

2009 ASSEMBLY BILL 39

February 12, 2009 – Introduced by Representatives KESSLER, SOLETSKI, POCAN, HUBLER, TURNER, RICHARDS, A. WILLIAMS, HEBL, BERCEAU, ROYS, BLACK, GRIGSBY, BARCA and PASCH, cosponsored by Senators LEHMAN, COGGS and PLALE. Referred to Committee on Elections and Campaign Reform.

1 **AN ACT** *to renumber and amend* 12.03 (1); *to amend* 5.02 (15), 5.25 (4) (a), 5.37
2 (2) and (5), 5.40 (5), 5.40 (6), 5.54, 5.78, 5.79, 5.83, 6.10 (3), 6.26 (1), (2) (d) and
3 (3), 6.275 (1) (c), 6.28 (1), 6.29 (1), 6.32 (3), 6.33 (1), 6.34 (2), 6.34 (3) (a) 7., 6.36
4 (2) (b), 6.36 (5), 6.40 (1) (a) 1., 6.40 (1) (c), 6.45 (1), 6.45 (1m), 6.50 (10), 6.54, 6.55
5 (2) (d), 6.56 (1), 6.56 (5), 6.77 (1), 6.79 (2) (c), 6.82 (1), 6.82 (2) (a) and (d), 6.82
6 (3), 6.855 (1), 6.86 (1) (a) 5., 6.86 (1) (ar), 6.87 (3) (a), 6.88 (3) (a), 6.92 (1), 6.95,
7 7.03 (1) (d), 7.15 (1) (a), 7.15 (1) (c), 7.15 (1) (e), 7.15 (1) (L), 7.22 (5), 7.25 (5) and
8 (6) (a), 7.30 (2) (a), 7.315 (1) (a) and (b) 1., 7.37 (2), 7.41 (1), 7.41 (2), 7.41 (3)
9 (intro.), 7.41 (3) (a), 7.41 (3) (b), 7.41 (4), 7.50 (1) (d), 7.50 (2) (intro.), 7.51 (2) (c),
10 7.52 (1) (c), 7.52 (3) (a) and (4) (c), 12.03 (3), 12.035 (1), 12.035 (3) (c) and (d),
11 12.035 (5), 12.13 (3) (k), 12.13 (3) (r), 12.13 (3) (x) and 17.29; **to repeal and**
12 **recreate** 6.28 (title); and **to create** 6.285, 6.36 (2) (d), 6.873, 12.03 (1m) and
13 12.03 (2m) of the statutes; **relating to:** authorization for municipalities to

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- 1 establish satellite stations for purposes of conducting voter registration and
2 absentee voting and granting rule-making authority.
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Analysis by the Legislative Reference Bureau

Currently, unless an elector votes by absentee ballot, the elector must appear at the polling place serving his or her residence to vote. Polling places are staffed by inspectors who, with limited exceptions, are appointed from nominations submitted by the party committeemen or committeewomen of the two major political parties. If nominations are not submitted, inspectors may be appointed without regard to party affiliation. With limited exceptions, inspectors must be residents of the area served by the polling place where they are employed. Inspectors are public officers who serve for two-year terms and must file an oath of office. Inspectors must be compensated by the municipality where they serve. When an elector votes at a polling place, at least two inspectors must record the elector as a voter, and must either issue and receive the elector's ballot or permit the elector to use a voting machine.

Current law permits any qualified elector who for any reason is unable or unwilling to appear at his or her polling place to vote by absentee ballot. With certain exceptions, the elector must apply for and obtain an absentee ballot from the appropriate municipal clerk or board of election commissioners by 5 p.m. on the day before the election. The elector may cast the absentee ballot either by mail or in person at the office of the municipal clerk or board of election commissioners of the municipality where the elector resides or, by municipal option at a single alternate site. If an elector applies for an absentee ballot in person, the elector casts the absentee ballot at the same time that he or she applies for the ballot. Current law also contains a special procedure that permits certain residents of nursing or retirement homes or community-based residential facilities to apply for and obtain an absentee ballot from two special voting deputies who are appointed by the municipal clerk or board of election commissioners and who personally visit the home or facility. These electors give their absentee ballots directly to the special voting deputies, who then deliver the ballots to the municipal clerk or board of election commissioners. Currently, a qualified elector who is not registered may register to vote at an election by mail or through a special registration deputy no later than the 20th day before the election. A qualified elector may also register at the office of the municipal clerk or board of election commissioners in the municipality where the elector resides no later than the day before the election.

With certain limited exceptions, this bill authorizes the municipal clerk or board of election commissioners of any municipality to designate any location as a temporary, satellite station for absentee voting by electors of the municipality. The location may be inside a building or outdoors and need not be contained in a room separated from other activities. The bill permits any qualified elector of a municipality to obtain and cast an absentee ballot at a satellite station. A satellite station may be open for absentee voting at any time, but only during the period

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beginning on the date that the official absentee ballots become available for distribution and ending at 5 p.m. on the day before the election.

Under the bill, a satellite station must be staffed by at least one special voting deputy who is appointed on a nonpartisan basis by the municipal clerk or board of election commissioners. The bill permits any qualified elector of the state to be appointed as a special voting deputy. The bill specifies certain minimum qualifications for the special voting deputy. The municipal clerk or board of election commissioners must instruct the special voting deputy in his or her duties. The bill requires all individuals who serve as special voting deputies to meet certain training requirements. The special voting deputy may be compensated at the option of the municipality. The special voting deputy is required to supervise the proceedings at the satellite station to which he or she is assigned and to enforce certain election laws that apply to the satellite station. The special voting deputy is under the supervision of the municipal clerk or board of election commissioners. Under the bill, a special voting deputy is a public officer and must file an oath of office.

The bill also requires the municipal clerk or board of election commissioners to appoint at least one special registration deputy to staff each satellite station. The bill specifies certain minimum qualifications for the special registration deputy and requires all individuals who serve as deputies to meet certain training requirements. The special registration deputy may be compensated at the option of the municipality. The bill permits an elector to register at any satellite station at any time during which the station is open for absentee voting. With certain limited exceptions, the elector must follow the registration procedure that would otherwise apply to the elector under current law.

The bill applies certain provisions of current law relating to the operation of polling places to a satellite station established under the bill. For example, the bill requires a satellite station to meet current standards with regard to the accessibility of polling places and requires the posting of information at a satellite station that is generally the same as the information required to be posted at a polling place. However, whereas current law prohibits electioneering on public property within 100 feet of the entrance to a polling place, this bill generally prohibits electioneering in any building in which a satellite station is located at any time during which the satellite station is open. Also, if a satellite station is located outside of a building, the bill generally prohibits electioneering within 100 feet of the satellite station at any time during which the satellite station is open. The restriction does not apply on private property that is not owned or controlled by the same person as the property where the satellite station is located and does not apply to bumper stickers.

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

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1 5.02 (15) “Polling place” means the actual location wherein the elector’s vote
2 is cast. “Polling place” does not include the office of a municipal clerk or board of
3 election commissioners, an alternate absentee ballot site under s. 6.855, a satellite
4 absentee voting station designated under s. 6.873 (1), or a nursing home, qualified
5 retirement home, or qualified community-based residential facility where absentee
6 voting is conducted under s. 6.875 (6).

7 **SECTION 2.** 5.25 (4) (a) of the statutes is amended to read:

8 5.25 (4) (a) Each polling place and each satellite absentee voting station
9 designated under s. 6.873 (1) shall be accessible to all individuals with disabilities.
10 The board shall ensure that the voting system used at each polling place and voting
11 station will permit all individuals with disabilities to vote without the need for
12 assistance and with the same degree of privacy that is accorded to nondisabled
13 electors voting at the same polling place. This paragraph does not apply to any
14 individual who is disqualified from voting under s. 6.03 (1) (a).

15 **SECTION 3.** 5.37 (2) and (5) of the statutes are amended to read:

16 5.37 (2) ~~When 2 or more wards or aldermanic districts are joined to use a voting~~
17 ~~machine, to facilitate use of an electronic voting system at a common polling place~~
18 ~~under s. 5.15 (6) (b) or when an electronic voting system is used at a satellite absentee~~
19 ~~voting station designated under s. 6.873 (1) that serves more than one ward, the~~
20 ~~machine system shall be constructed to allow the electors to vote for all nominated~~
21 ~~candidates and issues for their aldermanic district or ward, but for no other.~~

22 (5) Polling places and satellite absentee voting stations designated under s.
23 6.873 (1) may have more than one voting machine.

24 **SECTION 4.** 5.40 (5) of the statutes is amended to read:

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1 5.40 (5) A municipality which utilizes ~~voting machines~~ an electronic voting
2 system at a polling place or satellite absentee voting station designated under s.
3 6.873 (1) shall not utilize the ~~machines~~ the system to receive the vote of an elector
4 who declares to the chief inspector or special voting deputy that, due to physical
5 disability, the elector is unable to ~~depress a button or lever on a machine~~ mark the
6 ballot used with the system.

7 **SECTION 5.** 5.40 (6) of the statutes is amended to read:

8 5.40 (6) A municipality which utilizes ~~voting machines or~~ an electronic voting
9 system at a polling place or satellite absentee voting station designated under s.
10 6.873 (1) may permit use of the ~~machines or~~ system by electors voting under s. 6.15
11 only as authorized under s. 6.15 (3).

12 **SECTION 6.** 5.54 of the statutes is amended to read:

13 **5.54 Notice to electors.** Every ballot, except a voting machine ballot, shall
14 bear substantially the following information on the face: “NOTICE TO ELECTORS: This
15 ballot may be invalid unless initialed by 2 election inspectors. If cast as an absentee
16 ballot, the ballot must bear the initials of the municipal clerk ~~or~~ deputy clerk, or
17 special voting deputy.”

18 **SECTION 7.** 5.78 of the statutes is amended to read:

19 **5.78 Voting booths.** At polling places and satellite absentee voting stations
20 designated under s. 6.873 (1) where an electronic voting system employing the use
21 of ballots distributed to electors is used, the municipality shall supply a sufficient
22 number of voting booths for the use of electors as provided in s. 5.35 (2).

23 **SECTION 8.** 5.79 of the statutes is amended to read:

24 **5.79 Instruction of electors.** At polling places and satellite absentee voting
25 stations designated under s. 6.873 (1) where an electronic voting system employing

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1 the use of ballots and voting devices is used, the election officials shall offer each
2 elector instruction in the operation of the voting device and ballot before the elector
3 enters the voting booth. No instructions may be given after the elector has entered
4 the voting booth, except as authorized under s. 6.82 (2). All instructions shall be
5 given by election officials in such a manner that they may be observed by other
6 persons in the polling place.

7 **SECTION 9.** 5.83 of the statutes is amended to read:

8 **5.83 Preparation for use of voting devices; comparison of ballots.**

9 Where voting devices are used at a polling place or satellite absentee voting station
10 designated under s. 6.873 (1), the municipal clerk shall cause the voting devices to
11 be put in order, set, adjusted and made ready for voting when delivered to the polling
12 place or station. Before the opening of the polls the inspectors shall compare the
13 ballots used in the voting devices with the sample ballots furnished and see that the
14 names, numbers and letters thereon agree and shall certify thereto on forms
15 provided by the board.

16 **SECTION 10.** 6.10 (3) of the statutes is amended to read:

17 **6.10 (3)** When an elector moves from one ward to another or from one
18 municipality to another within the state after the last registration day but at least
19 10 days before the election, the elector may vote in and be considered a resident of
20 the new ward or municipality where residing upon transferring registration under
21 s. 6.40 (1) or upon registering under s. 6.29 (2), at the proper polling place or other
22 registration location in the new ward or municipality under s. 6.55 (2) or 6.86 (3) (a)
23 2., or, in a municipality where a satellite absentee voting station has been designated
24 under 5.687 (1), under s. 6.285 (2) (b). If the elector moves within 10 days of an

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1 election, the elector shall vote in the elector's old ward or municipality if otherwise
2 qualified to vote there.

3 **SECTION 11.** 6.26 (1), (2) (d) and (3) of the statutes are amended to read:

4 6.26 (1) The municipal clerk or the board of election commissioners of each
5 municipality shall administer elector registration within the municipality in
6 accordance with the procedures prescribed under ~~sub. (3)~~ this chapter.

7 (2) (d) This subsection does not apply to deputies appointed under s. 6.285 (1)
8 or 6.55 (6).

9 (3) The board shall, by rule, prescribe procedures for appointment of special
10 registration deputies, for revocation of appointments of special registration deputies,
11 and for training of special registration deputies by municipal clerks and boards of
12 election commissioners under this section. The procedures shall be coordinated with
13 training programs for special registration deputies conducted by municipal clerks
14 under s. 7.315 and shall be formulated to promote increased registration of electors
15 consistent with the needs of municipal clerks and boards of election commissioners
16 to efficiently administer the registration process.

17 **SECTION 12.** 6.275 (1) (c) of the statutes is amended to read:

18 6.275 (1) (c) The total number of electors of the municipality residing in that
19 county who registered after the close of registration and prior to the day of the
20 primary or election under ss. 6.29, 6.285, and 6.86 (3) (a) 2.

21 **SECTION 13.** 6.28 (title) of the statutes is repealed and recreated to read:

22 **6.28 (title) Open registration.**

23 **SECTION 14.** 6.28 (1) of the statutes is amended to read:

24 6.28 (1) REGISTRATION LOCATIONS; DEADLINE. Except as authorized in ss. 6.285,
25 6.29, 6.55 (2), and 6.86 (3) (a) 2., registration in person for any election shall close at

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1 5 p.m. on the 3rd Wednesday preceding the election. Registrations made by mail
2 under s. 6.30 (4) must be delivered to the office of the municipal clerk or postmarked
3 no later than the 3rd Wednesday preceding the election. All applications for
4 registration corrections and additions may be made throughout the year at the office
5 of the city board of election commissioners, at the office of the municipal clerk, at the
6 office of the county clerk, or at other locations permitted under s. 6.285 or provided
7 by the board of election commissioners or the common council in cities over 500,000
8 population or by either or both the municipal clerk, or the common council, village
9 or town board in all other municipalities and may also be made during the school year
10 at any high school by qualified persons under sub. (2) (a). Other registration
11 locations may include but are not limited to fire houses, police stations, public
12 libraries, institutions of higher education, supermarkets, community centers, plants
13 and factories, banks, savings and loan associations and savings banks. Special
14 registration deputies shall be appointed for each location unless the location can be
15 sufficiently staffed by the board of election commissioners or the municipal clerk or
16 his or her deputies. An elector who wishes to obtain a confidential listing under s.
17 6.47 (2) shall register at the office of the municipal clerk of the municipality where
18 the elector resides.

19 **SECTION 15.** 6.285 of the statutes is created to read:

20 **6.285 Registration at satellite absentee voting stations. (1) SPECIAL**
21 **REGISTRATION DEPUTY.** Every municipal clerk or board of election commissioners that
22 designates a satellite absentee voting station under s. 6.873 (1) shall appoint at least
23 one qualified elector of this state as a special registration deputy for the satellite
24 location. The special registration deputy shall be able to read and write the English
25 language, be capable, and be of good understanding, and may not be a candidate for

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1 any office to be voted for at an election at which he or she serves. The municipal clerk
2 or board of election commissioners shall instruct the special registration deputy in
3 the deputy's duties and responsibilities. The municipal clerk or board of election
4 commissioners shall ensure that any individual who serves as a special registration
5 deputy meets training requirements prescribed in rules promulgated by the board
6 under s. 7.315. The municipal clerk or board of election commissioners may revoke
7 the deputy's appointment at any time.

8 (2) REGISTRATION PROCEDURE. (a) *Generally.* Except as provided under par. (c),
9 any qualified elector of a municipality whose name does not appear on the
10 registration list may register in person at any satellite absentee voting station
11 designated by the municipal clerk or board of election commissioners under s. 6.873
12 (1) at any time during which absentee ballots may be cast at the station. A qualified
13 elector of a municipality who has changed his or her residence may also transfer his
14 or her registration at a satellite absentee voting station located in the municipality
15 as provided in s. 6.40 (1) (a) 1. The municipal clerk or board of election commissioners
16 shall provide a current copy of the list of persons obtained from the department of
17 corrections under s. 301.03 (20m) who are ineligible to vote at the forthcoming
18 election to each special registration deputy at a satellite absentee voting station.
19 Prior to permitting an elector to register to vote under this subsection, the special
20 registration deputy shall review the list. If the name of an elector who wishes to
21 register to vote appears on the list, the special registration deputy shall inform the
22 elector that the elector is ineligible to register to vote. If the elector maintains that
23 he or she is eligible to vote in the election, the special registration deputy shall permit
24 the elector to register to vote but shall mark the elector's registration form as
25 "ineligible to vote per Department of Corrections."

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1 (b) *During late registration.* 1. ‘Proof of residence.’ Any elector who makes a
2 registration application under par. (a) after the close of registration under s. 6.28 (1)
3 shall provide proof of residence under s. 6.34. The special registration deputy shall
4 then enter the name and address of the elector and the type of identifying document
5 provided on a separate list. If the elector is unable to provide proof of residence under
6 s. 6.34, the information contained in the elector’s registration form shall be
7 corroborated in a separate statement signed by another elector of the municipality
8 which contains the current street address of the corroborating elector. The
9 corroborating elector shall then provide acceptable proof of residence under s. 6.34.
10 The statement shall be signed by the corroborating elector in the presence of the
11 special registration deputy. The special registration deputy shall enter on a separate
12 list the name and address of the registering elector together with the name and
13 address of the collaborating elector.

14 2. ‘Voting procedure.’ If the elector is registering for the general election and
15 the elector presents a valid driver’s license issued by another state, the special
16 registration deputy shall record on a separate list the name and address of the
17 elector, the name of the state, and the license number and expiration date of the
18 license. A qualified elector who completes a registration form under par. (a) and
19 satisfies subd. 1. after the close of registration under s. 6.28 (1) may immediately vote
20 by absentee ballot at the satellite absentee voting station under s. 6.873. If the
21 registering elector does not wish to immediately vote by absentee ballot, the special
22 registration deputy shall issue a certificate addressed to the inspectors of the proper
23 ward or election district directing that the elector be permitted to cast his or her vote
24 if the elector complies with all requirements for voting at the polling place. The
25 certificate shall be numbered serially and prepared in duplicate. At the time that he

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1 or she appears at the correct polling place, the elector shall deliver any certificate
2 issued under this subdivision to the inspectors. The inspectors shall record the
3 names of electors who present certificates in person or for whom certificates are
4 presented with absentee ballots on the list maintained under s. 6.56 (1).

5 (c) *Confidential registration.* Any elector who wishes to obtain a confidential
6 listing under s. 6.47 (2) shall register at the office of the municipal clerk of the
7 municipality where the elector resides.

8 **(3) COMPLETED REGISTRATION FORMS, TRANSFERS, LISTS, AND CERTIFICATES.** The
9 special registration deputy shall promptly arrange the completed registration forms,
10 registration transfers, separate lists, and certificates issued under sub. (2) (b) 2. in
11 the manner specified by the municipal clerk or board of election commissioners. The
12 special absentee voting deputy that has supervision under s. 6.873 (2) (d) over the
13 satellite absentee voting station shall ensure that the forms, transfers, lists, and
14 certificates are properly kept and shall promptly forward the forms, transfers, lists,
15 and certificates to the municipal clerk or board of election commissioners in the
16 manner specified by the municipal clerk or board of election commissioners. The
17 municipal clerk or board of election commissioners shall file the registration forms
18 as provided under s. 6.35, shall change any registrations that are transferred as
19 provided under s. 6.40 (1), and shall preserve the certificates in the same manner as
20 certificates issued under s. 6.29 (2) (b). The municipal clerk or board of election
21 commissioners may reject any incomplete or defective registration form or transfer
22 received under this subsection and shall promptly notify each individual whose
23 registration is rejected of the rejection and the reason for the rejection. A person
24 whose registration is rejected under this subsection may reapply for registration if
25 he or she is qualified.

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1 **SECTION 16.** 6.29 (1) of the statutes is amended to read:

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

7 **SECTION 17.** 6.32 (3) of the statutes is amended to read:

8 6.32 (3) If the form is submitted later than the close of registration, the clerk
9 shall make a good faith effort to notify the elector that he or she may register at the
10 clerk's office under s. 6.29 ~~or~~, at the proper polling place or other location designated
11 under s. 6.55 (2), or, if applicable, at a satellite absentee voting station designated
12 under s. 6.873 (1).

13 **SECTION 18.** 6.33 (1) of the statutes is amended to read:

14 6.33 (1) The board shall prescribe the format, size, and shape of registration
15 forms. All forms shall be printed on cards and each item of information shall be of
16 uniform font size, as prescribed by the board. The municipal clerk shall supply
17 sufficient forms to meet voter registration needs. The forms shall be designed to
18 obtain from each applicant information as to name; date; residence location;
19 citizenship; date of birth; age; the number of a valid operator's license issued to the
20 elector under ch. 343 or the last 4 digits of the elector's social security account
21 number; whether the applicant has resided within the ward or election district for
22 at least 10 days; whether the applicant has been convicted of a felony for which he
23 or she has not been pardoned, and if so, whether the applicant is incarcerated, or on
24 parole, probation, or extended supervision; whether the applicant is disqualified on
25 any other ground from voting; and whether the applicant is currently registered to

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1 vote at any other location. The form shall include a space for the applicant's
2 signature and the signature of any corroborating elector. The form shall include a
3 space to enter the name of any special registration deputy appointed under s. 6.26,
4 6.285 (1), or 6.55 (6) or inspector, municipal clerk, or deputy clerk under s. 6.55 (2)
5 who obtains the form and a space for the deputy, inspector, clerk, or deputy clerk to
6 sign his or her name, affirming that the deputy, inspector, clerk, or deputy clerk has
7 accepted the form. The form shall include a space for entry of the ward and
8 aldermanic district, if any, where the elector resides and any other information
9 required to determine the offices and referenda for which the elector is certified to
10 vote. The form shall also include a space where the clerk may record an indication
11 of whether the form is received by mail, a space where the clerk may record an
12 indication of the type of identifying document submitted by the elector as proof of
13 residence under s. 6.34, whenever required, and a space where the clerk, for any
14 applicant who possesses a valid voting identification card issued to the person under
15 s. 6.47 (3), may record the identification serial number appearing on the voting
16 identification card. Each county clerk shall obtain sufficient registration forms for
17 completion by an elector who desires to register to vote at the office of the county clerk
18 under s. 6.28 (4).

19 **SECTION 19.** 6.34 (2) of the statutes is amended to read:

20 6.34 (2) Except as authorized in ss. 6.285 (2) (b) 1., 6.29 (2) (a) and 6.86 (3) (a)
21 2., upon completion of a registration form prescribed under s. 6.33, each elector who
22 is required to register under s. 6.27, who is not a military elector or an overseas
23 elector and who registers after the close of registration under s. 6.285, 6.29 or 6.86
24 (3) (a) 2., shall provide an identifying document that establishes proof of residence
25 under sub. (3). Each elector who is required to register under s. 6.27 who is not a

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1 military elector or an overseas elector who registers by mail, and who has not voted
2 in an election in this state shall, if voting in person, provide an identifying document
3 that establishes proof of residence under sub. (3) or, if voting by absentee ballot,
4 provide a copy of an identifying document that establishes proof of residence under
5 sub. (3). If the elector registered by mail, the identifying document may not be a
6 residential lease.

7 **SECTION 20.** 6.34 (3) (a) 7. of the statutes is amended to read:

8 6.34 (3) (a) 7. A university, college, or technical college fee or identification card
9 that contains a photograph of the cardholder. A card under this subdivision that does
10 not contain the information specified in par. (b) shall be considered proof of residence
11 if the university, college, or technical college that issued the card provides a certified
12 and current list of students who reside in housing sponsored by the university,
13 college, or technical college to the municipal clerk prior to the election showing the
14 current address of the students and if the municipal clerk, special registration
15 deputy, special voting deputy under s. 6.873, or inspector verifies that the student
16 presenting the card is included on the list.

17 **SECTION 21.** 6.36 (2) (b) of the statutes is amended to read:

18 6.36 (2) (b) If an elector obtains a confidential listing under s. 6.47 (2), the
19 registration list shall be prepared such that the address of the elector does not appear
20 on copies of the list that are used at polling places and satellite absentee voting
21 stations designated under s. 6.873 (1).

22 **SECTION 22.** 6.36 (2) (d) of the statutes is created to read:

23 6.36 (2) (d) Together with the registration list for each polling place, the
24 municipal clerk shall provide to the inspectors a separate list containing the name
25 and address of each elector who resides in the ward or wards or the election district

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1 served by the polling place and who has registered after the close of registration
2 under s. 6.285 (2) (b) or 6.29 (2) (a) and the name and address of any corroborating
3 elector who corroborated his or her residence.

4 **SECTION 23.** 6.36 (5) of the statutes is amended to read:

5 6.36 (5) After each general election, the board shall contact the chief election
6 official of each state from which an elector who voted in that election presented a
7 valid driver's license under s. 6.285 (2), 6.29 (2) (a), 6.55 (2) (b) or (c) 1., or 6.86 (3)
8 (a) 2. for so long as the license remains valid. The board shall inquire whether the
9 holder of the driver's license voted in that election in that state.

10 **SECTION 24.** 6.40 (1) (a) 1. of the statutes is amended to read:

11 6.40 (1) (a) 1. Any registered elector shall transfer registration after a change
12 of residence within the state by filing in person with the municipal clerk or by mailing
13 to the municipal clerk a signed request stating his or her present address, affirming
14 that this will be his or her residence for 10 days prior to the election and providing
15 the address where he or she was last registered. Alternatively, the elector may
16 transfer his or her registration at a satellite absentee voting station designated
17 under s. 6.873 (1) or at the proper polling place or other registration location under
18 s. 6.02 (2) in accordance with s. 6.55 (2) (a). If an elector is voting in the ward or
19 election district where the elector formerly resided, the change shall be effective for
20 the next election.

21 **SECTION 25.** 6.40 (1) (c) of the statutes is amended to read:

22 6.40 (1) (c) *Name change.* Whenever an elector's name is legally changed,
23 including a change by marriage or divorce, the elector shall transfer his or her
24 registration to his or her legal name by appearing in person at the office of the
25 municipal clerk or mailing to the municipal clerk a signed request for a transfer of

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1 registration to such name. Alternatively, a registered elector may make notification
2 of a name change at a satellite absentee voting station designated under s. 6.873 (1)
3 or at his or her polling place under s. 6.55 (2) (d).

4 **SECTION 26.** 6.45 (1) of the statutes is amended to read:

5 6.45 (1) After the deadline for revision of the registration list, the municipal
6 clerk shall make copies of the list for election use. The registration list and any
7 supplemental lists which are prepared at polling places, satellite absentee voting
8 stations designated under s. 6.873 (1), or other registration locations under s. 6.55,
9 shall be open to public inspection. Under the regulations prescribed by the municipal
10 clerk, any person may copy the registration list at the office of the clerk. A
11 registration list maintained at a polling place or satellite absentee voting satellite
12 station may be examined by any person who is observing the proceedings under s.
13 7.41 when such use does not interfere with the conduct of the election.

14 **SECTION 27.** 6.45 (1m) of the statutes is amended to read:

15 6.45 (1m) The registration list and any supplemental lists which are prepared
16 at polling places, satellite absentee voting stations designated under s. 6.873 (1), or
17 other registration locations under s. 6.55, shall be open to public inspection. Under
18 the regulations prescribed by the municipal clerk, any person may copy the
19 registration list at the office of the clerk. A registration list maintained at a polling
20 place or satellite absentee voting station may be examined by any person who is
21 observing the proceedings under s. 7.41 when such use does not interfere with the
22 conduct of the election. This subsection does not apply to information that is
23 confidential under s. 6.47.

24 **SECTION 28.** 6.50 (10) of the statutes is amended to read:

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1 6.50 (10) Any qualified elector whose registration is changed from eligible to
2 ineligible status under this section may reregister as provided under s. 6.28 (1), 6.29
3 (2), or 6.55 (2), or under s. 6.285 (2) in municipalities where one or more satellite
4 absentee voting stations are designated.

5 **SECTION 29.** 6.54 of the statutes is amended to read:

6 **6.54 Failure to register; rights.** No name may be added to the registration
7 list after the close of registration, but any person whose name is not on the
8 registration list but who is otherwise a qualified elector is entitled to vote at the
9 election upon compliance with the procedures under s. 6.29 or, 6.55, or s. 6.86 (3) (a)
10 2., or in municipalities where a satellite absentee voting station is designated under
11 s. 6.873 (1), upon compliance with the procedures under s. 6.285 (2).

12 **SECTION 30.** 6.55 (2) (d) of the statutes is amended to read:

13 6.55 (2) (d) A registered elector who has changed his or her name but resides
14 at the same address, and has not notified the municipal clerk transferred his or her
15 registration to his or her legal name under s. 6.40 (1) (c), shall notify the inspector
16 of the change before voting. The inspector shall then notify the municipal clerk at
17 the time when materials are returned under s. 6.56 (1). If an elector has changed
18 both a name and address, the elector shall register at the polling place or other
19 registration location under pars. (a) and (b).

20 **SECTION 31.** 6.56 (1) of the statutes is amended to read:

21 6.56 (1) The list containing the names of persons voting under ~~ss. 6.29 and s.~~
22 6.55 (2) or persons voting after presenting a certificate issued under s. 6.285 (2) (b)
23 2. or 6.29 (2) (b) shall be returned together with all forms and certificates to the
24 municipal clerk.

25 **SECTION 32.** 6.56 (5) of the statutes is amended to read:

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1 6.56 (5) Whenever any letter or postcard mailed under this section is returned
2 undelivered, or whenever the U.S. postal service notifies the clerk of an improper
3 address which was apparently improper on the day of the election or whenever it
4 otherwise appears that a person has voted who is not qualified or has voted more
5 than once in an election, and the person has been permitted to vote after
6 corroboration was made under s. 6.285 (2) (b), 6.55 (2) or 6.86 (3) (a) 2., the municipal
7 clerk shall also provide the name of the corroborator shall also be provided to the
8 district attorney for the county where the person resides and the board.

9 **SECTION 33.** 6.77 (1) of the statutes is amended to read:

10 6.77 (1) An elector may vote only at the polling place for his or her residence
11 designated by the governing body or board of election commissioners of the
12 municipality where the elector resides, at a satellite absentee voting station
13 designated under s. 6.873 (1) in the municipality where the elector resides, or at a
14 nursing home, qualified retirement home, or qualified community-based residential
15 facility where absentee voting is conducted under s. 6.875 (6) in the municipality
16 where the elector resides.

17 **SECTION 34.** 6.79 (2) (c) of the statutes is amended to read:

18 6.79 (2) (c) The officials shall maintain separate lists for electors who are voting
19 under s. 6.15, ~~6.29~~, or 6.55 (2) or (3), electors who are voting after presenting a
20 certificate issued under s. 6.285 (2) (b) 2. or 6.29 (2) (b), and electors who are
21 reassigned from another polling place under s. 5.25 (5) (b) and shall enter the full
22 name, address, and serial number of each of these electors on the appropriate
23 separate list. Alternatively, if the poll list is maintained electronically, the officials
24 may enter on the poll list the information that would otherwise appear on a separate

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1 list if the information that would be obtainable from a separate list is entered on the
2 poll list.

3 **SECTION 35.** 6.82 (1) of the statutes is amended to read:

4 6.82 (1) RECEIPT OF BALLOT AT POLL ENTRANCE. (a) When any of the inspectors
5 are at a polling place or a special voting deputy at a satellite absentee voting station
6 designated under s. 6.873 (1) is informed that an elector is at the entrance to the
7 polling place or station who as a result of disability is unable to enter the polling place
8 or station, they shall permit the elector to be assisted in marking a ballot by any
9 individual selected by the elector, except the elector's employer or an agent of that
10 employer or an officer or agent of a labor organization which represents the elector.
11 The individual selected by the elector shall provide proof of residence under s. 6.34
12 for the assisted elector, whenever required, and all other information necessary for
13 the elector to obtain a ballot under s. 6.79 (2) or 6.873 (4). The inspectors or the
14 special voting deputy shall issue a ballot to the individual selected by the elector and
15 shall accompany the individual to the polling place or satellite absentee voting
16 station entrance where the assistance is to be given. If the ballot is a paper ballot,
17 the assisting individual shall fold the ballot after the ballot is marked by the
18 assisting individual. The assisting individual shall then immediately take the ballot
19 into the polling place or satellite absentee voting station and give the ballot to an
20 inspector or special voting deputy. The inspector or special voting deputy shall
21 distinctly announce that he or she has "a ballot offered by (stating person's name),
22 an elector who, as a result of disability, is unable to enter the polling place or satellite
23 absentee voting station without assistance". The inspector shall then ask, "Does
24 anyone object to the reception of this ballot?" If no objection is made, the inspectors
25 or special voting deputy shall record the elector's name under s. 6.79 and on the poll

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1 or registration list. The inspector shall deposit the ballot in the ballot box, and the
2 special voting deputy shall seal and secure the absentee ballot. The inspector or
3 deputy shall make a notation on the poll or registration list: “Ballot received at poll
4 entrance” or “Ballot received at voting station entrance”.

5 (b) If objection to receiving the ballot is made by any qualified elector present,
6 the inspectors or special voting deputy shall receive the ballot under s. 6.95.

7 **SECTION 36.** 6.82 (2) (a) and (d) of the statutes are amended to read:

8 6.82 (2) (a) If an elector declares to the presiding election official at a polling
9 place or to a special voting deputy at a satellite absentee voting station designated
10 under s. 6.873 (1) that he or she cannot read or write, or has difficulty in reading,
11 writing or understanding English or that due to disability is unable to mark a ballot
12 or depress a button or lever on a voting machine, the elector shall be informed by the
13 officials or deputy that he or she may have assistance. When assistance is requested,
14 the elector may select any individual to assist in casting his or her vote. The selected
15 individual rendering assistance may not be the elector’s employer or an agent of that
16 employer or an officer or agent of a labor organization which represents the elector.
17 The selected individual shall certify on the back of the ballot that it was marked with
18 his or her assistance. Where voting machines are used, certification shall be made
19 on the registration list.

20 (d) The election officials or special voting deputy shall enter upon the poll or
21 registration list after the name of any elector who had assistance in voting the word
22 “assisted”. The officials shall also record on the poll or registration list the full name
23 and address of the individual who renders assistance.

24 **SECTION 37.** 6.82 (3) of the statutes is amended to read:

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1 **6.82 (3) USE OF PAPER BALLOTS.** Whenever, in a municipality in which ~~voting~~
2 ~~machines are~~ an electronic voting system is used, an elector declares to the chief
3 inspector at a polling place or a special voting deputy at a satellite absentee voting
4 station designated under s. 6.873 (1) that, due to physical disability, the elector is
5 unable to ~~depress a button or lever on a voting machine~~ mark the ballot used with
6 an electronic voting system, the inspectors or deputy shall permit the elector to vote
7 using a paper ballot and voting booth.

8 **SECTION 38.** 6.855 (1) of the statutes is amended to read:

9 **6.855 (1)** The governing body of a municipality may elect to designate a site
10 other than the office of the municipal clerk or board of election commissioners as the
11 primary location from which electors of the municipality may request and vote
12 absentee ballots and to which voted absentee ballots shall be returned by electors for
13 any election. The designated site shall be located as near as practicable to the office
14 of the municipal clerk or board of election commissioners and no site may be
15 designated that affords an advantage to any political party. Unless one or more
16 satellite absentee voting stations are designated under s. 6.873 (1), this site shall be
17 the sole location that absentee voting is conducted by the municipality. An election
18 by a governing body to designate an alternate site under this section shall be made
19 no fewer than 14 days prior to the time that absentee ballots are available for the
20 primary under s. 7.15 (1) (cm), if a primary is scheduled to be held, or at least 14 days
21 prior to the time that absentee ballots are available for the election under s. 7.15 (1)
22 (cm), if a primary is not scheduled to be held, and shall remain in effect until at least
23 the day after the election. If the governing body of a municipality makes an election
24 under this section, no function related to voting and return of absentee ballots that

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1 is to be conducted at the alternate site may be conducted in the office of the municipal
2 clerk or board of election commissioners.

3 **SECTION 39.** 6.86 (1) (a) 5. of the statutes is amended to read:

4 6.86 (1) (a) 5. By delivering an application to a special voting deputy under s.
5 6.873 (4) or 6.875 (6).

6 **SECTION 40.** 6.86 (1) (ar) of the statutes is amended to read:

7 6.86 (1) (ar) Except as authorized in ~~s.~~ ss. 6.873 (3) (b) and 6.875 (6), the
8 municipal clerk shall not issue an absentee ballot unless the clerk receives a written
9 application therefor from a qualified elector of the municipality. The clerk shall
10 retain each absentee ballot application until destruction is authorized under s. 7.23
11 (1).

12 **SECTION 41.** 6.87 (3) (a) of the statutes is amended to read:

13 6.87 (3) (a) Except as authorized under par. (d) and as otherwise provided in
14 ~~s.~~ ss. 6.873 and 6.875, the municipal clerk shall mail the absentee ballot to the
15 elector's residence unless otherwise directed by the elector, or shall deliver it to the
16 elector personally at the clerk's office or at an alternate site under s. 6.855. If the
17 ballot is mailed, and the ballot qualifies for mailing free of postage under federal free
18 postage laws, the clerk shall affix the appropriate legend required by U.S. postal
19 regulations. Otherwise, the clerk shall pay the postage required for return when the
20 ballot is mailed from within the United States. If the ballot is not mailed by the
21 absentee elector from within the United States, the absentee elector shall provide
22 return postage. If the ballot is delivered to the elector at the clerk's office, ~~or~~ an
23 alternate site under s. 6.855, or a satellite absentee voting station designated under
24 s. 6.873 (1), the ballot shall be voted at the office ~~or~~, alternate site, or station and may
25 not be removed by the elector therefrom.

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1 **SECTION 42.** 6.873 of the statutes is created to read:

2 **6.873 Absentee voting at satellite absentee voting stations. (1)**

3 DESIGNATION OF SATELLITE ABSENTEE VOTING STATIONS. The municipal clerk or board
4 of election commissioners of any municipality may designate any location, other than
5 the office of the municipal clerk or board of election commissioners and other than
6 a nursing or retirement home or community-based residential facility under s.
7 6.875, as a satellite absentee voting station where electors of the municipality may
8 vote by absentee ballot. The municipal clerk or board of election commissioners may
9 designate a station on private property only if the person who owns the property or
10 otherwise has authority to consent to its use by the municipality consents to the
11 designation and consents to the enforcement of s. 12.03 (2m) on property owned or
12 controlled by the person. Any designation of a satellite absentee voting station for
13 an election under this subsection shall be made no fewer than 14 days prior to the
14 time that absentee ballots are available for the primary under s. 7.15 (1) (cm), if a
15 primary is scheduled to be held, or at least 14 days prior to the time that absentee
16 ballots are available for the election under s. 7.15 (1) (cm), if a primary is not
17 scheduled to be held, and shall remain in effect until at least the day after the
18 election. The municipal clerk or board of election commissioners shall not designate
19 a location as a satellite absentee voting station if there is a charge for the
20 municipality to use the location.

21 **(2) APPOINTMENT OF SPECIAL VOTING DEPUTIES.** (a) *Appointment.* The municipal
22 clerk or board of election commissioners shall appoint at least one qualified elector
23 of this state as a special voting deputy to receive absentee ballots at each station
24 established under sub. (1). The appointment shall be made without regard to
25 political party affiliation. The special voting deputy shall be able to read and write

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1 the English language, be capable, and be of good understanding, and may not be a
2 candidate for any office to be voted for at an election for which he or she serves. The
3 governing body of the municipality may require a special voting deputy to prove his
4 or her ability to read and write English and to have a general knowledge of the
5 election laws. The municipal clerk or board of election commissioners may
6 administer examinations to determine whether an individual qualifies for
7 appointment under this paragraph. The municipal clerk or board of election
8 commissioners shall instruct the special voting deputy in the deputy's duties and
9 responsibilities. The municipal clerk or board of election commissions shall ensure
10 that all training meets the requirements prescribed in the rules promulgated by the
11 board under s. 7.315.

12 (b) *Oath.* Before performing his or her duties, each special voting deputy
13 appointed under par. (a) shall file the oath required by s. 7.30 (5). In the oath, the
14 individual shall swear that he or she is qualified to act as a deputy under this section,
15 that he or she has read the statutes governing absentee voting, that he or she
16 understands the proper absentee voting procedure, that he or she understands the
17 penalties for noncompliance with the procedure under s. 12.13, that his or her sacred
18 obligation will be to fully and fairly implement the absentee voting law and seek to
19 have the intent of the electors ascertained. In addition, the oath shall state that the
20 individual realizes that any error in conducting the voting procedure may result in
21 invalidation of an elector's vote under s. 7.51 (2) (e) and that the individual realizes
22 that absentee voting is a privilege and not a constitutional right.

23 (c) *Term of office.* Except as otherwise provided in this paragraph, each special
24 voting deputy appointed under par. (a) shall hold office for 2 years and until his or

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1 her successor is appointed and qualified. The municipal clerk or board of election
2 commissioners may revoke a special voting deputy's appointment at any time.

3 (d) *Authority and duties.* For the purpose of ensuring compliance with this
4 section and s. 6.285, each special voting deputy appointed under par. (a) has
5 supervision over the satellite absentee voting station to which he or she is assigned.
6 The special voting deputy is subject to the supervision of the municipal clerk or board
7 of election commissioners. The special voting deputy has full authority to maintain
8 order and to enforce obedience to his or her lawful commands at any time during
9 which absentee ballots may be cast at the station. The special voting deputy shall
10 prevent any person from taking notice of how another person has voted, except when
11 assistance is given under s. 6.87 (5). The special voting deputy shall enforce s. 5.35
12 (5) and prevent electioneering from taking place in violation of ss. 12.03 (1m) or (2m)
13 or 12.035. If any person refuses to obey the lawful commands of a special voting
14 deputy, is disorderly in the presence or hearing of the special voting deputy, or
15 interrupts or disturbs the proceedings, the special voting deputy may order any law
16 enforcement officer to remove the person from the voting area or to take the person
17 into custody.

18 **(3) OPERATION OF SATELLITE ABSENTEE VOTING STATIONS.** (a) *Operation.* No
19 satellite absentee voting station may be open for purposes of this subsection or s.
20 6.285 at any time before the official absentee ballots for the applicable election are
21 prepared under s. 7.15 (1) (cm) or at any time after 5 p.m. on the day before the
22 election. All voting booths and machines shall be placed apart from other activities
23 at the satellite absentee voting station, with their exteriors in full view of each
24 special voting deputy. Only the special voting and registration deputies, persons
25 observing the proceedings under s. 7.41, persons assisting voters under s. 6.82 (2),

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1 and electors receiving, preparing or depositing their ballots or casting their votes on
2 the machines are permitted in the voting area. Except where assistance is
3 authorized, only one elector at a time is permitted in a voting booth or machine. No
4 satellite absentee voting station may be situated so as to interfere with or distract
5 election officials from carrying out their duties. The municipal clerk or board of
6 election commissioners and special voting deputies shall prevent interference with
7 and distraction of electors at satellite absentee voting stations. At each satellite
8 absentee voting station, the municipal clerk or board of election commissioners shall
9 post the materials specified in s. 5.35 (6) (a) 1. to 3. and 4a. to 5. and (b), positioned
10 so that they may be readily observed by electors entering the satellite absentee
11 voting station or waiting in line to vote.

12 (b) *Supplies and equipment for satellite absentee voting stations.* If an
13 electronic voting machine is used at a satellite absentee voting station the machine
14 must be of a type that produces a ballot for enclosure in the certified envelope. The
15 municipal clerk or board of election commissioners shall issue a copy of the current
16 registration list for the municipality and a supply of absentee ballots to the special
17 voting deputy that is sufficient to provide for the number of valid applications that
18 the clerk or board of election commissioners reasonably expects will be made at the
19 satellite absentee voting station. The municipal clerk or board of election
20 commissioners shall provide for each satellite absentee voting station a copy of the
21 list provided by the department of corrections under s. 301.03 (20m) of individuals
22 who are ineligible to vote at the next election. In any jurisdiction that is subject to
23 the requirement under 42 USC 1973aa-1a to provide voting materials in any
24 language other than English, the board shall ensure that the voting system used at
25 each satellite absentee voting station in that jurisdiction is in compliance with 42

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1 USC 1973aa-1a. The municipal clerk or board of election commissioners shall keep
2 a careful record of all ballots issued to the deputy and shall require the deputy to
3 return every ballot that he or she is issued.

4 (4) ABSENTEE VOTING PROCEDURE. (a) *Registration.* Any qualified elector of a
5 municipality may register to vote under s. 6.285 (2) at a satellite absentee voting
6 station located in the municipality.

7 (b) *Voting.* The special voting deputy shall personally offer any qualified elector
8 of the municipality who makes a proper written application with the deputy the
9 opportunity to cast his or her absentee ballot. The deputy shall write on the official
10 ballot, in the space for the official endorsement, his or her initials and official title.
11 If proof of residence is required, the elector shall provide proof of residence under s.
12 6.34. If proof of residence is provided, the special voting deputy shall verify that the
13 name and address on the identification document submitted as proof of residence
14 provided is the same as the name and address shown on the registration list. Prior
15 to permitting an elector to vote, the special voting deputy shall review the copy of the
16 current list provided by the department of corrections under s. 301.03 (20m). If the
17 elector's name appears on the list, the special voting deputy shall inform the elector
18 of this fact. If the elector maintains that he or she is eligible to vote in the election,
19 the special voting deputy shall provide the elector with a ballot and, after the elector
20 casts his or her vote, shall challenge the ballot as provided in s. 6.92 and treat the
21 ballot in the manner provided in s. 6.95. The elector and a witness shall then make
22 and subscribe to the certification on the certificate envelope and the elector shall vote
23 the ballot in the manner prescribed in s. 6.87 (4). Notwithstanding s. 6.87 (4), the
24 elector shall then seal the ballot inside the certificate envelope and give the sealed
25 certificate envelope containing the ballot to the deputy. The deputy shall promptly

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1 forward the ballot application and sealed certificate envelope containing each ballot
2 to the municipal clerk or board of election commissioners in the manner specified by
3 the municipal clerk or board of election commissioners.

4 (c) *Return of materials.* The municipal clerk or board of election commissioners
5 shall ensure that whenever a satellite absentee voting station is closed, all materials
6 and equipment are fully secured, and after the last day of operation before an
7 election, all materials are promptly returned to the office of the clerk or board of
8 election commissioners in a secure manner.

9 **SECTION 43.** 6.88 (3) (a) of the statutes is amended to read:

10 6.88 (3) (a) Except in municipalities where absentee ballots are canvassed
11 under s. 7.52, at any time between the opening and closing of the polls on election day,
12 the inspectors shall, in the same room where votes are being cast, in such a manner
13 that members of the public can hear and see the procedures, open the carrier
14 envelope only, and announce the name of the absent elector or the identification
15 serial number of the absent elector if the elector has a confidential listing under s.
16 6.47 (2). When the inspectors find that the certification has been properly executed,
17 the applicant is a qualified elector of the ward or election district, and the applicant
18 has not voted in the election, they shall enter an indication on the poll list next to the
19 applicant's name indicating an absentee ballot is cast by the elector. They shall then
20 open the envelope containing the ballot in a manner so as not to deface or destroy the
21 certification thereon. The inspectors shall take out the ballot without unfolding it
22 or permitting it to be unfolded or examined. Unless the ballot is cast under s. 6.95,
23 the inspectors shall verify that the ballot has been endorsed by the issuing clerk or
24 special voting deputy. If the poll list indicates that proof of residence under s. 6.34
25 is required and no proof of residence is enclosed or the name or address on the

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1 document that is provided is not the same as the name and address shown on the poll
2 list, the inspectors shall proceed as provided under s. 6.97 (2). The inspectors shall
3 then deposit the ballot into the proper ballot box and enter the absent elector's name
4 or voting number after his or her name on the poll list in the same manner as if the
5 elector had been present and voted in person.

6 **SECTION 44.** 6.92 (1) of the statutes is amended to read:

7 6.92 (1) Except as provided in sub. (2), each inspector and each special voting
8 deputy shall challenge for cause any person offering to vote whom the inspector or
9 deputy knows or suspects is not a qualified elector. If a person is challenged as
10 unqualified by an inspector, ~~one of the inspectors or deputy, the inspector or deputy~~
11 shall administer the following oath or affirmation to the person: "You do solemnly
12 swear (or affirm) that you will fully and truly answer all questions put to you
13 regarding your place of residence and qualifications as an elector of this election";
14 and shall then ask questions which are appropriate as determined by the board, by
15 rule, to test the person's qualifications.

16 **SECTION 45.** 6.95 of the statutes is amended to read:

17 **6.95 Voting procedure for challenged electors.** Whenever the inspectors
18 under ss. 6.92 to 6.94 receive the ~~vote~~ ballot of a person offering to vote who has been
19 challenged, the inspectors shall, before giving the ~~elector~~ person a ballot, write on the
20 back of the ballot the serial number of the challenged person corresponding to the
21 number kept at the election on the poll list, or other list maintained under s. 6.79,
22 and the notation "s. 6.95". Whenever a special voting deputy under s. 6.873 (4)
23 receives the ballot of a person offering to vote who has been challenged, the deputy
24 shall, before giving the person a ballot, write on the back of the ballot a unique
25 number and the notation "s. 6.95" and shall enter the person's name and address and

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1 the number on a separate list. If voting machines are used ~~in the municipality~~ at the
2 polling place where the person is voting, the person's vote may be received only upon
3 an absentee ballot furnished by the municipal clerk which shall have the
4 corresponding serial number from the poll list or other list maintained under s. 6.79
5 and the notation "s. 6.95" written on the back of the ballot by the inspectors before
6 the ballot is given to the elector. The inspectors or special voting deputy shall
7 indicate on the list the reason for the challenge. ~~The~~ If the ballot is cast at a polling
8 place, the inspectors shall then deposit the ballot. The challenged ballots shall be
9 counted under s. 5.85 or 7.51. The municipal board of canvassers may decide any
10 challenge when making its canvass under s. 7.53. If the returns are reported under
11 s. 7.60, a challenge may be reviewed by the county board of canvassers. If the returns
12 are reported under s. 7.70, a challenge may be reviewed by the chairperson of the
13 board or the chairperson's designee. The decision of any board of canvassers or of the
14 chairperson or chairperson's designee may be appealed under s. 9.01. The standard
15 for disqualification specified in s. 6.325 shall be used to determine the validity of
16 challenged ballots.

17 **SECTION 46.** 7.03 (1) (d) of the statutes is amended to read:

18 7.03 (1) (d) Except as otherwise provided in par. (a), special registration
19 deputies appointed under s. 6.285 (1) or 6.55 (6), special voting deputies appointed
20 under s. 6.873 (2) or 6.875 (4) and officials and trainees who attend training sessions
21 under s. 7.15 (1) (e) or 7.25 (5) may also be compensated by the municipality where
22 they serve at the option of the municipality.

23 **SECTION 47.** 7.15 (1) (a) of the statutes is amended to read:

24 7.15 (1) (a) Equip polling places and satellite absentee voting stations
25 designated under s. 6.873 (1).

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1 **SECTION 48.** 7.15 (1) (c) of the statutes is amended to read:

2 7.15 (1) (c) Prepare ballots for municipal elections, and distribute ballots and
3 provide other supplies for conducting all elections. The municipal clerk shall deliver
4 the ballots to the polling places and satellite absentee voting stations designated
5 under s. 6.873 (1) before the ~~polls~~ polling places and stations open.

6 **SECTION 49.** 7.15 (1) (e) of the statutes is amended to read:

7 7.15 (1) (e) Train election officials in their duties, calling them together
8 whenever advisable, advise them of changes in laws, rules and procedures affecting
9 the performance of their duties, and administer examinations as authorized under
10 s. 7.30 (2) (c). The training shall conform with the requirements prescribed in rules
11 promulgated by the board under ss. 7.31 and 7.315. The clerk shall assure that
12 officials who serve at polling places and satellite absentee voting stations designated
13 under s. 6.873 (1) where an electronic voting system is used are familiar with the
14 system and competent to instruct electors in its proper use. The clerk shall inspect
15 systematically and thoroughly the conduct of elections in the municipality so that
16 elections are honestly, efficiently and uniformly conducted.

17 **SECTION 50.** 7.15 (1) (L) of the statutes is amended to read:

18 7.15 (1) (L) Compile and, no later than 7 days after each general election,
19 transmit to the board the lists of electors registering to vote under ss. 6.285 (2), 6.29
20 (2) (a), 6.55 (2) (b) and (c) 1. and 6.86 (3) (a) 2. who presented valid drivers' licenses
21 issued by other states. The clerk shall withhold access to the lists from inspection or
22 copying under s. 19.35 (1).

23 **SECTION 51.** 7.22 (5) of the statutes is amended to read:

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1 7.22 (5) The chief of police shall station a police officer at polling places and
2 satellite absentee voting stations designated by under s. 6.873 (1) upon request of the
3 municipal board of election commissioners for each election.

4 **SECTION 52.** 7.25 (5) and (6) (a) of the statutes are amended to read:

5 7.25 (5) Before an election each election official serving at a polling place or
6 satellite absentee voting stations designated under s. 6.873 (1) where voting
7 machines are used shall be instructed in their use and their duties in connection with
8 them by the municipal clerk, who shall call as many meetings to give instructions to
9 the election officials as are necessary. Officials and trainees may be compensated for
10 attendance. Any person who does not understand the machines shall not be paid nor
11 be allowed to serve.

12 **(6)** (a) Where voting machines are used at any polling place or satellite
13 absentee voting stations designated under s. 6.873 (1), the election officials ~~for each~~
14 ~~ward~~ shall meet at their proper polling place and the special voting deputy or
15 deputies at each station shall be present at least 15 minutes before the time set for
16 opening of the ~~polls~~ polling place or station to arrange the voting machines and
17 furniture to properly conduct the election.

18 **SECTION 53.** 7.30 (2) (a) of the statutes is amended to read:

19 7.30 **(2)** (a) Only election officials appointed under this section or s. 6.285, 6.873
20 or 6.875 may conduct an election. Except as otherwise provided in this paragraph
21 and in ss. 7.15 (1) (k) and 7.52 (1) (b), each election official who serves at a polling
22 place shall be a qualified elector of the ward or wards, or the election district, for
23 which the polling place is established. A special registration deputy who is appointed
24 under s. 6.55 (6) or an election official who is appointed under this section to fill a
25 vacancy under par. (b) need not be a resident of the ward or wards, or the election

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1 district, but shall be a resident of the municipality, except that if a municipal clerk
2 or deputy clerk serves as a registration deputy or is appointed to fill a vacancy under
3 par. (b), the clerk or deputy clerk need not be a resident of the municipality, but shall
4 be a resident of the state. No more than 2 individuals holding the office of clerk or
5 deputy clerk may serve without regard to municipal residency in any municipality
6 at any election. Special registration deputies who are appointed under s. 6.55 (6)
7 may be appointed to serve more than one polling place. All officials appointed under
8 this section shall be able to read and write the English language, be capable, and be
9 of good understanding, and may not be a candidate for any office to be voted for at
10 an election at which they serve. In 1st class cities, they may hold no public office
11 other than notary public. Except as authorized under subs. (1) (b) and (4) (c), all
12 inspectors shall be affiliated with one of the 2 recognized political parties which
13 received the largest number of votes for president, or governor in nonpresidential
14 general election years, in the ward or combination of wards served by the polling
15 place at the last election. Excluding the inspector who may be appointed under sub.
16 (1) (b), the party which received the largest number of votes is entitled to one more
17 inspector than the party receiving the next largest number of votes at each polling
18 place. Election officials appointed under this section may serve the electors of more
19 than one ward where wards are combined under s. 5.15 (6) (b). If a municipality is
20 not divided into wards, the ward requirements in this paragraph apply to the
21 municipality at large.

22 **SECTION 54.** 7.315 (1) (a) and (b) 1. of the statutes are amended to read:

23 7.315 (1) (a) The board shall, by rule, prescribe the contents of the training that
24 municipal clerks must provide to inspectors, other than chief inspectors, to special

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1 voting deputies appointed under ~~s. ss. 6.873 and 6.875~~, and to special registration
2 deputies appointed under ss. 6.26, 6.285, and 6.55 (6).

3 (b) 1. Each inspector other than a chief inspector ~~and~~, each special voting
4 deputy appointed under s. 6.873 or 6.875, and each special registration deputy
5 appointed under s. 6.26, 6.285, or 6.55 (6) shall view or attend at least one training
6 program every 2 years. Except as provided in subd. 2., no individual may serve as
7 an inspector, other than a chief inspector, as a special voting deputy under s. 6.873
8 or 6.875, or as a special registration deputy under s. 6.26, 6.285, or 6.55 (6) at any
9 election unless the individual has completed training for that election provided by
10 the municipal clerk pursuant to rules promulgated under par. (a) within 2 years of
11 the date of the election.

12 **SECTION 55.** 7.37 (2) of the statutes is amended to read:

13 7.37 (2) PRESERVE ORDER. The inspectors shall possess full authority to
14 maintain order and to enforce obedience to their lawful commands during the
15 election and the canvass of the votes. They shall permit only one person in a voting
16 booth at a time and shall prevent any person from taking notice of how another
17 person has voted, except when assistance is given under s. 6.82. They shall enforce
18 s. 5.35 (5) and prevent electioneering and distribution of election-related material
19 from taking place in violation of ss. 12.03 (1) and (2) and 12.035. If any person refuses
20 to obey the lawful commands of an inspector, or is disorderly in the presence or
21 hearing of the inspectors, interrupts or disturbs the proceedings, they may order any
22 law enforcement officer to remove the person from the voting area or to take the
23 person into custody.

24 **SECTION 56.** 7.41 (1) of the statutes is amended to read:

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1 7.41 (1) Any member of the public may be present at any polling place or at any
2 satellite absentee voting station designated under s. 6.873 (1), in the office of any
3 municipal clerk whose office is located in a public building on any day that absentee
4 ballots may be cast in that office, or at an alternate site under s. 6.855 on any day that
5 absentee ballots may be cast at that site for the purpose of observation of an election
6 and the absentee ballot voting process, except a candidate whose name appears on
7 the ballot at the polling place or on an absentee ballot to be cast at the clerk's office
8 or alternate site at that election. The municipal clerk, or the chief inspector or
9 municipal clerk at a polling place or a special voting deputy at a satellite absentee
10 voting station may reasonably limit the number of persons representing the same
11 organization who are permitted to observe under this subsection at the same time.

12 **SECTION 57.** 7.41 (2) of the statutes is amended to read:

13 7.41 (2) The municipal clerk, the chief inspector or municipal clerk at a polling
14 place, or a special voting deputy at a satellite absentee voting station designated
15 under s. 6.873 (1) may restrict the location of any individual exercising the right
16 under sub. (1) to certain areas within a polling place, the clerk's office, or an alternate
17 site under s. 6.855, a polling place, or a satellite absentee voting station. The
18 municipal clerk, chief inspector, or municipal clerk special voting deputy shall
19 clearly designate such an area as an observation area. Designated observation areas
20 shall be so positioned to permit any authorized individual to readily observe all
21 public aspects of the voting process.

22 **SECTION 58.** 7.41 (3) (intro.) of the statutes is amended to read:

23 7.41 (3) (intro.) The municipal clerk, chief inspector or municipal clerk special
24 voting deputy may order the removal of any individual exercising the right under
25 sub. (1) if that individual commits an overt act which:

ASSEMBLY BILL 39**SECTION 59**

1 **SECTION 59.** 7.41 (3) (a) of the statutes is amended to read:

2 7.41 **(3)** (a) Disrupts the operation of the clerk's office, an alternate site
3 designated under s. 6.855, a polling place, clerk's office, or alternate site under s.
4 6.855 or a satellite absentee voting station designated under s. 6.873 (1); or

5 **SECTION 60.** 7.41 (3) (b) of the statutes is amended to read:

6 7.41 **(3)** (b) Violates s. 12.03 (2) or (2m) or 12.035.

7 **SECTION 61.** 7.41 (4) of the statutes is amended to read:

8 7.41 **(4)** No individual exercising the right under sub. (1) may view the
9 confidential portion of a registration list maintained under s. 6.36 (4) or a poll list
10 maintained under s. 6.79 (6). However, the inspectors or municipal clerk, or a special
11 voting deputy appointed under s. 6.873, shall disclose to such an individual, upon
12 request, the existence of such a list, the number of electors whose names appear on
13 the list, and the number of those electors who have voted at any point in the
14 proceedings. No such individual may view the certificate of an absent elector who
15 obtains a confidential listing under s. 6.47 (2).

16 **SECTION 62.** 7.50 (1) (d) of the statutes is amended to read:

17 7.50 **(1)** (d) Whenever an electronic voting system is used at a polling place or
18 satellite absentee voting station designated under s. 6.873 (1) in a partisan primary,
19 and the same ballot is utilized to cast votes for candidates of more than one
20 recognized political party or candidates of a party and independent candidates, if an
21 elector designates a preference for a party or for independent candidates, only votes
22 cast within that preference category may be counted. If an elector does not designate
23 a preference and makes a mark or affixes a sticker opposite candidates of more than
24 one recognized political party or opposite a candidate in the independent candidates'
25 column and a candidate of a recognized political party, no votes cast by the elector

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1 for any candidate for partisan office are valid. Votes for other candidates and votes
2 on ballot questions, if any, shall be counted if otherwise valid.

3 **SECTION 63.** 7.50 (2) (intro.) of the statutes is amended to read:

4 7.50 (2) ASCERTAINMENT OF INTENT. (intro.) All ballots cast at an election which
5 bear the initials of 2 inspectors or of the municipal clerk or special voting deputy who
6 issued the ballot shall be counted for the person or referendum question for whom
7 or for which they were intended, so far as the electors' intent can be ascertained from
8 the ballots notwithstanding informality or failure to fully comply with other
9 provisions of chs. 5 to 12. To determine intent:

10 **SECTION 64.** 7.51 (2) (c) of the statutes is amended to read:

11 7.51 (2) (c) Whenever the number of ballots exceeds the number of voting
12 electors as indicated on the poll list, the inspectors shall place all ballots face up to
13 check for blank ballots. In this paragraph, "blank ballot" means a ballot on which
14 no votes are cast for any office or question. The inspectors shall mark, lay aside and
15 preserve any blank ballots. Except in municipalities where absentee ballots are
16 canvassed under s. 7.52, if the number of ballots still exceeds the number of voting
17 electors, the inspectors shall place all ballots face down and proceed to check for the
18 initials. The inspectors shall mark, lay aside and preserve any ballot not bearing the
19 initials of 2 inspectors or any absentee ballot not bearing the initials of the municipal
20 clerk or special voting deputy who issued the ballot. During the count the inspectors
21 shall count those ballots cast by challenged electors the same as the other ballots.

22 **SECTION 65.** 7.52 (1) (c) of the statutes is amended to read:

23 7.52 (1) (c) In each municipality where absentee ballots are canvassed under
24 this section, no later than the closing hour of the polls, the municipal clerk shall post
25 at his or her office and on the Internet at a site announced by the clerk before the polls

ASSEMBLY BILL 39**SECTION 65**

1 open, and shall make available to any person upon request, a statement of the
2 number of absentee ballots that the clerk municipality has mailed or, transmitted,
3 or delivered to electors and that have been returned by the closing hour on election
4 day. The posting shall not include the names or addresses of any electors.

5 **SECTION 66.** 7.52 (3) (a) and (4) (c) of the statutes are amended to read:

6 7.52 (3) (a) The board of absentee ballot canvassers shall first open the carrier
7 envelope only, and, in such a manner that a member of the public, if he or she desired,
8 could hear, announce the name of the absent elector or the identification serial
9 number of the absent elector if the elector has a confidential listing under s. 6.47 (2).
10 When the board of absentee ballot canvassers finds that the certification has been
11 properly executed and the applicant is a qualified elector of the ward or election
12 district, the board of absentee ballot canvassers shall enter an indication on the poll
13 list next to the applicant's name indicating an absentee ballot is cast by the elector.
14 The board of absentee ballot canvassers shall then open the envelope containing the
15 ballot in a manner so as not to deface or destroy the certification thereon. The board
16 of absentee ballot canvassers shall take out the ballot without unfolding it or
17 permitting it to be unfolded or examined. Unless the ballot is cast under s. 6.95, the
18 board of absentee ballot canvassers shall verify that the ballot has been endorsed by
19 the issuing clerk or special voting deputy. If the poll list indicates that proof of
20 residence is required and no proof of residence is enclosed or the name or address on
21 the document that is provided is not the same as the name and address shown on the
22 poll list, the board of absentee ballot canvassers shall proceed as provided under s.
23 6.97 (2). The board of absentee ballot canvassers shall mark the poll list number of
24 each elector who casts an absentee ballot on the back of the elector's ballot. The board
25 of absentee ballot canvassers shall then deposit the ballot into the proper ballot box

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1 and enter the absent elector's name or poll list number after his or her name on the
2 poll list.

3 **(4)** (c) Whenever the number of ballots exceeds the number of voting electors
4 as indicated on the poll list, the board of absentee ballot canvassers shall place all
5 ballots face up to check for blank ballots. In this paragraph, "blank ballot" means
6 a ballot on which no votes are cast for any office or question. The board of absentee
7 ballot canvassers shall mark, lay aside, and preserve any blank ballots. If the
8 number of ballots still exceeds the number of voting electors, the board of absentee
9 ballot canvassers shall place all ballots face down and proceed to check for the
10 initials. The board of absentee ballot canvassers shall mark, lay aside, and preserve
11 any ballot not bearing the initials of the municipal clerk or special voting deputy who
12 issued the ballot. During the count, the board of absentee ballot canvassers shall
13 count those ballots cast by challenged electors the same as the other ballots.

14 **SECTION 67.** 12.03 (1) of the statutes is renumbered 12.03 (1) (a) and amended
15 to read:

16 12.03 **(1)** (a) No election official may engage in electioneering on election day.
17 This paragraph does not apply to an election official who is appointed under s. 6.285
18 or 6.873 and is not serving as an election official on election day.

19 **(b)** No municipal clerk or employee of the clerk may engage in electioneering in
20 the clerk's office or at the alternate site under s. 6.855 during the hours that ballots
21 may be cast at those locations.

22 **SECTION 68.** 12.03 (1m) of the statutes is created to read:

23 12.03 **(1m)** No election official appointed under s. 6.285 or 6.873 may engage
24 in electioneering at a satellite absentee voting station designated under s. 6.873 (1)
25 during the hours that absentee ballots may be cast at the station.

ASSEMBLY BILL 39**SECTION 69**

1 **SECTION 69.** 12.03 (2m) of the statutes is created to read:

2 12.03 **(2m)** (a) No person may engage in electioneering within any building, or
3 at the doors to any building, in which a satellite absentee voting station is designated
4 under s. 6.873 (1) during the hours that absentee ballots may be cast at the station.
5 This paragraph applies to electioneering on private property only if the property is
6 owned or controlled by the person who consented under s. 6.873 (1) to the designation
7 of the station.

8 (b) Except as otherwise provided in this paragraph, no person may engage in
9 electioneering within 100 feet of a satellite absentee voting station that is designated
10 under s. 6.873 (1) and that is not located within a building during the hours that
11 absentee ballots may be cast at the station. This paragraph applies to electioneering
12 on private property only if the property is owned or controlled by the person who
13 consented under s. 6.873 (1) to the designation of the station. This paragraph does
14 not apply to the placement of any material on the bumper of a motor vehicle that is
15 parked or operated at a place and time where electioneering is prohibited under this
16 paragraph.

17 **SECTION 70.** 12.03 (3) of the statutes is amended to read:

18 12.03 **(3)** A municipal clerk, election inspector, special voting deputy, or law
19 enforcement officer may remove posters or other advertising which is placed in
20 violation of this section.

21 **SECTION 71.** 12.035 (1) of the statutes is amended to read:

22 12.035 **(1)** In this section, “election–related material” means any written
23 matter which describes, or purports to describe, the rights or responsibilities of
24 individuals voting or registering to vote at a ~~polling place~~ or voting an ~~absentee ballot~~

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1 at a polling place, at the office of the municipal clerk or an alternate site under s.
2 6.855, or at a satellite absentee voting station designated under s. 6.873.

3 **SECTION 72.** 12.035 (3) (c) and (d) of the statutes are amended to read:

4 12.035 (3) (c) No person may post or distribute any election-related material
5 at the office of the municipal clerk ~~or at~~ an alternate site under s. 6.855, or a satellite
6 absentee voting designated station under s. 6.873 during hours that absentee ballots
7 may be cast.

8 (d) No person may post or distribute election-related material during the hours
9 that absentee ballots may be cast on any public property within 100 feet of an
10 entrance to a building ~~containing in which~~ the office of the municipal clerk ~~or~~ an
11 alternate site under s. 6.855, or a satellite absentee voting station designated under
12 s. 6.873 is located.

13 **SECTION 73.** 12.035 (5) of the statutes is amended to read:

14 12.035 (5) A municipal clerk, election inspector, special voting deputy, or law
15 enforcement officer may remove election-related material posted in violation of sub.
16 (3) and may confiscate election-related material distributed in violation of sub. (3).

17 **SECTION 74.** 12.13 (3) (k) of the statutes is amended to read:

18 12.13 (3) (k) Forge or falsely make the official endorsement on a ballot or
19 knowingly deposit a ballot in the ballot box upon which the names or initials of the
20 ~~ballot clerks inspectors~~, or those of ~~issuing clerks~~ the issuing clerk or special voting
21 deputy do not appear.

22 **SECTION 75.** 12.13 (3) (r) of the statutes is amended to read:

23 12.13 (3) (r) Remove a ballot from a polling place or satellite absentee voting
24 station designated under s. 6.873 (1) before the ~~polls are~~ the polling place or station
25 is closed.

