot so that the elector conceals the markings thereon and deposit the ballot in the
proper envelope. If proof of residence is required,
to 5. and s. 6.875 (6) and notwithstanding s. 343.43 (1) (f), the elector shall enclose a copy of the license or identification card required under s. 6.86 (1) (ar) in the envelope, unless the elector is a military elector or an overseas elector or the elector has a confidential listing under s. 6.47 (2). If proof of residence under s. 6.34 is required and the document enclosed by the elector under this subdivision does not constitute proof of residence under s. 6.34, the elector shall also enclose proof of residence under s. 6.34 in the envelope. Proof of residence is required if the elector is not a military elector or an overseas elector, as defined in s. 6.34 (1), and the elector registered by mail and has not voted in an election in this state. If the elector requested a ballot by means of facsimile transmission or electronic mail under s. 6.86 (1) (ac), the elector shall enclose in the envelope a copy of the request which bears an original signature of the elector. The elector may receive assistance under sub. (5). The return envelope shall then be sealed. The witness may not be a candidate. The envelope shall be mailed by the elector, or delivered in person, to the municipal clerk issuing the ballot or ballots. If the envelope is mailed from a location outside the United States, the elector shall affix sufficient postage unless the ballot qualifies for delivery free of postage under federal law. Failure to return an unused ballot in a primary does not invalidate the ballot on which the elector’s votes are cast. Return of more than one marked ballot in a primary or return of a ballot prepared under s. 5.655 or a ballot used with an electronic voting system in a primary which is marked for candidates of more than one party invalidates all votes cast by the elector for candidates in the primary.

**SECTION 29.** 6.87 (4) (a) of the statutes is created to read:

6.87 (4) (a) In this subsection:

1. “Military elector” has the meaning given in s. 6.34 (1) (a).
2. “Overseas elector” has the meaning given in s. 6.34 (1) (b).

SECTION 30. 6.87 (4) (b) 2. to 5. of the statutes are created to read:

6.87 (4) (b) 2. Unless subd. 3. applies, if the absentee elector has applied for and qualified to receive absentee ballots automatically under s. 6.86 (2) (a), the elector may, in lieu of providing a copy of a license or identification card required under s. 6.86 (1) (ar), submit with his or her absentee ballot a statement signed by the same individual who witnesses voting of the ballot which contains the name and address of the elector and verifies that the name and address are correct.

3. If the absentee elector has received an absentee ballot from the municipal clerk by mail for a previous election, has provided a copy of a license or identification card required under s. 6.86 (1) (ar) with that ballot, and has not changed his or her name or address since providing that identification, the elector is not required to provide a copy of the identification required under s. 6.86 (1) (ar).

4. If the absentee elector has received a citation or notice of intent to revoke or suspend an operator’s license from a law enforcement officer in any jurisdiction that is dated within 60 days of the date of the election and is required to surrender his or her operator’s license issued to the elector under ch. 343 at the time the citation or notice is issued, the elector may enclose a copy of the citation or notice in lieu of an operator’s license under ch. 343 if the elector is voting by mail, or may present an original copy of the citation or notice in lieu of an operator’s license under ch. 343 if the elector is voting at the office of the municipal clerk.

5. Unless subd. 3. or 4. applies, if the absentee elector resides in a residential care apartment complex that is certified or registered under s. 50.034 (1) or an adult family home that is certified under s. 50.032 and the municipal clerk or board of election commissioners of the municipality where the complex or home is located
does not send special voting deputies to visit the complex or home at the election
under s. 6.875, the elector may, in lieu of providing a copy of a license or identification
card required under s. 6.86 (1) (ar), submit with his or her absentee ballot a
statement signed by the same individual who witnesses voting of the ballot that
contains the certification of the manager of the complex or home that the elector
resides in the complex or home and the complex or home is certified or registered as
required by law, that contains the name and address of the elector, and that verifies
that the name and address are correct.

SECTION 31. 6.875 (title) of the statutes is amended to read:
6.875 (title) **Absentee voting in nursing and retirement certain homes**
and certain community-based residential, facilities, and complexes.

SECTION 32. 6.875 (1) (ap) and (asm) of the statutes are created to read:
6.875 (1) (ap) “Qualified adult family home” means a facility that is certified
to operate as an adult family home under s. 50.032 that qualifies under sub. (2) (d)
to utilize the procedures under this section.
(asm) “Qualified residential care apartment complex” means a facility that is
certified or registered to operate as a residential care apartment complex under s.
50.034 (1) that qualifies under sub. (2) (d) to utilize the procedures under this section.

SECTION 33. 6.875 (2) (a) of the statutes is amended to read:
6.875 (2) (a) The procedures prescribed in this section are the exclusive means
of absentee voting for electors who are occupants of nursing homes, qualified
community-based residential facilities or, qualified retirement homes, qualified
residential care apartment complexes, and qualified adult family homes.

SECTION 34. 6.875 (2) (d) of the statutes is created to read:
6.875 (2) (d) The municipal clerk or board of election commissioners of any municipality where a residential care apartment complex certified or registered under s. 50.034 (1) or an adult family home certified under s. 50.032 is located may adopt the procedures under this section for absentee voting in any residential care apartment complex or adult family home located in the municipality if the municipal clerk or board of election commissioners finds that there are a significant number of the occupants of the complex or home who lack adequate transportation to the appropriate polling place, a significant number of the occupants of the complex or home may need assistance in voting, there are a significant number of the occupants of the complex or home aged 60 or over, or there are a significant number of indefinitely confined electors who are occupants of the complex or home.

**SECTION 35.** 6.875 (3) and (4) of the statutes are amended to read:

6.875 (3) An occupant of a nursing home or qualified retirement home or qualified community-based residential facility, qualified residential care apartment complex, or qualified adult family home who qualifies as an absent elector and desires to receive an absentee ballot shall make application under s. 6.86 (1), (2), or (2m) with the municipal clerk or board of election commissioners of the municipality in which the elector is a resident. The clerk or board of election commissioners of a municipality receiving an application from an elector who is an occupant of a nursing home or qualified retirement home or qualified community-based residential facility, qualified residential care apartment complex, or qualified adult family home located in a different municipality shall, as soon as possible, notify and transmit an absentee ballot for the elector to the clerk or board of election commissioners of the municipality in which the home or complex is located. The clerk or board of election commissioners of a municipality...
receiving an application from an elector who is an occupant of a nursing home or
qualified retirement home or qualified community-based residential facility, qualified residential care apartment complex, or qualified adult family home located
in the municipality but who is a resident of a different municipality shall, as soon as
possible, notify and request transmission of an absentee ballot from the clerk or
board of election commissioners of the municipality in which the elector is a resident.
The clerk or board of election commissioners shall make a record of all absentee
ballots to be transmitted, delivered, and voted under this section.

(4) (a) For the purpose of absentee voting in nursing homes and, qualified
retirement homes and, qualified community-based residential facilities, qualified
residential care apartment complexes, and qualified adult family homes, the
municipal clerk or board of election commissioners of each municipality in which one
or more nursing homes or qualified retirement homes or qualified community-based residential facilities, qualified residential care apartment complexes, or qualified adult family homes are located shall appoint at least 2 special
voting deputies for the municipality. Upon application under s. 6.86 (1), (2), or (2m)
by one or more qualified electors who are occupants of a nursing home or qualified
retirement home or qualified community-based residential facility, or complex, the
municipal clerk or board of election commissioners of the municipality in which the
home or facility or complex is located shall dispatch 2 special voting deputies to visit
the home or qualified community-based residential facility, or complex for the
purpose of supervising absentee voting procedure by occupants of the home or
qualified community-based residential facility or complex. The clerk shall
maintain a list, available to the public upon request, of each nursing home or
qualified retirement home or qualified community-based residential facility, or
complex where an elector has requested an absentee ballot. The list shall include the date and time the deputies intend to visit each home or facility. The 2 deputies designated to visit each nursing home or qualified retirement home or qualified community-based residential facility, qualified residential care apartment complex, and qualified adult family home shall be affiliated with different political parties whenever deputies representing different parties are available.

(b) Nominations for the special voting deputy positions described in par. (a) may be submitted by the 2 recognized political parties whose candidates for governor or president received the greatest numbers of votes in the municipality at the most recent general election. The deputies shall be specially appointed to carry out the duties under par. (a) for the period specified in s. 7.30 (6) (a). The clerk or board of election commissioners may revoke an appointment at any time. No individual who is employed or retained, or within the 2 years preceding appointment has been employed or retained, at a nursing home or qualified retirement home or qualified community-based residential facility, qualified residential care apartment complex, or qualified adult family home in the municipality, or any member of the individual’s immediate family, as defined in s. 19.42 (7), may be appointed to serve as a deputy.

SECTION 36. 6.875 (6) (a) and (c) of the statutes are amended to read:

6.875 (6) (a) Special voting deputies in each municipality shall, not later than 5 p.m. on the Friday preceding an election, arrange one or more convenient times with the administrator of each nursing home, qualified retirement home and qualified community-based residential facility, qualified residential care apartment complex, and qualified adult family home in the municipality from which one or more occupants have filed an application under s. 6.86 to conduct absentee voting for the election. The time may be no earlier than the 4th Monday preceding the election and
no later than 5 p.m. on the Monday preceding the election. The municipal clerk shall
post a notice at the home or facility or complex indicating the date and time that
absentee voting will take place at that home or facility or complex. The notice shall
be posted as soon as practicable after arranging the visit but in no case less than 24
hours before the visit. At the designated time, 2 deputies appointed under sub. (4)
shall visit the home or facility or complex.

(c) 1. Upon their visit to the home or facility or complex under par. (a), the
deputies shall personally offer each elector who has filed a proper application for an
absentee ballot the opportunity to cast his or her absentee ballot. In lieu of providing
a copy of a license or identification card under s. 6.87 (4) (b) 1. with his or her absentee
ballot, the elector may submit with his or her ballot a statement signed by both
deputies that contains the name and address of the elector and verifies that the name
and address are correct. The deputies shall enclose the statement in the certificate
envelope. If an elector presents a license or identification card under s. 6.87 (4) (b)
1., the deputies shall make a copy of the document presented by the elector and shall
enclose the copy in the certificate envelope. If an elector is present who has not filed
a proper application for an absentee ballot, the 2 deputies may accept an application
from the elector and shall issue a ballot to the elector if the elector is qualified, the
elector presents a license or identification card, whenever required, or submits a
statement containing his or her name and address under this subsection, and the
application is proper. The deputies shall each witness the certification and may,
upon request of the elector, assist the elector in marking the elector’s ballot. All
voting shall be conducted in the presence of the deputies. Upon request of the elector,
a relative of the elector who is present in the room may assist the elector in marking
the elector’s ballot. No individual other than a deputy may witness the certification
and no individual other than a deputy or relative of an elector may render voting assistance to the elector.

2. Upon the request of a relative of an occupant of a nursing home or qualified retirement home, qualified community-based residential facility, qualified residential care apartment complex, or qualified adult family home, the administrator of the home or facility, or complex may notify the relative of the time or times at which special voting deputies will conduct absentee voting at the home or facility, or complex and permit the relative to be present in the room where the voting is conducted. The municipal clerk shall post a notice at the home or facility, or complex indicating the date and time that absentee voting will take place at that home or facility, or complex. The notice shall be posted as soon as practicable after arranging the visit but in no case less than 24 hours before the visit.

Section 37. 6.88 (3) (a) of the statutes is amended to read:

6.88 (3) (a) Any time between the opening and closing of the polls on election day, the inspectors shall open the carrier envelope only, and announce the name of the absent elector or the identification serial number of the absent elector if the elector has a confidential listing under s. 6.47 (2). When the inspectors find that the certification has been properly executed, the applicant is a qualified elector of the ward or election district, and the applicant has not voted in the election, they shall enter an indication on the poll list next to the applicant’s name indicating an absentee ballot is cast by the elector. They shall then open the envelope containing the ballot in a manner so as not to deface or destroy the certification thereof. The inspectors shall take out the ballot without unfolding it or permitting it to be unfolded or examined. Unless the ballot is cast under s. 6.95, the inspectors shall verify that the ballot has been endorsed by the issuing clerk. If the poll list indicates
that identification is required and no identification is enclosed or the name or
address on the document that is provided is not the same as the name and address
shown on the poll list, or if the elector is not a military elector or an overseas elector,
as defined in s. 6.34 (1), and the elector is required to provide a copy of a license or
identification card under s. 6.86 (1) (ar) and no copy of the license or identification
card is enclosed or the name on the document cannot be verified by the inspectors,
the inspectors shall proceed as provided under s. 6.97 (2). The inspectors shall then
deposit the ballot into the proper ballot box and enter the absent elector’s name or
voting number after his or her name on the poll list in the same manner as if the
elector had been present and voted in person.

SECTION 38. 6.965 of the statutes is created to read:

6.965 Voting procedure for electors presenting citation or notice in
lieu of license. Whenever any elector is allowed to vote at a polling place under s.
6.79 (7) by presenting a citation or notice of intent to revoke or suspend an operator’s
license in lieu of an operator’s license issued to the elector under ch. 343, the
inspectors shall, before giving the elector a ballot, write on the back of the ballot the
serial number of the elector corresponding to the number kept at the election on the
poll list or other list maintained under s. 6.79 and the notation “s. 6.965.” If voting
machines are used in the municipality where the elector is voting, the elector’s vote
may be received only upon an absentee ballot furnished by the municipal clerk which
shall have the notation “s. 6.965” written on the back of the ballot by the inspectors
before the ballot is given to the elector. If the municipal clerk receives an absentee
ballot from an elector who presents a citation or notice, or copy thereof, under s. 6.87
(4) (b) 4., the clerk shall enter a notation on the certificate envelope “Ballot under s.
6.965, stats.” Upon receiving the envelope, the inspectors shall open and write on
the back of the ballot the serial number of the elector corresponding to the number
kept at the election on the poll list or other list maintained under s. 6.79 and the
notation “s. 6.965.” The inspectors shall indicate on the poll list or other list
maintained under s. 6.79 the fact that the elector is voting by using a citation or
notice in lieu of a license. The inspectors shall then deposit the ballot. The ballot
shall then be counted under s. 5.85, or under s. 7.51 or 7.52.

SECTION 39. 6.97 (1) and (2) of the statutes are amended to read:

6.97 (1) Whenever any individual who is required to provide proof of residence
under s. 6.34 in order to be permitted to vote appears to vote at a polling place and
cannot provide the required proof of residence, the inspectors shall offer the
opportunity for the individual to vote under this section. Whenever any individual,
other than a military elector or an overseas elector, as defined in s. 6.34 (1), or an
elector who has a confidential listing under s. 6.47 (2), appears to vote at a polling
place and does not present a license or identification card under s. 6.79 (2), whenever
required, the inspectors or the municipal clerk shall similarly offer the opportunity
for the individual to vote under this section. If the individual wishes to vote, theinspectors shall provide the elector with an envelope marked “Ballot under s. 6.97,
stats.” on which the serial number of the elector is entered and shall require the
individual to execute on the envelope a written affirmation stating that the
individual is a qualified elector of the ward or election district where he or she offers
to vote and is eligible to vote in the election. The inspectors shall, before giving the
elector a ballot, write on the back of the ballot the serial number of the individual

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only upon an absentee ballot furnished by the municipal clerk which shall have the

    corresponding number from the poll list or other list maintained under s. 6.79 and
    the notation “s. 6.97” written on the back of the ballot by the inspectors before the
    ballot is given to the elector. When receiving the individual’s ballot, the inspectors
    shall provide the individual with written voting information prescribed by the board
    under s. 7.08 (8). The inspectors shall indicate on the list the fact that the individual
    is required to provide proof of residence or a license or identification card under s.
    6.79 (2) but did not do so. The inspectors shall notify the individual that he or she
    may provide proof of residence or a license or identification card to the municipal
    clerk or executive director of the municipal board of election commissioners. The
    inspectors shall also promptly notify the municipal clerk or executive director of the
    name, address, and serial number of the individual. The inspectors shall then place
    the ballot inside the envelope and place the envelope in a separate carrier envelope.

    (2) Whenever any individual who votes by absentee ballot is required to
    provide proof of residence in order to be permitted to vote and does not provide the
    required proof of residence under s. 6.34, the inspectors shall treat the ballot as a
    provisional ballot under this section. Whenever any individual, other than a military
    elector or an overseas elector, as defined in s. 6.34 (1), an individual who has a
    confidential listing under s. 6.47 (2), or an individual who is exempted under s. 6.87
    (4) or s. 6.875 (6), votes by absentee ballot and does not enclose a copy of the license
    or identification card required under s. 6.86 (1) (ar), the inspectors shall similarly
    treat the ballot as a provisional ballot under this section. Upon removing the ballot
    from the envelope, the inspectors shall write on the back of the absentee ballot the
    serial number of the individual corresponding to the number kept at the election on
    the poll list or other list maintained under s. 6.79 and the notation “s. 6.97”. The
inspectors shall indicate on the list the fact that the individual is required to provide proof of residence or a copy of a license or identification card under s. 6.86 (1) (ar) but did not do so. The inspectors shall promptly notify the municipal clerk or executive director of the municipal board of election commissioners of the name, address, and serial number of the individual. The inspectors shall then place the ballot inside an envelope on which the name and serial number of the elector is entered and shall place the envelope in a separate carrier envelope.

SECTION 40. 6.97 (3) of the statutes is renumbered 6.97 (3) (b) and amended to read:

6.97 (3) (b) Whenever the municipal clerk or executive director of the municipal board of election commissioners is informed by the inspectors that a ballot has been cast under this section, the clerk or executive director shall promptly provide written notice to the board of canvassers of each municipality, special purpose district, and county that is responsible for canvassing the election of the number of ballots cast under this section in each ward or election district. The municipal clerk or executive director then shall determine whether each individual voting under this section is qualified to vote in the ward or election district where the individual’s ballot is cast. If the elector is required to provide a license or identification card or copy thereof under s. 6.79 (2) or 6.86 (1) (ar) and fails to do so, the elector bears the burden of correcting the omission by providing the license or identification card or copy thereof at the polling place before the closing hour or at the office of the municipal clerk or board of election commissioners no later than 4 p.m. on the day after the election. The municipal clerk or executive director shall make a record of the procedure used to determine the validity of each ballot cast under this section. If, prior to 4 p.m. on the day after the election, the municipal clerk or executive director determines that
the individual is qualified to vote in the ward or election district where the
individual’s ballot is cast, the municipal clerk or executive director shall notify the
board of canvassers for each municipality, special purpose district and county that
is responsible for canvassing the election of that fact.

**SECTION 41.** 6.97 (3) (a) and (c) of the statutes are created to read:

6.97 (3) (a) Whenever an elector who votes by provisional ballot under sub. (1)
or (2) because the elector does not provide a license or identification card or copy
thereof under s. 6.79 (2) or 6.86 (1) (ar) later appears at the polling place where the
ballot is cast before the closing hour and provides the license or identification card
or copy thereof, the inspectors shall remove the elector’s ballot from the separate
carrier envelope, shall note on the poll list that the elector’s provisional ballot is
withdrawn, and shall deposit the elector’s ballot in the ballot box. If the inspectors
have notified the municipal clerk or executive director of the board of election
commissioners that the elector’s ballot was cast under this section, the inspectors
shall notify the clerk or executive director that the elector’s provisional ballot is
withdrawn.

(c) A ballot cast under this section by an elector for whom a valid license or
identification card or copy thereof is required under s. 6.79 (2) or 6.86 (1) (ar) shall
not be counted unless the municipal clerk or executive director of the board of
election commissioners provides timely notification that the elector has provided a
valid license or identification card or copy thereof under this section.

**SECTION 42.** 7.08 (8) (title) of the statutes is amended to read:

7.08 (8) (title) **Electors voting without proof of residence or identification**
or pursuant to court order.

**SECTION 43.** 7.52 (3) (a) of the statutes is amended to read:
7.52 (3) (a) The board of absentee ballot canvassers shall first open the carrier envelope only, and, in such a manner that a member of the public, if he or she desired, could hear, announce the name of the absent elector or the identification serial number of the absent elector if the elector has a confidential listing under s. 6.47 (2).

When the board of absentee ballot canvassers finds that the certification has been properly executed and the applicant is a qualified elector of the ward or election district, the board of absentee ballot canvassers shall enter an indication on the poll list next to the applicant’s name indicating an absentee ballot is cast by the elector.

The board of absentee ballot canvassers shall then open the envelope containing the ballot in a manner so as not to deface or destroy the certification thereon. The board of absentee ballot canvassers shall take out the ballot without unfolding it or permitting it to be unfolded or examined. Unless the ballot is cast under s. 6.95, the board of absentee ballot canvassers shall verify that the ballot has been endorsed by the issuing clerk. If the poll list indicates that proof of residence is required and no proof of residence is enclosed or the name or address on the document that is provided is not the same as the name and address shown on the poll list, or if the elector is not a military elector or an overseas elector, as defined in s. 6.34 (1), and the elector is required to provide a copy of a license or identification card under s. 6.86 (1) (ar) and no copy of the license or identification card is enclosed or the name on the document cannot be verified by the canvassers, the board of absentee ballot canvassers shall proceed as provided under s. 6.97 (2). The board of absentee ballot canvassers shall mark the poll list number of each elector who casts an absentee ballot on the back of the elector’s ballot. The board of absentee ballot canvassers shall then deposit the ballot into the proper ballot box and enter the absent elector’s name or poll list number after his or her name on the poll list.
SECTION 44. 10.02 (3) (form) (a) of the statutes is amended to read:

10.02 (3) (form) (a) Upon entering the polling place and before being permitted to vote, an elector shall state his or her name and address. If an elector is not registered to vote, an elector may register to vote at the polling place serving his or her residence if the elector provides proof of residence or the elector's registration is verified by another elector of the same municipality where the elector resides presents a valid Wisconsin operator's license, a valid, current identification card issued to the elector by a U.S. uniformed service, or a valid Wisconsin identification card unless the elector is exempted from this requirement, and, if the document presented does not constitute proof of residence, if the elector provides proof of residence. Where ballots are distributed to electors, the initials of 2 inspectors must appear on the ballot. Upon being permitted to vote, the elector shall retire alone to a voting booth or machine and cast his or her ballot, except that an elector who is a parent or guardian may be accompanied by the elector's minor child or minor ward. An election official may inform the elector of the proper manner for casting a vote, but the official may not in any manner advise or indicate a particular voting choice.

SECTION 45. 12.13 (2) (b) 6m. of the statutes is amended to read:

12.13 (2) (b) 6m. Obtain an absentee ballot for voting in a nursing home or qualified retirement home or qualified community-based residential facility, qualified residential care apartment complex, or qualified adult family home under s. 6.875 (6) and fail to return the ballot to the issuing officer.

SECTION 46. 12.13 (3) (v) of the statutes is repealed.

SECTION 47. 343.50 (3) of the statutes, as affected by 2005 Wisconsin Act 126, is amended to read:
343.50 (3) DESIGN AND CONTENTS OF CARD. The card shall be the same size as
an operator’s license but shall be of a design which is readily distinguishable from
the design of an operator’s license and bear upon it the words “IDENTIFICATION
CARD ONLY”. The information on the card shall be the same as specified under s.
343.17 (3). The card may serve as a document of gift under s. 157.06 (2) (b) and (c)
and the holder may affix a sticker thereto as provided in s. 343.175 (3). The card may
also serve as a document of refusal to make an anatomical gift under s. 157.06 (2) (i).

The Except as provided in sub. (4g), the card shall contain the holder’s photograph
and, if applicable, shall be of the design specified under s. 343.17 (3) (a) 12.

SECTION 48. 343.50 (4) of the statutes, as affected by 2005 Wisconsin Act 126,
is amended to read:

343.50 (4) APPLICATION. The application for an identification card shall include
any information required under ss. 85.103 (2) and 343.14 (2) (a), (b), (bm), (br), (em),
and (er), and such further information as the department may reasonably require to
enable it to determine whether the applicant is entitled by law to an identification
card. The Except as provided in sub. (4g), the department shall, as part of the
application process, take a photograph of the applicant to comply with sub. (3). No
Except as provided in sub. (4g), no application may be processed without the
photograph being taken. Misrepresentations in violation of s. 343.14 (5) are
punishable as provided in s. 343.14 (9).

SECTION 49. 343.50 (4g) of the statutes is created to read:

343.50 (4g) PHOTOGRAPH REQUIREMENT; EXCEPTION. An application may be
processed and an original or renewal identification card issued under this section
without a photograph being taken to comply with subs. (3) and (4) to an applicant
who requests the identification card without charge under sub. (5) or (6) and who
provides to the department an affidavit stating that the applicant has a sincerely held religious belief against being photographed; identifying the religion to which he or she belongs or the tenets of which he or she adheres to; and stating that the tenets of the religion prohibit him or her from being photographed.

SECTION 50. 343.50 (5) of the statutes, as affected by 2005 Wisconsin Act 126 and 2007 Wisconsin Act 20, is amended to read:

343.50 (5) VALID PERIOD; FEES. The fee for an original card and for the reinstatement of an identification card after cancellation under sub. (10) shall be $18 or, upon request of the applicant, without charge. The card shall be valid for the succeeding period of 8 years from the applicant’s next birthday after the date of issuance, except that a card that is issued to a person who is not a United States citizen and who provides documentary proof of legal status as provided under s. 343.14 (2) (er) shall expire on the date that the person’s legal presence in the United States is no longer authorized. If the documentary proof as provided under s. 343.14 (2) (er) does not state the date that the person’s legal presence in the United States is no longer authorized, then the card shall be valid for the succeeding period of 8 years from the applicant’s next birthday after the date of issuance.

SECTION 51. 343.50 (5) of the statutes, as affected by 2007 Wisconsin Act ..., (this act), is repealed and recreated to read:

343.50 (5) VALID PERIOD; FEES. (a) The fee for an original card, for renewal of a card, and for the reinstatement of an identification card after cancellation under sub. (10) shall be $18 or, upon request of the applicant, without charge.

(b) Except as provided in par. (c) and s. 343.165 (4) (c), an original or reinstated card shall be valid for the succeeding period of 8 years from the applicant’s next
birthday after the date of issuance, and a renewed card shall be valid for the
succeeding period of 8 years from the card's last expiration date.

(c) Except as provided in s. 343.165 (4) (c) and as otherwise provided in this
paragraph, an identification card that is issued to a person who is not a United States
citizen and who provides documentary proof of legal status as provided under s.
343.14 (2) (es) shall expire on the date that the person's legal presence in the United
States is no longer authorized or on the expiration date determined under par. (b),
whichever date is earlier. If the documentary proof as provided under s. 343.14 (2)
es does not state the date that the person's legal presence in the United States is
no longer authorized, then the card shall be valid for the period specified in par. (b)
except that, if the card was issued or renewed based upon the person's presenting of
any documentary proof specified in s. 343.14 (2) (es) 4. to 7., the card shall, subject
to s. 343.165 (4) (c), expire one year after the date of issuance or renewal.

Section 52. 343.50 (5m) of the statutes, as affected by 2007 Wisconsin Act 20,
is amended to read:

343.50 (5m) Federal security verification mandate fee. In addition to any
other fee under this section, for the issuance of an original identification card or
duplicate identification card or for the renewal or reinstatement of an identification
card after cancellation under sub. (10), a federal security verification mandate fee of
$10 shall be paid to the department unless the applicant requests that the
identification card be issued without charge.

Section 53. 343.50 (6) of the statutes, as affected by 2005 Wisconsin Act 126,
is amended to read:

343.50 (6) Renewal. At least 30 days prior to the expiration of the card, the
department shall mail a renewal application to the last-known address of each
identification card holder. The department shall include with the application information, as developed by all organ procurement organizations in cooperation with the department, that promotes anatomical donations and which relates to the anatomical donation opportunity available under s. 343.175. The fee for a renewal identification card shall be $9, which, or, upon request of the identification card holder, without charge. The renewal identification card shall be valid for 4 years, except that a card that is issued to a person who is not a United States citizen and who provides documentary proof of legal status as provided under s. 343.14 (2) (er) shall expire on the date that the person's legal presence in the United States is no longer authorized. If the documentary proof as provided under s. 343.14 (2) (er) does not state the date that the person's legal presence in the United States is no longer authorized, then the card shall be valid for 4 years.

SECTION 54. Initial applicability.

(1) IDENTIFICATION REQUIRED FOR VOTING. This act first applies with respect to voting at the first spring or September primary election that follows the effective date of this act by at least 60 days.

SECTION 55. Effective dates. This act takes effect on the day after publication, except as follows:

(1) The treatment of section 343.50 (5m) of the statutes and the repeal and recreation of section 343.50 (5) of the statutes take effect on the day after publication or on the date on which the creation of section 343.165 of the statutes by 2007 Wisconsin Act 20 takes effect, whichever is later.

(END)