



State of Wisconsin
2009 - 2010 LEGISLATURE

Stays #1

LRB-4531/1

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Wed 3/17

stays

2009 BILL

Stays
#1

SAW

Regenerate

1 AN ACT ~~to repeal~~ 6.86 (2), 6.865 (3) and 6.865 (3m) (c); **to renumber** 5.07; **to**
2 **renumber and amend** 6.86 (2m), 7.52 (5), 7.52 (6) (a) and 7.52 (6) (b); **to**
3 **consolidate, renumber and amend** 6.25 (4) (intro.), (a) and (b); **to amend**
4 5.05 (1) (e), 5.05 (1) (f), 5.05 (13) (title), 5.056, 5.06 (2), 5.25 (4) (b), 5.35 (6) (a)
5 (intro.), 5.35 (6) (a) 5., 5.35 (6) (b), 5.35 (6) (c), 5.84 (1), 6.22 (4) (a), 6.22 (4) (e),
6 6.22 (6), 6.221 (1), 6.221 (3) (b), 6.24 (4) (c), 6.25 (1), 6.275 (1) (c), 6.275 (1) (d),
7 6.28 (1), 6.28 (4), 6.29 (1), 6.29 (2) (a), 6.29 (2) (b), 6.29 (2) (d), 6.33 (5) (a), 6.34
8 (2), 6.34 (3) (a) 7., 6.34 (3) (b) (intro.), 6.36 (1) (a), 6.36 (1) (b) 1. a., 6.36 (2) (a),
9 6.36 (2) (c), 6.54, 6.55 (title), 6.55 (2) (a) 1., 6.55 (2) (b), 6.55 (2) (c) 1. and 2., 6.55
10 (2) (cs), 6.55 (5), 6.79 (4), 6.855 (title), 6.855 (1), 6.855 (2), 6.86 (1) (a) (intro.),
11 6.86 (1) (a) 3., 6.86 (1) (ac), 6.86 (1) (b), 6.86 (1) (b), 6.86 (1) (c), 6.86 (3) (a), 6.86
12 (3) (c), 6.865 (title), 6.865 (3m) (a), 6.865 (3m) (b), 6.869, 6.87 (2) (intro.), 6.87
13 (3) (d), 6.87 (4), 6.87 (9), 6.875 (3), 6.875 (4) (a), 6.875 (6) (c) 1., 6.88 (3) (b), 6.88
14 (3) (c), 6.925, 6.93, 7.08 (1) (c), 7.15 (1) (cm), 7.15 (1) (j), 7.15 (2m), 7.15 (4), 7.41

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1 (4), 7.51 (3) (d), 7.52 (3) (b), 7.52 (4) (i), 9.01 (1) (b) 2., 10.01 (2) (e), 12.09 (1) and
 2 (3), 12.13 (1) (b), 12.13 (1) (c), 12.13 (1) (d), 12.13 (2) (b) 3., 12.60 (1) (a), 12.60
 3 (4), 85.61 (1), 939.50 (3) (d), and 939.50 (3) (e); **to repeal and recreate** 6.86 (1)
 4 (a) 3.; and **to create** 5.05 (13) (c) and (d), 5.07 (2), 5.25 (4) (c), 5.34, 5.35 (6) (a)
 5 4c., 5.35 (6) (d), 6.22 (2) (e), 6.24 (4) (e), 6.256, 6.29 (2) (e), 6.34 (2n), 6.34 (3) (d),
 6 6.34 (4), 6.36 (1) (bm), 6.86 (1) (ab), 6.86 (1) (ad), 6.86 (3) (d), 6.868, 6.87 (2m),
 7 7.08 (3) (d) to (g), 7.08 (12), 12.17, 12.19, 12.60 (1) (am), 12.60 (1) (an), 12.60 (1)
 8 (ap), 12.60 (1) (bn) and 19.685 of the statutes; **relating to:** various changes in
 9 election laws, granting rule-making authority, and providing penalties.

Analysis by the Legislative Reference Bureau

This bill makes various changes in laws relating to elections and voting. Significant provisions include:

Voter registration

Currently, with the exception of individuals who are defined as "military electors" under state law and new or former residents voting for president and vice president, all eligible electors of this state must register in order to vote in an election in this state. The registration period for each election ends on the 20th day before that election, but an eligible elector may register to vote in an election after that date at the office of the municipal clerk or board of election commissioners of the municipality where he or she resides or at the polling place serving his or her residence by providing specified proof of residence. In order to register, an individual must provide his or her name, residence location, citizenship, date of birth, age, and the number of a valid Wisconsin driver's license or the last four digits of his or her social security number. An individual must also affirm that he or she: 1) has resided in his or her ward (or municipality if not divided into wards) for at least ten days; 2) has not been convicted of a felony for which he or she has not been pardoned and has not completed his or her sentence; 3) is not disqualified on any other ground from voting; and 4) is not registered to vote at any other location. The burden is on the elector to initiate registration and, if the elector's name, address, or eligibility changes, to initiate any change in registration required to maintain a valid registration.

This bill makes it the responsibility of the Government Accountability Board (GAB) to ~~ensure that~~ all eligible electors of this state ~~are registered to vote and remain registered to vote~~ for so long as they remain eligible, except as the law specifically requires electors to take some action to confirm or continue their registrations. Under the bill, GAB must ~~ensure that~~ all eligible electors ~~in this state~~

who are subject to a registration requirement and the maintenance of the register of all eligible electors.

use all feasible means to facilitate the registration and attempt to facilitate the initial registration

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~~are initially registered~~ in accordance with the bill's requirements and procedures no later than July 1, 2015. To assist with its responsibility, the bill directs GAB and the Department of Transportation to enter into an agreement for the purpose of transferring specified personally identifiable information in DOT's records to GAB. The bill requires GAB to maintain the confidentiality of any information that GAB obtains under the agreement. Under the bill, once GAB obtains all the information required under current law to complete an elector's registration, GAB adds the elector's name to the statewide registration list. GAB does not notify the elector of the addition, but the information is accessible on the Internet. No registration of an elector that is added to the list by GAB is valid until the elector confirms with GAB, on a form prescribed by GAB, that all the information pertaining to his or her registration is correct and accurate as of the date of the confirmation. The bill permits an elector to confirm a registration by any of the following means: 1) by electronic means on the Internet using a secure procedure prescribed by GAB; 2) by mail; or 3) by appearing in person at the office of the municipal clerk or board of election commissioners where the elector resides or at the polling place serving the elector's residence. The bill also permits an individual whose name is added to the registration list by GAB to file a request to have his or her name deleted from the list or to revoke a deletion request previously made. A deletion or revocation of a deletion request may be made in the same manner that a registration may be confirmed. In addition, the bill directs GAB to notify an individual by first class postcard whenever GAB removes his or her name from the registration list or changes his or her status on the list from eligible to ineligible, other than by request of the elector, except when GAB removes a duplicate entry from the list or changes the name of a deceased person from eligible to ineligible status.

Currently, if an elector is eligible to vote and is not registered to vote, the elector may register to vote and vote at the polling place serving his or her residence on election day by providing proof of residence or by having another elector of the municipality where the polling place is located corroborate his or her registration information. This bill permits an elector whose registration has been entered on the registration list by GAB to confirm his or her registration and vote on election day at the same polling place in the same manner as currently provided for original registration.

Currently, with certain exceptions, if an elector registers to vote by mail and has not voted in an election in this state, the elector must provide proof of residence prior to voting. This bill extends this requirement to apply to an elector whose registration is initiated by GAB but who has not confirmed his or her registration and has not voted in an election in this state. The bill also provides that if such an elector provides his or her Wisconsin driver's license number or his or her social security number, together with his or her name and date of birth, and GAB is able to instantly verify the information electronically by electronically accessing records of DOT, the elector need not provide proof of residence before voting.

Currently, in order to register to vote, an elector must provide his or her date of birth. This information becomes a part of the statewide voter registration list. Information on the registration list concerning the date of birth of an elector is not

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open to public inspection. This bill limits this restriction only to information concerning the birthday of an elector, thus permitting public access to information concerning an elector's year of birth.

The bill directs GAB to report to the appropriate standing committees of the legislature, no later than July 1, 2011, concerning its progress in initially implementing the registration system created by the bill. The report must contain an assessment of the feasibility and desirability or integration of registration information with information maintained by the departments of health services, children and families, workforce development, revenue, regulation and licensing, and natural resources and the University of Wisconsin System.

Currently, information on the statewide voter registration list relating to the date of birth, operator's license number, or social security number of an elector, the confidential address of an elector who is subject to domestic abuse, sexual assault, or stalking, or an accommodation required to assist a disabled elector is open to inspection only by election officials and administrators. This bill permits ~~the~~ ~~Government Accountability Board (GAB)~~ to transfer any of this information to another state agency or authority or to a subunit of the state government of another state except information obtained from DOT. The bill also prohibits a state agency or authority or officer or employee thereof from providing access to any transferred information to a third party. Violators are subject to a forfeiture (civil penalty) of not more than \$500 for each violation.

Currently, municipal clerks and boards of election commissioners must update changes in the voter registration list received on election day no later than 30 days after the date of the election. This bill permits these changes to be updated within 45 days after a general (November) election, and further permits the legal counsel of GAB to permit a municipal clerk or board of election commissioners, upon application, to update the registration list with changes received on the date of the general election within 60 days after the date of the election.

Absentee voting

This bill makes various changes in the laws pertaining to absentee voting. Most of the changes relate to absentee voting by military and overseas electors of this state. State law contains different definitions of the terms "military elector" and "overseas elector." One set of definitions mirrors the definitions found in federal law. Under federal law, a "military elector" includes 1) a member of a uniformed service on active duty who, by reason of that duty, is absent from the residence where the member is otherwise qualified to vote; 2) a member of the merchant marine who, by reason of service in the merchant marine, is absent from the residence where the member is otherwise qualified to vote; and 3) the spouse or dependent of any such member who, by reason of the duty or service of the member, is absent from the residence where the person is otherwise qualified to vote. The federal definition of "overseas elector" includes an elector who resides outside the United States and who is qualified under federal law to vote in elections for national office in this state because the elector last resided in this state immediately prior to the elector's departure from the United States. The other set of definitions applies for certain state purposes and includes all the persons who are included in the federal

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definitions but also includes other persons. The state definition of the term "military elector" includes 1) members of a uniformed service who are not on active duty or who are not absent from their residences by reason of their service or both; 2) members of the merchant marine who are not absent from their residences; 3) civilian employees of the United States and civilians officially attached to a uniformed service who are serving outside the United States; 4) Peace Corps volunteers; and 5) spouses and dependents of these persons who are residing with or accompanying them. The state definition of "overseas elector" includes children of persons who qualify as overseas electors under federal law who are U.S. citizens at least 18 years of age, who are not disqualified from voting in this state, and who are not residents of this state. Significant provisions relating to absentee voting include:

1. Currently, an individual who is a qualified elector of a municipality, other than a "military elector" or an "overseas elector" as defined by state law, may file an application with the municipal clerk or board of election commissioners of the municipality where the individual resides requiring the clerk or board to send an absentee ballot to the individual without further request for every succeeding election held in the same calendar year in which the request is made, or until the individual is no longer a qualified elector of the municipality or the individual otherwise requests. Currently, an elector who is indefinitely confined may file a single request to receive absentee ballots automatically for each election. If a confined elector fails to cast an absentee ballot, the municipal clerk or board of election commissioners notifies the elector that he or she will not receive absentee ballots for subsequent elections unless the elector reapplies to receive ballots within 30 days of receiving the notice. Currently, an overseas elector, as defined by state law, who requests an absentee ballot is sent an absentee ballot for all federal elections that occur in the same calendar year as the year in which the request is made, unless the elector otherwise requests. Current law directs municipal clerks and boards of election commissioners to send military electors, as defined by state law, absentee ballots for every election if they request a ballot for one election and to verify their military status without the necessity of making additional application. The clerk or board must discontinue sending absentee ballots to a military elector if the elector so requests, the elector no longer qualifies as a military elector of the municipality, or the elector fails to return at least one of the ballots sent to the elector within a period that encompasses three successive general elections.

This bill directs a municipal clerk or board of election commissioners to send an absentee ballot to an individual who is a qualified elector of the municipality, other than a military elector or an overseas elector, as defined by state law, and who files a valid application to receive an absentee ballot for every election following receipt of the application until the individual no longer qualifies to receive a ballot, the individual requests not to receive ballots, or the individual fails to return an absentee ballot that is mailed to the individual. Under the bill, a municipal clerk or board of election commissioners must attempt to notify any individual whose name is removed from the list of electors who automatically receive absentee ballots unless the individual requests that his or her name be removed. The individual may then request to continue to receive absentee ballots if he or she is qualified to do so. These

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changes do not affect the current procedure for sending absentee ballots to military and overseas electors, as defined by state law.

2. Currently, all electors who cast an absentee ballot, whether by mail or in person at the office of the municipal clerk or board of election commissioners, must sign a certificate that is printed on the envelope into which they deposit their ballots. The certificate certifies, subject to criminal penalties, that the elector meets specific voting qualifications and personally voted the ballot secretly unless the elector required assistance. The certificate must be witnessed by one adult U.S. citizen who also signs the certificate and certifies subject to the same penalties that the elector's statements are true, the ballot was voted as stated, and the witness did not solicit or advise the elector in casting his or her votes. This bill provides that for an elector voting an absentee ballot in person at the office of the municipal clerk or board of election commissioners or an alternate site designated by a municipality, GAB may prescribe an envelope to be used in place of the statutory certificate envelope. No certification and no witness is required on such envelopes. The bill requires GAB's envelope to include the elector's name, residence, and ward and aldermanic district, if any.

3. Currently, the governing body of a municipality may designate a single alternate site for absentee voting in person by electors of the municipality. If designated, this site serves in lieu of the office of the municipal clerk or board of election commissioners as the site where absentee voting is conducted for the election at which the designation is made.

This bill permits the governing body of a municipality to designate more than one alternate site for absentee voting in person by electors of the municipality. Under the bill, an alternate site may be used for absentee voting in addition to or in lieu of use of the office of the municipal clerk or board of election commissioners. The bill also directs a municipality that designates an alternate site for absentee voting at an election to notify ~~the Government Accountability Board~~ in writing of its designation.
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4. Currently, an elector who wishes to cast an absentee ballot must file a written, signed application, but the form of the application is not specified. This bill provides that an elector who wishes to cast an absentee ballot in person at the office of the municipal clerk or board of election commissioners or at an alternate site must apply on a form prescribed by GAB.

5. Currently, the municipal clerk or board of election commissioners of a municipality must begin distributing absentee ballots to electors who have requested them no later than the 30th day before each September primary and general election and no later than the 21st day before each other primary or election. This bill retains this requirement but provides that the period for absentee voting in person at the office of the clerk or board or an alternate site begins on the 21st day before each election and ends on the day before each election.

6. Currently, an elector who requests an absentee ballot in person or by mail must make written application and must sign the application. However, if an elector requests an absentee ballot by electronic mail or facsimile transmission, the elector need not file a written application but must enclose with his or her returned ballot

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a copy of a request for an absentee ballot together with his or her original signature. This bill deletes the requirement for electors who apply for an absentee ballot by electronic mail or facsimile transmission to provide a request and original signature when returning their ballots.

7. Under current law, any qualified absentee elector may request an absentee ballot by means of electronic mail or facsimile transmission. If an elector so requests, the elector must mail with his or her voted absentee ballot a copy of an absentee ballot application containing his or her original signature. In addition, an absentee elector may request that his or her absentee ballot be transmitted to him or her by electronic mail or facsimile transmission and a municipal clerk or board of election commissioners may transmit the ballot as requested. This bill provides that the municipal clerk or board of election commissioners must transmit the ballot if the clerk or board receives a valid request.

8. Current law permits a military or overseas elector, as defined in state law, to cast a vote in any general election in which a federal office is to be filled by writing in the name of a candidate on a blank absentee ballot form prescribed by the U.S. government and returning the ballot to the appropriate municipal clerk or board of election commissioners. This bill permits such a ballot to be cast at any election, including any primary election, at which a federal office is to be filled.

9. This bill directs ~~the Government Accountability Board (GAB)~~ GAB, with the assistance of county and municipal clerks and boards of election commissioners, to designate at least one freely accessible means of electronic communication which shall be used to: 1) permit a military or overseas elector, as defined by federal law, to request a voter registration or absentee ballot application and to indicate whether he or she wishes to receive the application electronically or by mail; and 2) permit a municipal clerk or board of election commissioners to transmit an application to a military or overseas elector, as defined by federal law, electronically or by mail, as requested by the elector, together with related voting, balloting and election information. The bill also directs GAB, with the assistance of county and municipal clerks and boards of elections commissioners, to maintain a freely accessible system whereby a military or overseas elector who casts an absentee ballot may ascertain whether the ballot has been received by the appropriate municipal clerk or board. No similar provisions exist currently.

10. Under current federal law, states are required to transmit absentee ballots to military and overseas electors no later than 45 days before each federal election at which the electors are entitled to vote, if the electors have requested their ballots by that time. However, a state may request a hardship waiver from the federal government, for a single election only, if the state's primary election date does not permit compliance with this requirement and the state takes other actions to ensure expeditious delivery of absentee ballots to military and overseas electors. This bill directs the legal counsel to GAB to request a hardship waiver on behalf of this state for the 2010 September primary and general election and, if the waiver is not granted, report that fact to the appropriate standing committees of the legislature. In addition, the bill directs GAB to report to the same committees no later than January 1, 2011, concerning the timeline used by this state for the absentee voting

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process and the feasibility of making adjustments to enable compliance with the timeline prescribed by federal law.

11. Currently, an absentee ballot cast by an elector is void unless it is received at the polling place for the elector's residence by 8 p.m. on election night. However, state law provides that if an elector is a military elector, as defined by federal law, the elector has an additional ten days after the general election and 7 days after the September primary for the elector's ballot to be received by his or her municipality if the ballot is postmarked by election day. This bill extends a similar ten-day dispensation to military electors voting in the presidential preference primary or a special federal election.

12. Currently, an elector who is a military elector, as defined by state law, or an overseas elector, as defined by state law, and who applies for an absentee ballot no later than 30 days before an election may cast a blank write-in ballot at that election in lieu of the official printed ballot, for any candidates for federal office whose offices are contested at that election. The ballot is valid only if it is submitted from a location outside the United States. This bill permits such an elector to cast a blank write-in absentee ballot after official printed ballots become available if he or she applies for an absentee ballot no later than the latest time permitted for application for an absentee ballot under state law. The bill also permits a military elector to cast such a ballot even if the ballot is submitted from a location inside the United States, including the elector's permanent residence.

13. Currently, GAB must prescribe uniform instructions for absentee voters. This bill provides that the instructions must include the specific means of electronic communication that absentee voters may use to file an application for an absentee ballot, to request a voter registration form, or to change their registrations.

14. Currently, when an elector registers to vote in person at the office of the municipal clerk or board of election commissioners after the close of registration for an election, the clerk or board issues a registration certificate to the elector. This bill provides that the clerk or board shall issue a registration certificate only if the elector does not wish to cast an absentee ballot when registering.

15. Currently, an individual may grant the power of attorney to another individual to act on his or her behalf under certain conditions specified by the grantor. This bill specifically permits an individual who has been granted the power of attorney to act on behalf of another individual and who has authority to act on the grantor's behalf to apply for an absentee ballot on behalf of the grantor if the grantor is unable to sign an application. The bill also permits such an individual to apply for an absentee ballot on behalf of a hospitalized elector and, if the elector is not registered, to sign the elector's voter registration form on his or her behalf. In addition, the bill provides that an individual who has been granted a power of attorney to act as the agent of an elector is not permitted to cast a ballot on behalf of the elector, but if the elector has difficulty reading, writing, or understanding English or due to disability is unable to mark a ballot, the elector may request assistance in marking his or her ballot from the agent or, with certain exceptions, from another individual.

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16. Current law permits a qualified elector to apply for an absentee ballot by mail, facsimile transmission, or electronic mail. The law also specifies deadlines for receipt of applications by mail. This bill provides that the deadlines for receipt of applications by facsimile transmission or electronic mail are the same as those for receipt of applications by mail.

Deceptive election practices

Currently, the statutes provide that no person may knowingly make or publish, or cause to be made or published, a false representation pertaining to a candidate or referendum that is intended to affect voting at an election. Violators may be fined not more than \$1,000 or imprisoned for not more than six months, or both.

This bill prohibits any person, whether acting in an official capacity or otherwise, from intentionally deceiving any other person regarding the date, time, place, or manner of conducting an election; the qualifications for voting or restrictions on the eligibility of electors to vote in an election; or the endorsement of candidates by specified persons. Any person who violates the prohibition with intent to prevent any person from exercising the right to vote in an election may be fined not more than \$100,000 or imprisoned for not more than five years, or both.

The bill permits any person who is aggrieved by an alleged violation to obtain a court order restraining the violation. The bill also permits any person to file a sworn complaint with the Government Accountability Board alleging that a violation has occurred or is occurring. If the board finds that the facts alleged in the complaint, if true, would constitute a violation, it must promptly investigate the complaint. If the board finds that a violation has occurred or is occurring, the board must take all measures necessary to provide correct information to electors who may have been deceived by the actions of the alleged violator and must refer the matter to the appropriate authority for prosecution.

The bill also directs the Government Accountability Board to promulgate rules concerning corrective measures that may be appropriate whenever violations occur. In addition, the bill directs the board to report biennially to the appropriate standing committees of the legislature with regard to violations and actions taken in response to violations.

Voter intimidation, suppression, and protection

Currently, no person may make use of or threaten to make use of force, violence, or restraint in order to compel any person to vote or refrain from voting at an election, and no person may, by any act compel, induce, or prevail upon an elector to either vote or refrain from voting at any election for or against a particular candidate or question. Violators may be fined not more than \$10,000 or imprisoned for not more than three years and six months, or both.

This bill provides that no person may make use of or threaten to make use of force, violence, restraint, or any tactic of coercion or intimidation in order to induce or compel any person to vote or refrain from voting or to refrain from registering to vote at an election, and no person may use or threaten to use force or violence or by use of any threat of any act of coercion or intimidation compel, induce, or prevail upon an elector either to vote or refrain from voting at any election for or against a

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candidate or question. Violators may be fined not more than \$100,000 or imprisoned for not more than three years, or both.

The bill also provides that no person may knowingly attempt to prevent or deter another person from voting or registering to vote based upon fraudulent, deceptive, or spurious grounds or information. Violators may be fined not more than \$50,000 or imprisoned for not more than two years, or both.

Currently, municipal clerks and boards of election commissioners are directed by law to post specified materials at each polling place. ~~The Government Accountability Board~~ is directed to publish a manual that may be easily understood by the general public explaining the duties of election officials. Currently, ~~the board~~ is also directed to ensure that in any jurisdiction in this state that is required under federal law to provide voting materials in a language other than English, the voting system used in that jurisdiction is in compliance with federal law. There is no specific penalty for violations, but the requirements are enforceable administratively and through the court system.

This bill creates a voter's bill of rights and directs municipal clerks and boards of election commissioners to post a copy of the bill of rights at each polling place unless otherwise permitted by ~~the Government Accountability Board~~. The bill directs ~~the board~~ to include a number of specific items in its manual. The bill also requires that at each polling place located in a jurisdiction that is required under federal law to provide voting materials in a language other than English, all required postings must be made in that language as well as in English unless otherwise permitted by ~~the board~~. See *Polling place posting requirements*, below. In addition, the bill directs the municipal clerk or board of election commissioners of any such jurisdiction to contact and coordinate with organizations that advocate for the rights of individuals who speak that language to ensure that each polling place in the jurisdiction adequately serves the needs of these individuals, and to endeavor to ensure that at least one of the election officials who serves at each polling place in the jurisdiction speaks that language. Violators are subject to a forfeiture (civil penalty) of not more than \$500 for each violation.

The bill also permits any elector of this state to sue for injunctive relief, a court order requiring or prohibiting certain action, or any other appropriate relief, to compel compliance with the bill's prohibitions and requirements relating to voter intimidation, suppression, and protection. Currently, an elector may be required to pursue administrative relief before filing suit, and in some cases must petition a district attorney or the attorney general to file suit on his or her behalf.

Polling place posting requirements

Currently, the law requires a number of notices to be posted at each polling place on election day. The notices include the date and hours of the election, sample ballots, local area maps, voting instructions, election fraud laws, warnings about ~~mismarking ballots in ways that will void them~~, and other information prescribed by ~~the Government Accountability Board~~. This bill adds two new posting requirements (see *Voter intimidation, suppression, and protection*, above). The bill also permits ~~the Government Accountability Board~~, directly or by delegation to its legal counsel, to authorize another means of providing notice to affected electors of

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current and complete address. However, if a student at a university, college, or technical college presents a fee or identification card, and the university, college, or technical college provides a current list of students residing in housing sponsored by the university, college, or technical college to a municipal clerk, and the municipal clerk, special registration deputy, or inspector (poll worker) verifies that the name of the student presenting a card appears on the list, the card need not contain the required information in order to be valid.

This bill provides that a municipal clerk, special registration deputy, or inspector must accept a university, college, or technical college fee or identification card presented by a student as proof of residence for registration or voting at an election if the student's university, college, or technical college has provided to the municipal clerk a current list of students residing in housing sponsored by the university, college, or technical college and the student's name appears on the list.

Because this bill creates a new crime or revises a penalty for an existing crime, the Joint Review Committee on Criminal Penalties may be requested to prepare a report concerning the proposed penalty and the costs or savings that are likely to result if the bill is enacted.

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

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

1 **SECTION 1.** 5.05 (1) (e) of the statutes is amended to read:

2 5.05 (1) (e) Delegate to its legal counsel the authority to intervene in a civil
3 action or proceeding under sub. (9), issue an order under s. 5.06, exempt a polling
4 place from accessibility requirements under s. 5.25 (4) (a), permit a municipality to
5 provide notices required at polling places by alternative means under s. 5.35 (6) (d),
6 exempt a municipality from the requirement to use voting machines or an electronic
7 voting system under s. 5.40 (5m), approve an electronic data recording system for
8 maintaining poll lists under s. 6.79, ~~or~~ authorize nonappointment of an individual
9 who is nominated to serve as an election official under s. 7.30 (4) (e), or review and
10 investigate complaints received under s. 12.17 (4) and order corrective measures
11 under s. 12.17 (5), subject to such limitations as the board deems appropriate.

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1 **SECTION 2.** 5.05 (1) (f) of the statutes is amended to read:

2 5.05 (1) (f) Promulgate rules under ch. 227 applicable to all jurisdictions for the
3 purpose of interpreting or implementing the laws regulating the conduct of elections
4 or election campaigns or ensuring their proper administration, and shall promulgate
5 rules to enforce ss. 5.25 (4) (b), 5.34, 5.35 (6) (a) 4c., 12.09, and 12.19 and rules
6 concerning the methods and means of providing corrective information to electors
7 under s. 12.17 (5).

8 **SECTION 3.** 5.05 (13) (title) of the statutes is amended to read:

9 5.05 (13) (title) TOLL-FREE ELECTION INFORMATION EXCHANGE AND REQUESTS.

10 **SECTION 4.** 5.05 (13) (c) and (d) of the statutes are created to read:

11 5.05 (13) (c) Maintain a freely accessible system under which a military elector
12 or an overseas elector, as defined in s. 6.34 (1), who casts an absentee ballot may
13 ascertain whether the ballot has been received by the appropriate municipal clerk.

14 (d) Designate and maintain at least one freely accessible means of electronic
15 communication which shall be used for the following purposes:

16 1. To permit a military elector or an overseas elector, as defined in s. 6.34 (1),
17 to request a voter registration application or an application for an absentee ballot at
18 any election at which the elector is qualified to vote in this state.

19 2. To permit a military elector or an overseas elector under subd. 1. to designate
20 whether the elector wishes to receive the applications under subd. 1. electronically
21 or by mail.

22 3. To permit a municipal clerk to transmit to a military elector or an overseas
23 elector under subd. 1. a registration application or absentee ballot application
24 electronically or by mail, as directed by the elector under subd. 2., together with
related voting, balloting, and election information.

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BILL**SECTION 5**

1 **SECTION 5.** 5.056 of the statutes is amended to read:

2 **5.056 Matching program with secretary of transportation.** The
3 administrator of the elections division of the board shall enter into the agreement
4 with the secretary of transportation specified under s. 85.61 (1) to match personally
5 identifiable information on the official registration list maintained by the board
6 under s. 6.36 (1), the information specified in s. 6.34 (2n), and other information
7 specified in s. 6.256 (2) with personally identifiable information maintained by the
8 department of transportation. The agreement shall provide for the electronic
9 transfer of information under s. 6.256 (2) to the board on a continuous basis, no less
10 often than monthly.

11 **SECTION 6.** 5.06 (2) of the statutes is amended to read:

12 **5.06 (2)** ~~No~~ Except as authorized in ss. 5.07 (2) and 12.17 (3), no person who
13 is authorized to file a complaint under sub. (1), other than the attorney general or
14 a district attorney, may commence an action or proceeding to test the validity of any
15 decision, action or failure to act on the part of any election official with respect to any
16 matter specified in sub. (1) without first filing a complaint under sub. (1), nor prior
17 to disposition of the complaint by the board. A complaint is deemed disposed of if the
18 board fails to transmit an acknowledgment of receipt of the complaint within 5
19 business days from the date of its receipt or if the board concludes its investigation
20 without a formal decision.

21 **SECTION 7.** 5.07 of the statutes is renumbered 5.07 (1).

22 **SECTION 8.** 5.07 (2) of the statutes is created to read:

23 **5.07 (2)** Whenever a violation of s. 5.25 (4) (b), 5.34, 5.35 (6) (a) 4c., 7.08 (3),
24 12.09, or 12.19 occurs or is proposed to occur, any elector of this state may sue for
25 injunctive relief, a writ of mandamus or prohibition, or such other legal or equitable

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1 relief as may be appropriate to compel compliance with the law. The action shall be
2 filed in circuit court for the county where the violation occurs or is proposed to occur.
3 In such actions, the court shall award costs and reasonable actual attorney fees to
4 the plaintiff if the plaintiff prevails in the action.

5 **SECTION 9.** 5.25 (4) (b) of the statutes is amended to read:

6 5.25 (4) (b) In any jurisdiction that is subject to the requirement under 42 USC
7 1973aa-1a to provide voting materials in ~~any a~~ language other than English, the
8 board shall, for each such language, ensure that the notices specified in s. 5.35 (6)
9 are given in that language and the voting system used at each polling place in that
10 jurisdiction is in compliance with 42 USC 1973aa-1a.

11 **SECTION 10.** 5.25 (4) (c) of the statutes is created to read:

12 5.25 (4) (c) In any jurisdiction that is subject to the requirement under 42 USC
13 1973aa-1a to provide voting materials in a language other than English, the
14 municipal clerk or board of election commissioners shall, for each such language,
15 contact and coordinate with organizations that advocate for the rights of individuals
16 who speak that language to ensure that each polling place in the jurisdiction
17 adequately serves the needs of those individuals and shall endeavor to ensure that
18 at least one of the election officials who serves at each polling place in the jurisdiction
19 speaks that language.

20 **SECTION 11.** 5.34 of the statutes is created to read:

21 **5.34 Voter's bill of rights.** Every qualified elector has the right to:

22 (1) Inspect a sample ballot before voting.

23 (2) Cast a ballot if he or she is in line when his or her polling place closes.

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1 **(3)** Ask for and receive assistance in voting, including assistance in a language
2 other than English if the elector resides in a jurisdiction where voting materials must
3 be provided in that language under 42 USC 1073aa-1a.

4 **(4)** Receive a replacement ballot, up to 3 ballots in all, if he or she spoils a ballot
5 before casting that ballot.

6 **(5)** Cast a provisional ballot whenever permitted under s. 6.96 or 6.97.

7 **(6)** Vote free from coercion or intimidation by any election official or other
8 person.

9 **(7)** Cast a ballot using voting materials or equipment that enables the elector's
10 ballot to be counted accurately.

11 **SECTION 12.** 5.35 (6) (a) (intro.) of the statutes is amended to read:

12 5.35 **(6)** (a) (intro.) ~~At~~ Except as authorized under par. (d), at each polling place
13 in the state, the municipal clerk or board of election commissioners shall post the
14 following materials, positioned so that they may be readily observed by electors
15 entering the polling place or waiting in line to vote:

16 **SECTION 13.** 5.35 (6) (a) 4c. of the statutes is created to read:

17 5.35 **(6)** (a) 4c. A copy of the voter's bill of rights under s. 5.34.

18 **SECTION 14.** 5.35 (6) (a) 5. of the statutes is amended to read:

19 5.35 **(6)** (a) 5. Any other voting information directed ~~to be posted~~ by the board
20 to be posted, or noticed under par. (d).

21 **SECTION 15.** 5.35 (6) (b) of the statutes is amended to read:

22 5.35 **(6)** (b) ~~At~~ Except as authorized under par. (d), at each polling place in the
23 state where a consolidated ballot under s. 5.655 is used or an electronic voting system
24 is utilized at a partisan primary election incorporating a ballot upon which electors
25 may mark votes for candidates of more than one recognized political party or for

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1 candidates of a recognized political party and independent candidates, the municipal
2 clerk or board of election commissioners shall prominently post a sign in the form
3 prescribed by the board warning electors in substance that on any ballot with votes
4 cast for candidates of more than one recognized political party or any ballot with
5 votes cast for candidates of a recognized political party and independent candidates,
6 no votes cast for any candidates for partisan office will be counted unless a preference
7 for a party or for the independent candidates is made. If the elector designates a
8 preference, only votes cast for candidates of that preference will be counted.

9 **SECTION 16.** 5.35 (6) (c) of the statutes is amended to read:

10 5.35 (6) (c) ~~At~~ Except as authorized in par. (d), at each polling place located in
11 a municipality that is served by more than one polling place for an election, the
12 municipal clerk or board of election commissioners shall prominently post a map of
13 the geographic area served by the polling place for that election. The posting shall
14 clearly show the boundaries of the ward or wards served by the polling place for that
15 election.

16 **SECTION 17.** 5.35 (6) (d) of the statutes is created to read:

17 5.35 (6) (d) As an alternative to any posting requirement under this subsection,
18 the board may authorize another means of providing notice to affected electors of the
19 information specified in this subsection if the board determines that an alternative
20 means of providing the information will provide notice to affected electors of that
21 information that is at least as effective as posting. Any authorization under this
22 paragraph shall be in writing and shall specify the particular alternative means of
23 notification of electors that may be used by a municipality.

24 **SECTION 18.** 5.84 (1) of the statutes is amended to read:

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1 5.84 (1) Where any municipality employs an electronic voting system which
2 utilizes automatic tabulating equipment, either at the polling place or at a central
3 counting location, the municipal clerk shall, on any day ~~not more than 10 days~~ after
4 ballots become available prior to the date of the election ~~day on~~ at which the
5 equipment is to be utilized, have the equipment tested to ascertain that it will
6 correctly count the votes cast for all offices and on all measures. Public notice of the
7 time and place of the test shall be given by the clerk at least 48 hours prior to the test
8 by publication of a class 1 notice under ch. 985 in one or more newspapers published
9 within the municipality if a newspaper is published therein, otherwise in a
10 newspaper of general circulation therein. The test shall be open to the public. The
11 test shall be conducted by processing a preaudited group of ballots so marked as to
12 record a predetermined number of valid votes for each candidate and on each
13 referendum. The test shall include for each office one or more ballots which have
14 votes in excess of the number allowed by law and, for a partisan primary election, one
15 or more ballots which have votes cast for candidates of more than one recognized
16 political party, in order to test the ability of the automatic tabulating equipment to
17 reject such votes. If any error is detected, the municipal clerk shall ascertain the
18 cause and correct the error. The clerk shall make an errorless count before the
19 automatic tabulating equipment is approved by the clerk for use in the election.

20 **SECTION 19.** 6.22 (2) (e) of the statutes is created to read:

21 6.22 (2) (e) A military elector may file an application for an absentee ballot by
22 means of electronic mail or facsimile transmission in the manner prescribed in s. 6.86
23 (1) (ac). Upon receipt of a valid application, the municipal clerk shall send the elector
24 an absentee ballot or, if the elector so requests, shall transmit an absentee ballot to

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1 the elector by means of electronic mail or facsimile transmission in the manner
2 prescribed in s. 6.87 (3) (d).

3 **SECTION 20.** 6.22 (4) (a) of the statutes is amended to read:

4 6.22 (4) (a) A request for an absentee ballot by an individual who qualifies as
5 a military elector shall be treated as a request for an absentee ballot for all elections
6 unless the individual otherwise requests. Upon receiving a timely request for an
7 absentee ballot under par. (b) by an individual who qualifies as a military elector, the
8 municipal clerk shall send or transmit to the elector an absentee ballot for all
9 elections that occur in the municipality or portion thereof where the elector resides
10 beginning on the date that the clerk receives the request.

11 **SECTION 21.** 6.22 (4) (e) of the statutes is amended to read:

12 6.22 (4) (e) Whenever the material is mailed, the material shall be prepared
13 and mailed to make use of the federal free postage laws. If the material does not
14 qualify for mailing without postage under federal free postage laws, the municipal
15 clerk shall pay the postage required for mailing to the military elector. If the return
16 envelope qualifies for mailing free of postage under federal free postage laws, the
17 clerk shall affix the appropriate legend required by U.S. postal regulations.
18 Otherwise the municipal clerk shall pay the postage required for return when the
19 ballot is mailed from within the United States. If the ballot is not mailed by the
20 military elector from within the United States the military elector shall provide
21 return postage. ~~The mailing list established under this subsection shall be kept~~
22 ~~current in the same manner as provided in s. 6.86 (2) (b).~~

23 **SECTION 22.** 6.22 (6) of the statutes is amended to read:

24 6.22 (6) **MILITARY ELECTOR LIST.** Each municipal clerk shall keep an up-to-date
25 list of all eligible military electors who reside in the municipality; ~~city clerks shall~~

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1 ~~keep the lists by wards~~ in the format prescribed by the board. The list shall contain
2 the name, latest-known military residence and military mailing address of each
3 military elector. The list shall indicate whether each elector whose name appears on
4 the list is a military elector, as defined in s. ~~6.36 (2) (e)~~ 6.34 (1), and has so certified
5 under s. 6.865 (3m). All persons over 18 years of age or who will be 18 years old prior
6 to an election shall be listed and remain on the list for the duration of their tour of
7 duty. The list shall be kept current through all possible means. Each clerk shall
8 exercise reasonable care to avoid duplication of names or listing anyone who is not
9 eligible to vote. Each clerk shall distribute ~~2 copies of~~ one copy of the list to the
10 ~~appropriate ward~~ each polling place in the municipality for use on election day.

11 **SECTION 23.** 6.221 (1) of the statutes is amended to read:

12 6.221 (1) In this section, "military elector" has the meaning given in s. ~~6.36 (2)~~
13 ~~(e)~~ 6.34 (1) and active duty status for any election is determined as of election day.

14 **SECTION 24.** 6.221 (3) (b) of the statutes is amended to read:

15 6.221 (3) (b) At the general election, the presidential preference primary, or a
16 special election for national office, a ballot that is cast under s. 6.22 by an elector who
17 is a military elector, that is received by mail from the U.S. postal service, and that
18 is postmarked no later than election day shall be counted as provided in this section
19 if it is received by a municipal clerk no later than 5 p.m. on the 10th day after the
20 election.

21 **SECTION 25.** 6.24 (4) (c) of the statutes is amended to read:

22 6.24 (4) (c) Upon receipt of a timely application from an individual who
23 qualifies as an overseas elector and who has registered to vote in a municipality
24 under sub. (3), the municipal clerk of the municipality shall send an absentee ballot
25 to the individual for all subsequent elections for national office to be held during the

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1 year in which the ballot is requested, except as otherwise provided in this paragraph,
2 unless the individual otherwise requests or until the individual no longer qualifies
3 as an overseas elector. of the municipality. The clerk shall not send an absentee ballot
4 for an election if the overseas elector's name appeared on the registration list in
5 eligible status for a previous election following the date of the application but no
6 longer appears on the list in eligible status. The municipal clerk shall ensure that
7 the envelope containing the absentee ballot is clearly marked as not forwardable.
8 If an overseas elector who files an application under this subsection no longer resides
9 at the same address that is indicated on the application form, the elector shall so
10 notify the municipal clerk. The municipal clerk shall discontinue mailing absentee
11 ballots to an overseas elector under this subsection if the elector fails to return any
12 absentee ballot mailed to the elector. The municipal clerk shall notify the elector of
13 any such action not taken at the elector's request within 5 days, if possible. An
14 overseas elector who fails to cast an absentee ballot but who remains qualified to
15 receive absentee ballots under this subsection may then receive absentee ballots for
16 subsequent elections by notifying the municipal clerk that the elector wishes to
17 continue receiving absentee ballots for subsequent elections.

18 **SECTION 26.** 6.24 (4) (e) of the statutes is created to read:

19 6.24 (4) (e) An overseas elector may file an application for an absentee ballot
20 by means of electronic mail or facsimile transmission in the manner prescribed in s.
21 6.86 (1) (ac). Upon receipt of a valid application, the municipal clerk shall send the
22 elector an absentee ballot or, if the elector so requests, shall transmit an absentee
23 ballot to the elector by means of electronic mail or facsimile transmission in the
24 manner prescribed in s. 6.87 (3) (d).

25 **SECTION 27.** 6.25 (1) of the statutes is amended to read:

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SECTION 27

1 6.25 (1) Any individual who qualifies as a military elector under s. 6.22 (1) (b)
 2 or an overseas elector under s. 6.24 (1) and who transmits an application for an
 3 official absentee ballot for ~~a general election~~ an election for national office, including
 4 a primary election, no later than ~~30 days before election day~~ the latest time specified
 5 for the elector in s. 6.86 (1) (b) may, in lieu of the official ballot, cast a federal write-in
 6 absentee ballot prescribed under 42 USC 1973ff-2 for any candidate or for all of the
 7 candidates of any recognized political party for national office listed on the official
 8 ballot at ~~the general~~ that election if the federal write-in absentee ballot is received
 9 by the appropriate municipal clerk no later than the applicable time prescribed in
 10 s. 6.221 (3) or 6.87 (6).

11 **SECTION 28.** 6.25 (4) (intro.), (a) and (b) of the statutes are consolidated,
 12 renumbered 6.25 (4) and amended to read:

13 6.25 (4) A write-in absentee ballot issued under sub. (1), (2) or (3) is valid only
 14 if all of the following apply: (a) ~~The ballot is submitted from a location outside the~~
 15 ~~United States.~~ (b) ~~The~~ the elector submitting the ballot does not submit an official
 16 ballot within the time prescribed in s. 6.87 (6) and, if the elector is an overseas elector,
 17 the ballot is submitted from a location outside the United States.

18 **SECTION 29.** 6.256 of the statutes is created to read:

19 **6.256 Board shall** facilitate registration of ~~register~~ ^(B) electors. (1) Except as provided ~~in sub. (3)~~ and
 20 as otherwise expressly provided, the board shall use all feasible means to ~~has the responsibility to ensure that all~~
 21 facilitate the registration of all ~~eligible electors of this state~~ who are subject to a
 22 registration requirement and the maintenance of the registration of all eligible electors
 23 are registered to vote and remain registered to vote for
 24 so long as they remain eligible.

23 (2) For the purpose of carrying out its functions under sub. (1), the board shall
 24 obtain the following information from the department of transportation, to the
 25 extent that the department has the information: (a) The full name of each individual who

for electors specified in sub. (B)
registration requirement and the maintenance of the registration of all eligible electors

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1 holds a current operator's license issued to the individual under ch. 343 or a current
2 identification card issued to the individual under s. 343.50, together with the
3 following information pertaining to that individual:

4 (1) The current address of the individual together with any address history
5 maintained by the department of transportation.

6 (2) The date of birth of the individual.

7 (3) The number of the license or identification card issued to the individual.

8 (4) The individual's citizenship and any information pertaining to that
9 citizenship and whether the individual provided proof of citizenship or other
10 attestation of citizenship to the department of transportation.

11 (b) For each item of information specified in this subsection, the most recent
12 date that the item of information was provided or obtained by the department of
13 transportation.

14 (3) The board shall compare the information obtained under sub. (2) with the
15 information in the registration list under s. 6.36 (1) (a) and shall update that
16 information, correct inaccuracies in that information, and eliminate duplications in
17 the list.

18 (4) Except as provided in this subsection, if the board concludes that an
19 individual appears eligible to vote in this state but is not registered, and the board
20 has obtained from reliable sources all the information required under s. 6.33 (1) to
21 complete the individual's registration, the board shall enter the individual's name on
22 the registration list. If the board has not obtained from reliable sources all the
23 information pertaining to an individual that is required under s. 6.33 (1), the board
24 shall attempt to obtain from reliable sources the necessary information under s. 6.33
25 (1) that is required to complete the individual's registration. If a municipality has

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sub. (8) and ✓

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1 changed the status of an elector from eligible to ineligible under s. 6.50 (1) and the
2 elector's eligibility, name, or residence have not changed, the board shall not change
3 the individual's name to eligible status unless the board first verifies that the
4 individual is eligible and wishes to change his or her status to eligible.

5 (5) The board shall attempt to contact individuals described in sub. (4) if
6 necessary to obtain all the information specified in s. 6.33 (1) pertaining to the
7 individual that is required to complete the individual's registration.

8 (6) If the board is able to obtain all the required information specified in s. 6.33
9 (1) pertaining to an individual, the board shall enter the name of the individual on
10 the registration list maintained under s. 6.36 (1) (a).

11 (7) If an individual's name is entered on the registration list by initiative of the
12 board, the individual's registration is not valid until the individual confirms the
13 registration under this subsection on a form prescribed by the board. If any
14 information obtained by the board is not correct or accurate as of the confirmation
15 date, the individual shall correct the information before confirming his or her
16 registration. The confirmation shall affirm that all information is correct and
17 accurate as of the date of confirmation, subject to all penalties prescribed by law for
18 falsifying information or registration. An individual may confirm his or her
19 registration by any of the following means:

20 (a) By electronic means on the Internet using a secure procedure prescribed by
21 the board.

22 (b) By mail.

23 (c) By appearing in person at the office of the municipal clerk serving the
24 municipality where the elector resides or at the polling place serving his or her
25 residence.

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1 (8) Any individual may file a request with the board to exclude his or her name
 2 from the registration list. Any individual whose name is added to the registration
 3 list by the board may file a request with the board to have his or her name deleted
 4 from the list. A request for exclusion or deletion shall be filed on a form prescribed
 5 by the board and may be filed by any means specified in sub. (7). An individual who
 6 files an exclusion or deletion request under this subsection may revoke his or her
 7 request by the same means that an individual may request an exclusion or deletion.
 8 The board shall ensure that the name of any individual who has filed an exclusion
 9 or deletion request under this subsection is excluded from the registration list or if
 10 the individual's name appears on the list, is removed from the registration list and
 11 is not added to the list at any subsequent time unless the individual files a revocation
 12 of his or her request under this subsection.

13 (9) If the board removes from the registration list the name of an elector who
 14 does not request that his or her name be deleted, other than to correct an entry that
 15 the board positively determines to be a duplication or to change the name of an
 16 individual who is verified to be deceased to ineligible status, the board shall mail the
 17 individual a notice of the removal or change in status by 1st class postcard at the
 18 individual's last-known address. The notice shall provide that the individual may
 19 apply to have his or her status changed to eligible if he or she is a qualified elector.

20 (10) The board shall ~~ensure that the registration list under s. 9-26(1) (a) is~~ *attempt to facilitate the initial registration*
 21 ~~initially updated to include the names~~ *of all eligible electors whose registration is*
 22 ~~required under~~ *except as otherwise provided in* this section no later than July 1, 2015.

23 (11) The board shall maintain the confidentiality of all information obtained
 24 from the department of transportation under sub. (2) and may use this information

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1 only for the purpose of carrying out its functions under sub. (1) and s. 6.34 (2n) and
2 in accordance with the agreement under s. 85.61 (1).

3 **SECTION 30.** 6.275 (1) (c) of the statutes is amended to read:

4 6.275 (1) (c) The total number of electors of the municipality residing in that
5 county who registered or confirmed their registrations after the close of registration
6 and prior to the day of the primary or election under ss. 6.29 and 6.86 (3) (a) 2.

7 **SECTION 31.** 6.275 (1) (d) of the statutes is amended to read:

8 6.275 (1) (d) The total number of electors of the municipality residing in that
9 county who registered or confirmed their registrations on the day of the primary or
10 election under ss. 6.55 and 6.86 (3) (a) 2.

11 **SECTION 32.** 6.28 (1) of the statutes is amended to read:

12 6.28 (1) REGISTRATION LOCATIONS; DEADLINE. Except as authorized in ss. 6.29,
13 6.55 (2), and 6.86 (3) (a) 2., registration in person for any election shall close at 5 p.m.
14 on the 3rd Wednesday preceding the election. Registrations made by mail under s.
15 6.30 (4) must be delivered to the office of the municipal clerk or postmarked no later
16 than the 3rd Wednesday preceding the election. All applications for registration
17 corrections and additions and registration confirmations may be made throughout
18 the year at the office of the city board of election commissioners, at the office of the
19 municipal clerk, at the office of the county clerk, or at other locations provided by the
20 board of election commissioners or the common council in cities over 500,000
21 population or by either or both the municipal clerk, or the common council, village
22 or town board in all other municipalities and may also be made during the school year
23 at any high school by qualified persons under sub. (2) (a). Other registration
24 locations may include but are not limited to fire houses, police stations, public
25 libraries, institutions of higher education, supermarkets, community centers, plants

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1 and factories, banks, savings and loan associations and savings banks. Special
2 registration deputies shall be appointed for each location unless the location can be
3 sufficiently staffed by the board of election commissioners or the municipal clerk or
4 his or her deputies. An elector who wishes to obtain a confidential listing under s.
5 6.47 (2) shall register at the office of the municipal clerk of the municipality where
6 the elector resides.

7 **SECTION 33.** 6.28 (4) of the statutes is amended to read:

8 6.28 (4) AT THE OFFICE OF THE COUNTY CLERK. Any person shall be given an
9 opportunity to register to vote or to file a registration confirmation form under s.
10 6.256(7) at the office of the county clerk for the county in which the person's residence
11 is located. An applicant for registration may complete the required registration form
12 under s. 6.33. Unless the county clerk performs registration functions for the
13 municipality where the elector resides under s. 6.33 (5) (b), the county clerk shall
14 forward ~~the~~ each form submitted by an elector to the appropriate municipal clerk,
15 or to the board of election commissioners in cities over 500,000 population within 5
16 days of receipt. The clerk shall forward the form immediately whenever registration
17 closes within 5 days of receipt.

18 **SECTION 34.** 6.29 (1) of the statutes is amended to read:

19 6.29 (1) No names may be added to a registration list for any election after the
20 close of registration, except as authorized under this section or s. 6.55 (2) or 6.86 (3)
21 (a) 2. Any person whose name is not on the registration list but who is otherwise a
22 qualified elector and any elector whose name appears on the registration list but
23 whose registration has not been confirmed is entitled to vote at the election upon
24 compliance with this section.

25 **SECTION 35.** 6.29 (2) (a) of the statutes is amended to read:

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1 6.29 (2) (a) Any qualified elector of a municipality who has not previously filed
2 a registration form or whose name does not appear on the registration list of the
3 municipality may register and any elector whose name appears on the registration
4 list but whose registration has not been confirmed may confirm his or her
5 registration after the close of registration but not later than 5 p.m. or the close of
6 business, whichever is later, on the day before an election at the office of the
7 municipal clerk and at the office of the clerk's agent if the clerk delegates
8 responsibility for electronic maintenance of the registration list to an agent under
9 s. 6.33 (5) (b). The An elector whose name does not appear on the registration list
10 shall complete, in the manner provided under s. 6.33 (2), a registration form
11 containing all information required under s. 6.33 (1). The registration form shall also
12 contain the following certification: "I,, hereby certify that, to the best of my
13 knowledge, I am a qualified elector, having resided at ... for at least 10 days
14 immediately preceding this election, and I have not voted at this election". The An
15 elector who registers or confirms his or her registration shall also provide proof of
16 residence under s. 6.34. Alternatively, if the elector is unable to provide proof of
17 residence under s. 6.34, the information contained in the registration form shall be
18 corroborated in a statement that is signed by any other elector of the municipality
19 and that contains the current street address of the corroborating elector. The
20 corroborating elector shall then provide proof of residence under s. 6.34. If the elector
21 is registering or confirming his or her registration after the close of registration for
22 the general election and the elector presents a valid driver's license issued by another
23 state, the municipal clerk or agent shall record on a separate list the name and
24 address of the elector, the name of the state, and the license number and expiration
25 date of the license.

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

2 6.29 (2) (b) Upon the filing of the registration form or confirmation form
3 required by this section, the municipal clerk or clerk's agent under s. 6.33 (5) (b) shall
4 offer to provide the elector with an absentee ballot. If the elector does not cast an
5 absentee ballot at the office of the municipal clerk or agent, the clerk or agent shall
6 issue a certificate containing the name and address of the elector addressed to the
7 inspectors of the proper ward or election district directing that the elector be
8 permitted to cast his or her vote if the elector complies with all requirements for
9 voting at the polling place. The certificate shall be numbered serially, prepared in
10 duplicate and one copy preserved in the office of the municipal clerk.

11 **SECTION 37.** 6.29 (2) (d) of the statutes is amended to read:

12 6.29 (2) (d) The inspectors shall record the names of electors who present
13 certificates in person ~~or for whom certificates are presented with absentee ballots~~
14 under this section on the list maintained under s. 6.56 (1). ~~These names shall then~~
15 ~~be added to the registration list if the electors are qualified.~~

16 **SECTION 38.** 6.29 (2) (e) of the statutes is created to read:

17 6.29 (2) (e) The municipal clerk or clerk's agent shall promptly add the names
18 of qualified electors who register and vote under this section to the registration list.
19 The clerk or clerk's agent shall add the names of qualified electors who vote at their
20 polling places in the manner prescribed in s. 6.33 (5) (a).

21 **SECTION 39.** 6.33 (5) (a) of the statutes is amended to read:

22 6.33 (5) (a) Except as provided in par. (b), whenever a municipal clerk receives
23 a valid registration or valid change of a name or address under an existing
24 registration or a change of information when a registration is confirmed under s.
25 6.256 (7) and whenever a municipal clerk changes a person's registration from

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1 eligible to ineligible status, the municipal clerk shall promptly enter electronically
2 on the list maintained by the board under s. 6.36 (1) the information required under
3 that subsection, ~~except that the~~ as provided in this paragraph. The municipal clerk
4 may update any entries that change on the date of an election ~~in the municipality~~
5 other than a general election within 30 days after ~~that the date, and the of that~~
6 election, and shall update any entries that change on the date of a general election
7 within 45 days after the date of that election, except that the legal counsel of the
8 board may, upon application of a municipal clerk, permit the clerk to update entries
9 that change on the date of a general election within 60 days after that election. The
10 municipal clerk shall provide to the board information that is confidential under s.
11 6.47 (2) in such manner as the board prescribes.

12 **SECTION 40.** 6.34 (2) of the statutes is amended to read:

13 6.34 (2) Except as authorized in ss. 6.29 (2) (a) and 6.86 (3) (a) 2., upon
14 completion of a registration form prescribed under s. 6.33 or registration
15 confirmation form under s. 6.256 (7), each elector who is required to register under
16 s. 6.27, who is not a military elector or an overseas elector and who registers or
17 confirms his or her registration after the close of registration under s. 6.29 or 6.86
18 (3) (a) 2., shall provide an identifying document that establishes proof of residence
19 under sub. (3). Each elector other than a military elector or an overseas elector who
20 is required to register under s. 6.27 ~~who is not a military elector or an overseas~~
21 ~~elector,~~ who registers by mail or confirms a registration entered by the board after
22 the close of registration, and who has not voted in an election in this state shall, if
23 voting in person, provide an identifying document that establishes proof of residence
24 under sub. (3) or, if voting by absentee ballot, provide a copy of an identifying
25 document that establishes proof of residence under sub. (3). If the elector registered

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1 by mail or the elector is confirming a registration entered by the board after the close
2 of registration, the identifying document may not be a residential lease.

3 **SECTION 41.** 6.34 (2n) of the statutes is created to read:

4 6.34 (2n) If an elector who confirms a registration that has been entered by the
5 board under s. 6.256 (7) would otherwise be required to provide proof of residence
6 under sub. (2) but provides, in lieu of proof of residence, the number of a current and
7 valid operator's license issued under ch. 343 or the last 4 digits of the elector's social
8 security account number together with the elector's name and date of birth, and the
9 board is able to verify the information electronically at the time of confirmation, the
10 elector is not required to provide proof of residence.

11 **SECTION 42.** 6.34 (3) (a) 7. of the statutes is amended to read:

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

21 **SECTION 43.** 6.34 (3) (b) (intro.) of the statutes is amended to read:

22 6.34 (3) (b) (intro.) The Except as provided in par. (d), identifying documents
23 prescribed in par. (a) shall contain all of the following in order to be considered proof
24 of residence:

25 **SECTION 44.** 6.34 (3) (d) of the statutes is created to read:

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1 6.34 (3) (d) The municipal clerk and the inspectors of election shall accept a
2 university, college, or technical college fee or identification card that contains a
3 photograph of the cardholder as proof of residence at any election regardless of
4 whether the card contains the information specified in par. (b) if the university,
5 college, or technical college that issued the card provides to the municipal clerk, for
6 use at the election, a certified copy of a current list of students who reside in housing
7 sponsored by the university, college, or technical college showing the names and
8 current addresses of the students. Upon presentation of such a card, the municipal
9 clerk, special registration deputy, or inspector shall verify that the name of the
10 student presenting the card is included on the list.

11 **SECTION 45.** 6.34 (4) of the statutes is created to read:

12 6.34 (4) The board shall maintain a system that electronically verifies, on an
13 instant basis, the validity of information specified in sub. (2n) submitted by an
14 elector who registers electronically with the information maintained by the
15 department of transportation pursuant to the board's agreement with the secretary
16 of transportation under s. 5.056.

17 **SECTION 46.** 6.36 (1) (a) of the statutes is amended to read:

18 6.36 (1) (a) The board shall compile and maintain electronically an official
19 registration list. The list shall contain the name and address of each registered
20 elector in the state, the date of birth of the elector, the ward and aldermanic district
21 of the elector, if any, and, for each elector, a unique registration identification number
22 assigned by the board, the number of a valid operator's license issued to the elector
23 under ch. 343, if any, or the last 4 digits of the elector's social security account
24 number, if any, any identification serial number issued to the elector under s. 6.47
25 (3), the date of any election in which the elector votes, an indication of whether the

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1 elector is a military elector, as defined in ~~sub. (2) (e)~~ s. 6.34 (1), who has so certified
2 under s. 6.865 (3m), an indication of whether the elector is an overseas elector, as
3 defined in s. 6.24 (1), any information relating to the elector that appears on the
4 current list transmitted to the board by the department of corrections under s. 301.03
5 (20m), an indication of any accommodation required under s. 5.25 (4) (a) to permit
6 voting by the elector, an indication of the method by which the elector's registration
7 form was received, if any information in the elector's registration was obtained by
8 initiative of the board, whether the registration of the individual has been confirmed
9 under s. 6.256 (7), and such other information as may be determined by the board to
10 facilitate administration of elector registration requirements.

11 **SECTION 47.** 6.36 (1) (b) 1. a. of the statutes is amended to read:

12 6.36 (1) (b) 1. a. ~~No~~ Except as provided in par. (bm), no person other than an
13 employee of the board, a county clerk, a deputy county clerk, an executive director
14 of a county board of election commissioners, a deputy designated by the executive
15 director, a municipal clerk, a deputy municipal clerk, an executive director of a city
16 board of election commissioners, or a deputy designated by the executive director
17 may view the ~~date of birth~~ birthday, operator's license number, or social security
18 account number of an elector, the address of an elector to whom an identification
19 serial number is issued under s. 6.47 (3), or any indication of an accommodation
20 required under s. 5.25 (4) (a) to permit voting by an elector.

21 **SECTION 48.** 6.36 (1) (bm) of the statutes is created to read:

22 6.36 (1) (bm) 1. In this paragraph, "state authority" has the meaning given in
23 s. 19.62 (8).

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1 2. Except as provided in s. 6.256 (11), the board may transfer any information
2 in the official registration list to which access is restricted under par. (b) 1. a. to any
3 state authority or to a subunit of the state government of another state.

4 **SECTION 49.** 6.36 (2) (a) of the statutes is amended to read:

5 6.36 (2) (a) Except as provided in par. (b), each registration list prepared for use
6 as a poll list at a polling place or for purposes of canvassing absentee ballots at an
7 election shall contain the full name and address of each registered elector; a blank
8 column for the entry of the serial number of the electors when they vote or the poll
9 list number used by the municipal board of absentee ballot canvassers in canvassing
10 absentee ballots; an indication whether the registration of an elector has been
11 confirmed under s. 6.256 (7), if confirmation is required; an indication next to the
12 name of each elector for whom proof of residence under s. 6.34 is required; and a form
13 of certificate bearing the certification of the administrator of the elections division
14 of the board stating that the list is a true and complete registration list of the
15 municipality or the ward or wards for which the list is prepared.

16 **SECTION 50.** 6.36 (2) (c) of the statutes is amended to read:

17 6.36 (2) (c) The list shall contain, next to the name of each elector, an indication
18 of whether proof of residence under s. 6.34 is required for the elector to be permitted
19 to vote. Proof of residence is required if the elector is not a military elector or an
20 overseas elector and the elector registers by mail or has not confirmed his or her
21 registration under s. 6.256 (7) and has not previously voted in an election in this
22 state.

23 **SECTION 51.** 6.54 of the statutes is amended to read:

24 **6.54 Failure to register; rights.** No name may be added to the registration
25 list after the close of registration, but any person whose name is not on the

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1 registration list or whose registration has not been confirmed under s. 6.256 (7), if
2 confirmation is required, but who is otherwise a qualified elector, is entitled to vote
3 at the election upon compliance with s. 6.29 or 6.55.

4 **SECTION 52.** 6.55 (title) of the statutes is amended to read:

5 **6.55 (title) Polling place registration and registration confirmation;**
6 **voting by certification.**

7 **SECTION 53.** 6.55 (2) (a) 1. of the statutes is amended to read:

8 6.55 (2) (a) 1. Except where the procedure under par. (c) or (cm) is employed,
9 any person who qualifies as an elector in the ward or election district where he or she
10 desires to vote, but has not previously filed a registration form, whose registration
11 appears on the registration list but has not been confirmed under s. 6.256 (7) or who
12 was registered at another location, may request permission to vote at the polling
13 place for that ward or election district, or at an alternate polling place assigned under
14 s. 5.25 (5) (b). When a proper request is made, the inspector shall require the person
15 to execute a registration form or confirmation form prescribed by the board. ~~The~~ An
16 original registration form shall be completed in the manner provided under s. 6.33
17 (2) and shall contain all information required under s. 6.33 (1), together with the
18 following certification:

19 “I,, hereby certify that, to the best of my knowledge, I am a qualified elector,
20 having resided at for at least 10 days immediately preceding this election, and I
21 have not voted at this election.”

22 **SECTION 54.** 6.55 (2) (b) of the statutes is amended to read:

23 6.55 (2) (b) Upon executing the a registration form or confirmation form under
24 par. (a), the elector shall provide proof of residence under s. 6.34. If the elector cannot
25 provide proof of residence, the information contained in the elector’s registration

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1 form or confirmation form shall be corroborated in a statement that is signed by **any**
2 another elector who resides in the same municipality as the registering elector and
3 that contains the current street address of the corroborating elector. The
4 corroborator shall then provide proof of residence as provided in s. 6.34. If the elector
5 is registering to vote or confirming his or her registration in the general election and
6 the elector presents a valid driver's license issued by another state, the inspector or
7 deputy shall record on a separate list the name and address of the elector, the name
8 of the state, and the license number and expiration date of the license. The signing
9 by the elector executing the registration form or confirmation form and the signing
10 by any corroborator shall be in the presence of the special registration deputy or
11 inspector who shall then print his or her name on and sign the form, indicating that
12 the deputy or inspector has accepted the form. Upon compliance with this procedure,
13 the elector shall be permitted to cast his or her vote, if the elector complies with all
14 other requirements for voting at the polling place.

15 **SECTION 55.** 6.55 (2) (c) 1. and 2. of the statutes are amended to read:

16 6.55 (2) (c) 1. As an alternative to registration or confirmation of registration
17 under par. (a) at the a polling place under pars. (a) and (b), the board of election
18 commissioners, or the governing body of any municipality may by resolution require
19 a person who qualifies as an elector and who is not registered or confirmed and
20 desires to register or confirm his or her registration on the day of an election to do
21 so at another readily accessible location in the same building as the polling place
22 serving the elector's residence or at an alternate polling place assigned under s. 5.25
23 (5) (b), instead of at the polling place serving the elector's residence. In such case,
24 the municipal clerk shall prominently post a notice of the registration location at the
25 polling place. The elector who desires to register or confirm his or her registration

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1 shall execute a registration form or confirmation form as prescribed under par. (a)
2 and provide proof of residence as provided under s. 6.34. If the elector cannot provide
3 proof of residence, the information contained in the registration form or confirmation
4 form shall be corroborated in the manner provided in par. (b). If the elector is
5 registering to vote or confirming his or her registration in the general election and
6 the elector presents a valid driver's license issued by another state, the municipal
7 clerk, deputy clerk, or special registration deputy shall record on a separate list the
8 name and address of the elector, the name of the state, and the license number and
9 expiration date of the license. The signing by the elector executing the registration
10 form or confirmation form and the signing by any corroborator shall be in the
11 presence of the municipal clerk, deputy clerk or special registration deputy. The
12 municipal clerk, the deputy clerk, or the special registration deputy shall then print
13 his or her name and sign the form, indicating that the clerk, deputy clerk, or deputy
14 has accepted the form. ~~Upon proper completion of registration, the municipal clerk,~~
15 ~~deputy clerk or special registration deputy shall serially number the registration and~~
16 ~~give one copy to the elector for presentation at the polling place serving the elector's~~
17 ~~residence or an alternate polling place assigned under s. 5.25 (5) (b).~~

18 2. Upon compliance with the procedures under subd. 1., the municipal clerk or
19 deputy clerk shall issue a certificate addressed to the inspectors of the proper polling
20 place directing that the elector be permitted to cast his or her vote if the elector
21 complies with all requirements for voting at the polling place. The clerk shall enter
22 the name and address of the elector on the face of the certificate. If the elector's
23 registration or confirmation is corroborated, the clerk shall also enter the name and
24 address of the corroborator on the face of the certificate. The certificate shall be

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1 numbered serially and prepared in duplicate. The municipal clerk shall preserve one
2 copy in his or her office.

3 **SECTION 56.** 6.55 (2) (cs) of the statutes is amended to read:

4 6.55 (2) (cs) The board shall provide to each municipal clerk a list prepared for
5 use at each polling place showing the name and address of each person whose name
6 appears on the list provided by the department of corrections under s. 301.03 (20m)
7 as ineligible to vote on the date of the election, whose address is located in the area
8 served by that polling place, and whose name does not appear on the poll list for that
9 polling place. Prior to permitting an elector to register to vote or to confirm a
10 registration in accordance with s. 6.256 (7) under this subsection or s. 6.86 (3) (a) 2.,
11 the inspectors or special registration deputies shall review the list. If the name of
12 an elector who wishes to register to vote appears on the list, the inspectors or special
13 registration deputies shall inform the elector or the elector's agent that the elector
14 is ineligible to register to vote. If the elector or the elector's agent maintains that the
15 elector is eligible to vote in the election, the inspectors or special registration
16 deputies shall permit the elector to register or to confirm his or her registration but
17 shall mark the elector's registration form as "ineligible to vote per Department of
18 Corrections." If the elector wishes to vote, the inspectors shall require the elector to
19 vote by ballot and shall challenge the ballot as provided in s. 6.79 (2) (dm).

20 **SECTION 57.** 6.55 (5) of the statutes is amended to read:

21 6.55 (5) Any person who ~~violates~~ falsifies a statement under this section may
22 be punished as provided in ss. 12.13 (3) (g) and 12.60 (1) (b).

23 **SECTION 58.** 6.79 (4) of the statutes is amended to read:

24 6.79 (4) SUPPLEMENTAL INFORMATION. When any elector provides proof of
25 residence under s. 6.15, 6.29 or 6.55 (2), the election officials shall enter the type of

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1 identifying document provided on the poll list, or separate list maintained under sub.
2 (2) (c). If the document submitted as proof of identity or residence includes a number
3 which applies only to the individual holding that document, the election officials
4 shall also enter that number on the list. When any elector corroborates the
5 registration ~~identity or residence~~ or confirmation of registration of any person
6 offering to vote under s. 6.55 (2) (b) or (c), or the registration ~~identity or residence~~ or
7 confirmation of any person registering on election day under s. 6.86 (3) (a) 2., the
8 election officials shall also enter the name and address of the corroborator next to the
9 name of the elector whose information is being corroborated on the poll list, or the
10 separate list maintained under sub. (2) (c). When any person offering to vote has
11 been challenged and taken the oath, following the person's name on the poll list, the
12 officials shall enter the word "Sworn".

13 **SECTION 59.** 6.855 (title) of the statutes is amended to read:

14 **6.855 (title) Alternate absentee ballot site sites.**

15 **SECTION 60.** 6.855 (1) of the statutes is amended to read:

16 6.855 (1) The governing body of a municipality may elect to designate ~~a site~~
17 one or more sites other than the office of the municipal clerk or board of election
18 commissioners as ~~the a~~ a location from which electors of the municipality may request
19 and vote absentee ballots and to which voted absentee ballots ~~shall~~ may be returned
20 by electors for any election. ~~The designated site shall be located as near as~~
21 ~~practicable to the office of the municipal clerk or board of election commissioners and~~
22 ~~no~~ No alternate site may be designated that affords an advantage to any political
23 party. An election by a governing body to designate an alternate site under this
24 section shall be made no fewer than 14 days prior to the time that absentee ballots
25 are available for the primary under s. 7.15 (1) (cm), if a primary is scheduled to be

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1 held, or at least no fewer than 14 days prior to the time that absentee ballots are
2 available for the election under s. 7.15 (1) (cm), if a primary is not scheduled to be
3 held, and shall remain in effect until at least the day after the election. ~~If the~~
4 ~~governing body of a municipality makes an election under this section, no function~~
5 ~~related to voting and return of absentee ballots that is to be conducted at the~~
6 ~~alternate site may be conducted in the office of the municipal clerk or board of~~
7 ~~election commissioners.~~ An alternate site may be used for absentee voting in
8 addition to or in lieu of use of the office of the municipal clerk or board of election
9 commissioners. No later than the latest time specified in this subsection for
10 designation of an alternate site for absentee voting at an election, a municipality
11 designating an alternate site shall provide written notice to the board of the
12 designation of the site, the address of the site, and the election at which it will be in
13 operation.

14 **SECTION 61.** 6.855 (2) of the statutes is amended to read:

15 6.855 (2) The municipal clerk or board of election commissioners shall
16 prominently display a notice of the designation of the each alternate site selected
17 under sub. (1) in the office of the municipal clerk or board of election commissioners
18 beginning on the date that the site is designated under sub. (1) and continuing
19 through the period that absentee ballots are available for the election and for any
20 primary under s. 7.15 (1) (cm). The notice shall specify the days and hours of
21 operation of each alternate site and the days and hours of operation of the office of
22 the municipal clerk or board of election commissioners. If the municipal clerk or
23 board of election commissioners maintains a Web site on the Internet, the clerk or
24 board of election commissioners shall post a notice of the designation of the each

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1 alternate site selected under sub. (1) on the Web site during the same period that
2 notice is displayed in the office of the clerk or board of election commissioners.

3 **SECTION 62.** 6.86 (1) (a) (intro.) of the statutes is amended to read:

4 6.86 (1) (a) (intro.) Any elector of a municipality who is registered to vote
5 whenever required and who qualifies under ss. 6.20 and 6.85 as an absent elector
6 may make written application to the municipal clerk of that municipality for an
7 official ballot by one of the following methods:

8 **SECTION 63.** 6.86 (1) (a) 3. of the statutes is amended to read:

9 6.86 (1) (a) 3. By ~~signing~~ submitting a statement under sub. (2) (a).

10 **SECTION 64.** 6.86 (1) (a) 3. of the statutes, as affected by 2009 Wisconsin Act
11 (this act), is repealed and recreated to read:

12 6.86 (1) (a) 3. By filing a request to receive absentee ballots under sub. (2m) (a)
13 or s. 6.22 (4) or 6.24 (4).

14 **SECTION 65.** 6.86 (1) (ab) of the statutes is created to read:

15 6.86 (1) (ab) The application shall be signed by the elector except as authorized
16 in par. (ag) and subs. (2m) (a) and (3) (a) 1.

17 **SECTION 66.** 6.86 (1) (ac) of the statutes is amended to read:

18 6.86 (1) (ac) Any elector qualifying under par. (a) may make written application
19 to the municipal clerk for an official ballot by means of facsimile transmission or
20 electronic mail. Any application under this paragraph shall need not contain a copy
21 of the applicant's original signature. ~~An elector requesting a ballot under this~~
22 ~~paragraph shall return with the voted ballot a copy of the request bearing an original~~
23 ~~signature of the elector as provided in s. 6.87 (4).~~

24 **SECTION 67.** 6.86 (1) (ad) of the statutes is created to read:

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1 6.86 (1) (ad) The board shall prescribe the form of applications for absentee
2 ballots by electors who vote in person at the office of the municipal clerk or an
3 alternate site designated under s. 6.855.

4 **SECTION 68.** 6.86 (1) (b) of the statutes is amended to read:

5 6.86 (1) (b) Except as provided in this section, if application is made by mail,
6 facsimile transmission, or electronic mail, the application, signed by the elector, shall
7 be received no later than 5 p.m. on the 5th day immediately preceding the election.
8 If application is made in person, the application shall be made no later than 5 p.m.
9 on the day preceding the election. If Except as provided in par. (c), if the elector is
10 making written application for an absentee ballot at the September primary or, the
11 general election, the presidential preference primary, or a special election for
12 national office, and the application indicates that the elector is a military elector, as
13 defined in s. 6.36 (2) (c), the application shall be received by the municipal clerk no
14 later than 5 p.m. on election day. If the application indicates that the reason for
15 requesting an absentee ballot is that the elector is a sequestered juror, the
16 application shall be received no later than 5 p.m. on election day. If the application
17 is received after 5 p.m. on the Friday immediately preceding the election, the
18 municipal clerk or the clerk's agent shall immediately take the ballot to the court in
19 which the elector is serving as a juror and deposit it with the judge. The judge shall
20 recess court, as soon as convenient, and give the elector the ballot. The judge shall
21 then witness the voting procedure as provided in s. 6.87 and shall deliver the ballot
22 to the clerk or agent of the clerk who shall deliver it to the polling place or, in
23 municipalities where absentee ballots are canvassed under s. 7.52, to the municipal
24 clerk as required in s. 6.88. If application is made under sub. (2) or (2m), the

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1 application may be received no later than 5 p.m. on the Friday immediately
2 preceding the election.

3 **SECTION 69.** 6.86 (1) (b) of the statutes, as affected by 2009 Wisconsin Act
4(this act), is amended to read:

5 6.86 (1) (b) Except as provided in this section, if application is made by mail,
6 facsimile transmission, or electronic mail, the application shall be received no later
7 than 5 p.m. on the 5th day immediately preceding the election. If application is made
8 in person, the application shall be made no later than 5 p.m. on the day preceding
9 the election. Except as provided in par. (c), if the elector is making written
10 application for an absentee ballot at the September primary, the general election, the
11 presidential preference primary, or a special election for national office, and the
12 application indicates that the elector is a military elector, as defined in s. ~~6.36 (2) (e)~~
13 6.34 (1), the application shall be received by the municipal clerk no later than 5 p.m.
14 on election day. If the application indicates that the reason for requesting an
15 absentee ballot is that the elector is a sequestered juror, the application shall be
16 received no later than 5 p.m. on election day. If the application is received after 5 p.m.
17 on the Friday immediately preceding the election, the municipal clerk or the clerk's
18 agent shall immediately take the ballot to the court in which the elector is serving
19 as a juror and deposit it with the judge. The judge shall recess court, as soon as
20 convenient, and give the elector the ballot. The judge shall then witness the voting
21 procedure as provided in s. 6.87 and shall deliver the ballot to the clerk or agent of
22 the clerk who shall deliver it to the polling place or, in municipalities where absentee
23 ballots are canvassed under s. 7.52, to the municipal clerk as required in s. 6.88. If
24 application is made under sub. ~~(2) or~~ (2m), the application may be received no later
25 than 5 p.m. on the Friday immediately preceding the election.