

**BILL****SECTION 70**

1           **SECTION 70.** 6.86 (1) (c) of the statutes is amended to read:

2           6.86 (1) (c) If an application is made ~~by mail~~ by a military elector, as defined  
3 in s. 6.22 (1) (b), by mail, facsimile transmission, or electronic mail, the application  
4 shall be received no later than 5 p.m. on the Friday immediately preceding the  
5 election.

6           **SECTION 71.** 6.86 (2) of the statutes is repealed.

7           **SECTION 72.** 6.86 (2m) of the statutes is renumbered 6.86 (2m) (a) and amended  
8 to read:

9           6.86 (2m) (a) ~~An~~ Except as provided in this subsection, any elector other than  
10 an elector who is eligible to receive absentee ballots under sub. (2) receives an  
11 absentee ballot under s. 6.22 (4) or 6.24 (4) (c) may by written application filed with  
12 the municipal clerk of the municipality where the elector resides require that an  
13 absentee ballot be sent to the elector automatically for every succeeding election that  
14 is held within the same calendar year in which the application is filed until the  
15 elector is no longer an elector of the municipality or the elector otherwise requests.  
16 If an elector is unable to sign the application and has designated an agent with the  
17 power of attorney and the agent has authority to act on the elector's behalf, the agent  
18 may file the application. The application form and instructions shall be prescribed  
19 by the board, and furnished upon request to any elector by each municipal clerk. The  
20 municipal clerk shall thereupon mail an absentee ballot to the elector for all  
21 succeeding elections that are held in the municipality during the same calendar year  
22 that the application is filed, except that the clerk shall not send an absentee ballot  
23 for an election if the elector's name appeared on the registration list in eligible status  
24 for a previous election following the date of the application but no longer appears on  
25 the list in eligible status. The municipal clerk shall ensure that the envelope

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1 containing the absentee ballot is clearly marked as not forwardable. If an elector who  
2 files an application under this subsection no longer resides at the same address that  
3 is indicated on the application form, the elector shall so notify the municipal clerk.  
4 The municipal clerk shall discontinue mailing absentee ballots to an elector under  
5 this subsection upon receipt of reliable information that the elector no longer  
6 qualifies for the service as an elector of the municipality. In addition, the municipal  
7 clerk shall discontinue mailing absentee ballots to an elector under this subsection  
8 if the elector fails to return any absentee ballot mailed to the elector. The municipal  
9 clerk shall notify the elector of any such action not taken at the elector's request  
10 within 5 days, if possible. An elector who fails to cast an absentee ballot but who  
11 remains qualified to receive absentee ballots under this subsection may then receive  
12 absentee ballots for subsequent elections by notifying the municipal clerk that the  
13 elector wishes to continue receiving absentee ballots for subsequent elections.

14 (b) If a municipal clerk is notified by an elector that the elector's residence is  
15 changed to another municipality within this state, the ~~municipal~~ clerk shall forward  
16 the request to the municipal clerk of that municipality ~~and that~~. The municipal clerk  
17 shall honor the request, except as provided in this subsection of that municipality  
18 shall thereupon send an absentee ballot to the elector for each succeeding election  
19 held in the municipality until the elector is no longer an elector of the municipality  
20 or the elector otherwise requests, except as otherwise provided in this subsection.

21 **SECTION 73.** 6.86 (3) (a) of the statutes is amended to read:

22 6.86 (3) (a) 1. Any elector who is registered and whose registration is confirmed,  
23 whenever confirmation is required, and who is hospitalized, may apply for and  
24 obtain an official ballot by agent. The agent may apply for and obtain a ballot for the  
25 hospitalized absent elector by presenting a form prescribed by the board and

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1 containing the required information supplied by the hospitalized elector and signed  
2 by that elector and any other elector residing in the same municipality as the  
3 hospitalized elector, corroborating the information contained therein. The  
4 corroborating elector shall state on the form his or her full name and address.  
5 Notwithstanding sub. (2m) (a), if the hospitalized elector has designated the agent  
6 with the power of attorney and the agent has authority to act on the elector's behalf,  
7 the agent may sign the application form on behalf of the elector.

8 2. If a hospitalized elector is not registered, the elector may register or confirm  
9 his or her registration by agent under this subdivision at the same time that the  
10 elector applies for an official ballot by agent under subd. 1. To register the elector  
11 under this subdivision, the agent shall present a completed registration form that  
12 contains the required information supplied by the elector and the elector's signature,  
13 ~~unless the elector is unable to sign due to physical disability. In this case~~ To confirm  
14 a registration under this subdivision, the agent shall present a completed  
15 registration confirmation form under s. 6.256 (7). If the elector is unable to sign  
16 either form due to physical disability, the elector may authorize another elector to  
17 sign on his or her behalf. Any elector signing a form on another elector's behalf shall  
18 attest to a statement that the application or confirmation is made on request and by  
19 authorization of the named elector, who is unable to sign the form due to physical  
20 disability. The agent shall present this statement along with all other information  
21 required under this subdivision. Except as otherwise provided in this subdivision,  
22 the agent shall in every case provide proof of the elector's residence under s. 6.34.  
23 If the elector has designated the agent with the power of attorney and the agent has  
24 authority to act on the elector's behalf, the agent may sign the registration form on  
25 behalf of the elector. If the elector is registering to vote for or confirming an elector's

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1 registration for voting in the general election and the elector's agent presents a valid  
2 driver's license issued to the elector by another state, the municipal clerk shall record  
3 on a separate list the name and address of the elector, the name of the state, and the  
4 license number and expiration date of the license. If the agent cannot present proof  
5 of residence, the registration form or confirmation form shall be signed and  
6 substantiated by another elector residing in the elector's municipality of residence,  
7 corroborating the information in the form. The form shall contain the full name and  
8 address of the corroborating elector. The elector's agent shall then present proof of  
9 the corroborating elector's residence under s. 6.34.

10 **SECTION 74.** 6.86 (3) (c) of the statutes is amended to read:

11 6.86 (3) (c) An application under par. (a) 1. may be made and a registration form  
12 or confirmation form under par. (a) 2. may be filed in person at the office of the  
13 municipal clerk not earlier than 7 days before an election and not later than 5 p.m.  
14 on the day of the election. A list of hospitalized electors applying for ballots under  
15 par. (a) 1. shall be made by the municipal clerk and used to check that the electors  
16 vote only once, and by absentee ballot. If the elector is registering for the election  
17 after the close of registration or if the elector registered by mail or the elector  
18 confirmed his or her registration after the close of registration and has not voted in  
19 an election in this state, the municipal clerk shall inform the agent that proof of  
20 residence under s. 6.34 is required and the elector shall enclose proof of residence  
21 under s. 6.34 in the envelope with the ballot. The ballot shall be sealed by the elector  
22 and returned to the municipal clerk either by mail or by personal delivery of the  
23 agent; but if the ballot is returned on the day of the election, the agent shall make  
24 personal delivery to the polling place serving the hospitalized elector's residence

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1 before the closing hour or, in municipalities where absentee ballots are canvassed  
2 under s. 7.52, to the municipal clerk no later than 8 p.m. on election day.

3 **SECTION 75.** 6.86 (3) (d) of the statutes is created to read:

4 6.86 (3) (d) A power of attorney agent is not permitted to cast an absentee ballot  
5 on behalf of a hospitalized elector, but if a hospitalized elector has difficulty reading,  
6 writing, or understanding English or due to disability is unable to mark a ballot, the  
7 elector may request assistance in marking his or her ballot from the power of  
8 attorney agent or another individual specified in s. 6.82 (2) (a).

9 **SECTION 76.** 6.865 (title) of the statutes is amended to read:

10 **6.865 (title) Federal absentee ballot requests ballots.**

11 **SECTION 77.** 6.865 (3) of the statutes is repealed.

12 **SECTION 78.** 6.865 (3m) (a) of the statutes is amended to read:

13 6.865 (3m) (a) ~~Except as provided in par. (e), if any elector who certifies~~ If an  
14 individual who will be a military elector on election day applies for an absentee  
15 ballot, the individual may certify that he or she will be a military elector on election  
16 day requests an absentee ballot, the municipal clerk shall send or transmit to the  
17 elector an absentee ballot for all elections that occur in the municipality or portion  
18 thereof where the elector resides beginning on the date that the clerk receives the  
19 request and ending on the day after the 3rd successive general election that follows  
20 receipt of the request, unless the elector otherwise requests. In addition, the  
21 municipal clerk shall continue to send or transmit to the elector an absentee ballot  
22 for all elections ending on the day after the 3rd successive general election that  
23 follows any election at which the elector returns an absentee ballot under this section  
24 or renews his or her request under par. (e) and the municipal clerk shall treat the  
25 ballot as provided under s. 6.221.

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1           **SECTION 79.** 6.865 (3m) (b) of the statutes is amended to read:

2           6.865 **(3m)** (b) A military elector may indicate an alternate address on his or  
3 her absentee ballot application. If the elector's ballot is returned as undeliverable  
4 prior to the deadline for receipt and return of absentee ballots under ~~sub. (3)~~ s. 6.87  
5 (6) and the elector remains eligible to receive absentee ballots under this subsection,  
6 the municipal clerk shall immediately send or transmit an absentee ballot to the  
7 elector at the alternate address.

8           **SECTION 80.** 6.865 (3m) (c) of the statutes is repealed.

9           **SECTION 81.** 6.868 of the statutes is created to read:

10           **6.868 Period for absentee voting in person.** The period for absentee voting  
11 in person at the office of the municipal clerk or an alternate site designated under  
12 s. 6.855 begins on the 21st day before each election and ends on the day before each  
13 election.

14           **SECTION 82.** 6.869 of the statutes is amended to read:

15           **6.869 Uniform instructions.** The board shall prescribe uniform instructions  
16 for municipalities to provide to absentee voters. The instructions shall include the  
17 specific means of electronic communication that an absentee elector may use to file  
18 an application for an absentee ballot and, if the absentee elector is required to  
19 register, to request a registration form or change his or her registration. The  
20 instructions also shall include information concerning the procedure for correcting  
21 errors in marking a ballot and obtaining a replacement for a spoiled ballot. The  
22 procedure shall, to the extent possible, respect the privacy of each elector and  
23 preserve the confidentiality of each elector's vote.

24           **SECTION 83.** 6.87 (2) (intro.) of the statutes is amended to read:

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1           6.87 (2) (intro.) Except as authorized under sub. (3) (d), the municipal clerk  
2 shall place the ballot in an unsealed envelope furnished by the clerk. ~~The Except as~~  
3 ~~provided in sub. (2m) and s. 6.24 (4) (d), the~~ envelope shall have the name, official  
4 title and post-office address of the clerk upon its face. The other side of the envelope  
5 shall have a printed certificate in substantially the following form:

6           **SECTION 84.** 6.87 (2m) of the statutes is created to read:

7           6.87 (2m) The board shall prescribe the form of an absentee ballot envelope for  
8 use by electors voting absentee ballots in person at the office of the municipal clerk  
9 or an alternate site designated under s. 6.855. No certification and no witness is  
10 required on such envelopes. The form shall include a space for the name and  
11 residence of the absentee elector and the ward and aldermanic district where the  
12 elector resides, if any.

13           **SECTION 85.** 6.87 (3) (d) of the statutes is amended to read:

14           6.87 (3) (d) A municipal clerk ~~may~~ shall, if the clerk is reliably informed by an  
15 absent elector of a facsimile transmission number or electronic mail address where  
16 the elector can receive an absentee ballot, transmit a facsimile or electronic copy of  
17 the absent elector's ballot to that elector in lieu of mailing under this subsection ~~if,~~  
18 ~~in the judgment of the clerk, the time required to send the ballot through the mail~~  
19 ~~may not be sufficient to enable return of the ballot by the time provided under sub.~~  
20 ~~(6).~~ An elector may receive an absentee ballot ~~under this subsection~~ only if the elector  
21 has filed a valid application for the ballot under s. 6.86 (1). If the clerk transmits an  
22 absentee ballot ~~under this paragraph~~ to an absent elector electronically, the clerk  
23 shall also transmit a facsimile or electronic copy of the text of the material that  
24 appears on the certificate envelope prescribed in sub. (2), together with instructions  
25 prescribed by the board. The instructions shall require the absent elector to make

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1 and subscribe to the certification as required under sub. (4) and to enclose the  
2 absentee ballot in a separate envelope contained within a larger envelope, that shall  
3 include the completed certificate. The elector shall then affix sufficient postage  
4 unless the absentee ballot qualifies for mailing free of postage under federal free  
5 postage laws and shall mail the absentee ballot to the municipal clerk. Except as  
6 authorized in s. 6.97 (2), an absentee ballot received ~~under this paragraph~~ from an  
7 elector who receives the ballot electronically shall not be counted unless it is cast in  
8 the manner prescribed in this paragraph and sub. (4) and in accordance with the  
9 instructions provided by the board.

10 **SECTION 86.** 6.87 (4) of the statutes is amended to read:

11 6.87 (4) Except as otherwise provided in sub. (2m) and s. 6.875, the elector  
12 voting absentee shall make and subscribe to the certification before one witness who  
13 is an adult U.S. citizen. The absent elector, in the presence of the witness, shall mark  
14 the ballot in a manner that will not disclose how the elector's vote is cast. The elector  
15 shall then, still in the presence of the witness, fold the ballots so each is separate and  
16 so that the elector conceals the markings thereon and deposit them in the proper  
17 envelope. If a consolidated ballot under s. 5.655 is used, the elector shall fold the  
18 ballot so that the elector conceals the markings thereon and deposit the ballot in the  
19 proper envelope. If proof of residence is required, the elector shall enclose proof of  
20 residence under s. 6.34 in the envelope. Proof of residence is required if the elector  
21 is not a military elector or an overseas elector, as defined in s. 6.34 (1), and the elector  
22 registered by mail or confirmed his or her registration after the close of registration  
23 and has not voted in an election in this state. ~~If the elector requested a ballot by~~  
24 ~~means of facsimile transmission or electronic mail under s. 6.86 (1) (ac), the elector~~  
25 ~~shall enclose in the envelope a copy of the request which bears an original signature~~



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1 ~~of the elector.~~ The elector may receive assistance under sub. (5). The return envelope  
2 shall then be sealed. The witness may not be a candidate. The envelope shall be  
3 mailed by the elector, or delivered in person, to the municipal clerk issuing the ballot  
4 or ballots. If the envelope is mailed from a location outside the United States, the  
5 elector shall affix sufficient postage unless the ballot qualifies for delivery free of  
6 postage under federal law. Failure to return an unused ballot in a primary does not  
7 invalidate the ballot on which the elector's votes are cast. Return of more than one  
8 marked ballot in a primary or return of a ballot prepared under s. 5.655 or a ballot  
9 used with an electronic voting system in a primary which is marked for candidates  
10 of more than one party invalidates all votes cast by the elector for candidates in the  
11 primary.

12 **SECTION 87.** 6.87 (9) of the statutes is amended to read:

13 6.87 (9) If a municipal clerk receives an absentee ballot by mail with an  
14 improperly completed certificate or with no certificate, the clerk may return the  
15 ballot to the elector, inside the sealed envelope when an envelope is received, together  
16 with a new envelope if necessary, whenever time permits the elector to correct the  
17 defect and return the ballot within the period authorized under sub. (6).

18 **SECTION 88.** 6.875 (3) of the statutes is amended to read:

19 6.875 (3) An occupant of a nursing home or qualified retirement home or  
20 qualified community-based residential facility who qualifies as an absent elector  
21 and desires to receive an absentee ballot shall make application under s. 6.86 (1),~~(2),~~  
22 or (2m) with the municipal clerk or board of election commissioners of the  
23 municipality in which the elector is a resident. The clerk or board of election  
24 commissioners of a municipality receiving an application from an elector who is an  
25 occupant of a nursing home or qualified retirement home or qualified

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1 community-based residential facility located in a different municipality shall, as  
2 soon as possible, notify and transmit an absentee ballot for the elector to the clerk  
3 or board of election commissioners of the municipality in which the home or qualified  
4 community-based residential facility is located. The clerk or board of election  
5 commissioners of a municipality receiving an application from an elector who is an  
6 occupant of a nursing home or qualified retirement home or qualified  
7 community-based residential facility located in the municipality but who is a  
8 resident of a different municipality shall, as soon as possible, notify and request  
9 transmission of an absentee ballot from the clerk or board of election commissioners  
10 of the municipality in which the elector is a resident. The clerk or board of election  
11 commissioners shall make a record of all absentee ballots to be transmitted,  
12 delivered, and voted under this section.

13 **SECTION 89.** 6.875 (4) (a) of the statutes is amended to read:

14 6.875 (4) (a) For the purpose of absentee voting in nursing homes and qualified  
15 retirement homes and qualified community-based residential facilities, the  
16 municipal clerk or board of election commissioners of each municipality in which one  
17 or more nursing homes or qualified retirement homes or qualified community-based  
18 residential facilities are located shall appoint at least 2 special voting deputies for  
19 the municipality. Upon application under s. 6.86 (1), ~~(2)~~, or (2m) by one or more  
20 qualified electors who are occupants of a nursing home or qualified retirement home  
21 or qualified community-based residential facility, the municipal clerk or board of  
22 election commissioners of the municipality in which the home or facility is located  
23 shall dispatch 2 special voting deputies to visit the home or qualified  
24 community-based residential facility for the purpose of supervising absentee voting  
25 procedure by occupants of the home or qualified community-based residential

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1 facility. The clerk shall maintain a list, available to the public upon request, of each  
2 nursing home or qualified retirement home or qualified community-based  
3 residential facility where an elector has requested an absentee ballot. The list shall  
4 include the date and time the deputies intend to visit each home or facility. The 2  
5 deputies designated to visit each nursing home or qualified retirement home and  
6 qualified community-based residential facility shall be affiliated with different  
7 political parties whenever deputies representing different parties are available.

8 **SECTION 90.** 6.875 (6) (c) 1. of the statutes is amended to read:

9 6.875 (6) (c) 1. Upon their visit to the home or facility under par. (a), the  
10 deputies shall personally offer each elector who has filed a proper application for an  
11 absentee ballot the opportunity to cast his or her absentee ballot. If an elector is  
12 present who has not filed a proper application for an absentee ballot, the 2 deputies  
13 may accept an application from the elector and shall issue a ballot to the elector if  
14 the elector is qualified and the application is proper. The deputies shall each witness  
15 the certification and may, upon request of the elector, assist the elector in marking  
16 the elector's ballot. The deputies shall then sign the certification as witnesses and,  
17 if they provide assistance, shall sign the back of the ballot indicating that they  
18 provided assistance. All voting shall be conducted in the presence of the deputies.  
19 Upon request of the elector, a relative of the elector who is present in the room may  
20 assist the elector in marking the elector's ballot. No individual other than a deputy  
21 may witness the certification and no individual other than a deputy or relative of an  
22 elector may render voting assistance to the elector.

23 **SECTION 91.** 6.88 (3) (b) of the statutes is amended to read:

24 6.88 (3) (b) When the inspectors find that a certification is insufficient, that the  
25 applicant is not a qualified elector in the ward or election district, that the ballot

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1 envelope is open or has been opened and resealed, that the ballot envelope contains  
2 more than one ballot of any one kind or, except in municipalities where absentee  
3 ballots are canvassed under s. 7.52, that the certificate of an elector who received an  
4 absentee ballot by facsimile transmission or electronic mail is missing, or if proof is  
5 submitted to the inspectors that an elector voting an absentee ballot has since died,  
6 the inspectors shall not count the ballot. The inspectors shall endorse every ballot  
7 not counted on the back, "rejected (giving the reason)". The inspectors shall reinsert  
8 each rejected ballot into the ~~certificate~~ envelope in which it was delivered and enclose  
9 the ~~certificate~~ envelopes and ballots, and securely seal the ballots and envelopes in  
10 an envelope marked for rejected absentee ballots. The inspectors shall endorse the  
11 envelope, "rejected ballots" with a statement of the ward or election district and date  
12 of the election, signed by the chief inspector and one of the inspectors representing  
13 each of the 2 major political parties and returned to the municipal clerk in the same  
14 manner as official ballots voted at the election.

15 **SECTION 92.** 6.88 (3) (c) of the statutes is amended to read:

16 6.88 (3) (c) The inspectors shall review each ~~certificate~~ absentee ballot envelope  
17 to determine whether any absentee ballot is cast by an elector whose name appears  
18 on the poll list as ineligible to vote at the election by reason of a felony conviction.  
19 If the inspectors receive an absentee ballot that has been cast by an elector whose  
20 name appears on the poll list as ineligible for that reason, the inspectors shall  
21 challenge the ballot as provided in s. 6.92 and treat the ballot in the manner provided  
22 in s. 6.95.

23 **SECTION 93.** 6.925 of the statutes is amended to read:

24 **6.925 Elector making challenge in person.** Any elector may challenge for  
25 cause any person offering to vote whom the elector knows or suspects is not a

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1 qualified elector. If the challenged elector proposes to vote in a municipality having  
2 a population of 2,500 or more, the challenging elector shall be an elector of the same  
3 ward or election district as the challenged elector and the inspectors shall require the  
4 challenging elector to provide proof of residence under s. 6.34 before accepting the  
5 challenge. If a person is challenged as unqualified by an elector, one of the inspectors  
6 may administer the oath or affirmation to the challenged elector under s. 6.92 and  
7 ask the challenged elector the questions under that section which are appropriate to  
8 test the elector's qualifications. In addition, one of the inspectors shall administer  
9 the following oath or affirmation to the challenging elector: "You do solemnly swear  
10 (or affirm) that you will fully and truly answer all questions put to you regarding the  
11 challenged person's place of residence and qualifications as an elector of this  
12 election"; and election." If the challenged elector resides in a municipality having a  
13 population of 2,500 or more, the inspector shall also require the challenging elector  
14 to swear or affirm that he or she is an elector of the same ward or election district as  
15 the challenged elector. The inspector shall then ask questions which are appropriate  
16 as determined by the board, by rule, to test the qualifications of the challenged  
17 elector.

18 **SECTION 94.** 6.93 of the statutes is amended to read:

19 **6.93 Challenging the absent elector.** The vote of any absent elector may be  
20 challenged for cause by any inspector or by another elector and the inspectors of  
21 election shall have all the power and authority given them to hear and determine the  
22 legality of the ballot the same as if the ballot had been voted in person. In  
23 municipalities where absentee ballots are canvassed under s. 7.52, the vote of an  
24 absentee elector may be challenged as provided in s. 7.52 (5). If the challenged elector  
25 proposes to vote in a municipality having a population of 2,500 or more, any

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1 challenging elector shall be an elector of the same ward or election district as the  
2 challenged elector and the inspectors shall require the challenging elector to provide  
3 proof of residence under s. 6.34 before accepting the challenge.

4 **SECTION 95.** 7.08 (1) (c) of the statutes is amended to read:

5 7.08 (1) (c) Prescribe forms required by ss. 6.24 (3) and (4), 6.30 (4), 6.33 (1),  
6 6.40 (1) (a), 6.47 (1) (am) 2. and (3), 6.55 (2), ~~and, 6.86 (2) to (1) (ad) and (3), and 6.87~~  
7 ~~(2m)~~. All such forms shall contain a statement of the penalty applicable to false or  
8 fraudulent registration or voting through use of the form. Forms are not required  
9 to be furnished by the board.

10 **SECTION 96.** 7.08 (3) (d) to (g) of the statutes are created to read:

11 7.08 (3) (d) Be written in clear, unambiguous language.

12 (e) Be indexed by subject.

13 (f) Contain specific examples of common problems encountered at polling  
14 places on election day and detailed, specific procedures for resolving those problems.

15 (g) Include an explanation of all of the following:

16 1. Laws and rules governing solicitation by individuals and groups at a polling  
17 place.

18 2. Procedures to be followed with respect to electors whose names do not appear  
19 on the registration list.

20 3. Proper operation of any electronic voting system used at a polling place.

21 4. Procedures for handling of ballots.

22 5. Procedures governing spoiled ballots.

23 6. Procedures to be followed after a polling place closes.

24 7. Rights of electors at the polls.

25 8. Procedures for handling of emergency situations.

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1 9. Procedures for handling and processing of provisional ballots.

2 10. Security procedures.

3 **SECTION 97.** 7.08 (12) of the statutes is created to read:

4 7.08 (12) REMEDIES FOR DECEPTIVE ELECTION PRACTICES. Disseminate through  
5 the Internet and radio, television, and newspaper advertisements information  
6 concerning complaint procedures and remedies for deceptive election practices  
7 under s. 12.17.

8 **SECTION 98.** 7.15 (1) (cm) of the statutes is amended to read:

9 7.15 (1) (cm) Prepare official absentee ballots for delivery to electors requesting  
10 them, and send an official absentee ballot to each elector who has requested one for  
11 voting outside the office of the municipal clerk or an alternate site designated under  
12 s. 6.855 no later than the 30th day before each September primary and general  
13 election and no later than the 21st day before each other primary and election if the  
14 request is made before that day; otherwise, the municipal clerk shall send an official  
15 absentee ballot within one day of the time the elector's request is received.

16 **SECTION 99.** 7.15 (1) (j) of the statutes is amended to read:

17 7.15 (1) (j) Send an absentee ballot automatically to each person making an  
18 authorized request therefor in accordance with s. 6.22 (4), 6.24 (4) (c), or 6.86 (2) ~~or~~  
19 (2m).

20 **SECTION 100.** 7.15 (2m) of the statutes is amended to read:

21 7.15 (2m) OPERATION OF ALTERNATE ABSENTEE BALLOT SITE. In a municipality in  
22 which the governing body has elected to establish ~~an~~ one or more alternate absentee  
23 ballot ~~site~~ sites under s. 6.855, the municipal clerk shall operate such site as though  
24 it were his or her office for absentee ballot purposes and shall ensure that such site  
25 is adequately staffed.

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1           **SECTION 101.** 7.15 (4) of the statutes is amended to read:

2           7.15 (4) RECORDING ELECTORS. ~~Within~~ Except as authorized in s. 6.33 (5) (a),  
3           within 30 days after each election, the municipal clerk shall enter on the registration  
4 ✓ list under the name of each elector of the municipality who has voted at the election  
5 an indication of the date of the election in which the elector voted.

6           **SECTION 102.** 7.41 (4) of the statutes is amended to read:

7           7.41 (4) No individual exercising the right under sub. (1) may view the  
8 confidential portion of a registration list maintained under s. 6.36 (4) or a poll list  
9 maintained under s. 6.79 (6). However, the inspectors or municipal clerk shall  
10 disclose to such an individual, upon request, the existence of such a list, the number  
11 of electors whose names appear on the list, and the number of those electors who have  
12 voted at any point in the proceedings. No such individual may view the ~~certificate~~  
13 absentee ballot envelope of an absent elector who obtains a confidential listing under  
14 s. 6.47 (2).

15           **SECTION 103.** 7.51 (3) (d) of the statutes is amended to read:

16           7.51 (3) (d) Except in municipalities where absentee ballots are canvassed  
17 under s. 7.52, all absentee ~~certificate~~ ballot envelopes which have been opened shall  
18 be returned by the inspectors to the municipal clerk in a securely sealed carrier  
19 envelope which is clearly marked "used absentee ~~certificate~~ ballot envelopes". The  
20 envelopes shall be signed by the chief inspector and 2 other inspectors. Except when  
21 the ballots are used in a municipal or school district election only, the municipal clerk  
22 shall transmit the used envelopes to the county clerk.

23           **SECTION 104.** 7.52 (3) (b) of the statutes is amended to read:

24           7.52 (3) (b) When the board of absentee ballot canvassers finds that a  
25 certification is insufficient, that the applicant is not a qualified elector in the ward

*FN 65  
59-5*



**BILL**

1 or election district, that the ballot envelope is open or has been opened and resealed,  
2 that the ballot envelope contains more than one ballot of any one kind, or that the  
3 certificate of an elector who received an absentee ballot by facsimile transmission or  
4 electronic mail is missing, or if proof is submitted to the board of absentee ballot  
5 canvassers that an elector voting an absentee ballot has since died, the board of  
6 absentee ballot canvassers shall not count the ballot. Each member of the board of  
7 absentee ballot canvassers shall endorse every ballot not counted on the back as  
8 “rejected (giving the reason).” The board of absentee ballot canvassers shall reinsert  
9 each rejected ballot into the ~~certificate~~ envelope in which it was delivered and enclose  
10 the ~~certificate~~ envelopes and ballots, and securely seal the ballots and envelopes in  
11 an envelope marked for rejected absentee ballots. The board of absentee ballot  
12 canvassers shall endorse the envelope as “rejected ballots,” with a statement of the  
13 ward or election district and date of the election, and each member of the board of  
14 absentee ballot canvassers shall sign the statement. The board of absentee ballot  
15 canvassers shall then return the envelope containing the ballots to the municipal  
16 clerk.

17 **SECTION 105.** 7.52 (4) (i) of the statutes is amended to read:

18 7.52 (4) (i) All absentee ~~certificate~~ ballot envelopes that have been opened shall  
19 be returned by the board of absentee ballot canvassers to the municipal clerk in a  
20 securely sealed carrier envelope that is clearly marked “used absentee ~~certificate~~  
21 ballot envelopes.” The envelopes shall be signed by each member of the board of  
22 absentee ballot canvassers. Except when the ballots are used in a municipal or school  
23 district election only, the municipal clerk shall transmit the used envelopes to the  
24 county clerk.

**BILL**

1           **SECTION 106.** 7.52 (5) of the statutes is renumbered 7.52 (5) (a) and amended  
2 to read:

3           7.52 (5) (a) The vote of any absent elector may be challenged for cause by the  
4 board of absentee ballot canvassers or by another elector and the board of absentee  
5 ballot canvassers shall have all the power and authority given the inspectors to hear  
6 and determine the legality of the ballot the same as if the ballot had been voted in  
7 person. If the challenged elector proposes to vote in a municipality having a  
8 population of 2,500 or more, any challenging elector shall be an elector of the same  
9 ward or election district as the challenged elector and the board of absentee ballot  
10 canvassers shall require the challenging elector to provide proof of residence under  
11 s. 6.34.

12           **SECTION 107.** 7.52 (6) (a) of the statutes is renumbered 7.52 (6) and amended  
13 to read:

14           7.52 (6) The board of absentee ballot canvassers shall review each ~~certificate~~  
15 absentee ballot envelope to determine whether any absentee ballot is cast by an  
16 elector whose name appears on the poll list as ineligible to vote at the election,  
17 including ineligibility to vote by reason of a felony conviction. If the board of absentee  
18 ballot canvassers receives an absentee ballot that has been cast by an elector whose  
19 name appears on the poll list as ineligible to vote, the inspectors shall challenge the  
20 ballot in the same manner as provided for inspectors making challenges under s. 6.92  
21 and shall treat the ballot in the manner as provided for treatment of challenged  
22 ballots by inspectors under s. 6.95.

23           **SECTION 108.** 7.52 (6) (b) of the statutes is renumbered 7.52 (5) (b) and amended  
24 to read:

**BILL**

1           7.52 (5) (b) ~~Any elector may challenge for cause any absentee ballot.~~ For the  
2 purpose of deciding upon ballots that are challenged for any reason, the board of  
3 absentee ballot canvassers may call before it any person whose absentee ballot is  
4 challenged if the person is available to be called. If the person challenged refuses to  
5 answer fully any relevant questions put to him or her by the board of absentee ballot  
6 canvassers under s. 6.92, the board of absentee ballot canvassers shall reject the  
7 person's vote. If the challenge is not withdrawn after the person offering to vote has  
8 answered the questions, one of the members of the board of absentee ballot  
9 canvassers shall administer to the person the following oath or affirmation: "You do  
10 solemnly swear (or affirm) that: you are 18 years of age; you are a citizen of the United  
11 States; you are now and for 10 days have been a resident of this ward except under  
12 s. 6.02 (2), stats.; you have not voted at this election; you have not made any bet or  
13 wager or become directly or indirectly interested in any bet or wager depending upon  
14 the result of this election; you are not on any other ground disqualified to vote at this  
15 election." If the person challenged refuses to take the oath or affirmation, the  
16 person's vote shall be rejected. If the person challenged answers fully all relevant  
17 questions put to the elector by the board of absentee ballot canvassers under s. 6.92,  
18 takes the oath or affirmation, and fulfills the applicable registration requirements,  
19 and if the answers to the questions given by the person indicate that the person meets  
20 the voting qualification requirements, the person's vote shall be received.

21           **SECTION 109.** 9.01 (1) (b) 2. of the statutes is amended to read:

22           9.01 (1) (b) 2. The board of canvassers shall then examine the absentee ballot  
23 envelopes. Any defective absentee ballot envelopes shall be laid aside, properly  
24 marked and carefully preserved. The number of voters shall be reduced by the  
25 number of ballot envelopes set aside under this subdivision. An absentee ballot

**BILL**

1 envelope is defective only if it is not witnessed ~~or, if a witness is required for the voter~~  
2 casting the ballot, if it is not signed by the voter, or if the certificate accompanying  
3 an absentee ballot that the voter received by facsimile transmission or electronic  
4 mail is missing.

5 **SECTION 110.** 10.01 (2) (e) of the statutes is amended to read:

6 10.01 (2) (e) Type E—The type E notice shall state the qualifications for  
7 absentee voting, the procedures for obtaining an absentee ballot in the case of  
8 registered and unregistered voters, the places ~~and the deadlines for application and~~  
9 return of application where electors may cast absentee ballots in person, including  
10 any alternate site or sites designated under s. 6.855, the deadlines for making  
11 application and for return of absentee ballots, and the office hours during which an  
12 elector may cast an absentee ballot in the municipal clerk's office or at ~~an~~ each  
13 alternate site under s. 6.855. The municipal clerk shall publish a type E notice on  
14 the 4th Tuesday preceding each spring primary and election, on the 4th Tuesday  
15 preceding each September primary and general election, on the 4th Tuesday  
16 preceding the primary for each special national, state, county or municipal election  
17 if any, on the 4th Tuesday preceding a special county or municipal referendum, and  
18 on the 3rd Tuesday preceding each special national, state, county or municipal  
19 election to fill an office which is not held concurrently with the spring or general  
20 election. The clerk of each special purpose district which calls a special election shall  
21 publish a type E notice on the 4th Tuesday preceding the primary for the special  
22 election, if any, on the 4th Tuesday preceding a special referendum, and on the 3rd  
23 Tuesday preceding a special election for an office which is not held concurrently with  
24 the spring or general election except as authorized in s. 8.55 (3).

25 **SECTION 111.** 12.09 (1) and (3) of the statutes are amended to read:

**BILL****SECTION 111**

1           12.09 (1) No person may personally or through an agent make use of or  
2 threaten to make use of force, violence, ~~or~~ restraint, or any tactic of coercion or  
3 intimidation in order to induce or compel any person to vote or refrain from voting  
4 or to refrain from registering to vote at an election.

5           (3) No person may personally or through an agent, ~~by any use or threaten to~~  
6 use force or violence or by use or threat of any act of coercion or intimidation compel,  
7 induce, or prevail upon an elector either to vote or refrain from voting at any election  
8 for or against a particular candidate or question at a referendum.

9           **SECTION 112.** 12.13 (1) (b) of the statutes is amended to read:

10           12.13 (1) (b) Falsely procures registration, confirms inaccurate registration  
11 information, or makes false statements to the municipal clerk, board of election  
12 commissioners or any other election official whether or not under oath.

13           **SECTION 113.** 12.13 (1) (c) of the statutes is amended to read:

14           12.13 (1) (c) Registers as an elector in more than one place for the same election  
15 or confirms 2 or more simultaneous registrations to vote in the same election.

16           **SECTION 114.** 12.13 (1) (d) of the statutes is amended to read:

17           12.13 (1) (d) Impersonates a registered elector or a person whose unconfirmed  
18 registration appears on the registration list or poses as another person for the  
19 purpose of voting at an election.

20           **SECTION 115.** 12.13 (2) (b) 3. of the statutes is amended to read:

21           12.13 (2) (b) 3. Permit registration, confirmation of registration or receipt of a  
22 vote from a person who the official knows is not a legally qualified elector or who has  
23 refused after being challenged to make the oath or to properly answer the necessary  
24 questions pertaining to the requisite requirements and residence; or put into the  
25 ballot box a ballot other than the official's own or other one lawfully received.

**BILL**

1           **SECTION 116.** 12.17 of the statutes is created to read:

2           **12.17 Deceptive election practices. (1)** In this section, “election-related  
3 information” means information concerning any of the following:

4           (a) The date, time, place, or manner of conducting an election.

5           (b) The qualifications for or restrictions on the eligibility of electors voting at  
6 an election, including any criminal penalties associated with voting in an election or  
7 a voter’s registration status or eligibility.

8           (c) The explicit endorsement by any person of a candidate at an election.

9           **(2)** No person, whether acting under color of law or otherwise, may  
10 intentionally induce another person to refrain from registering or voting at an  
11 election by knowingly providing that person with false election-related information.

12           **(3)** Any person who is aggrieved by an alleged violation of sub. (2) may bring  
13 an action for injunctive relief in circuit court for the county where the violation is  
14 alleged to occur.

15           **(4)** Any person may file a verified complaint with the board alleging facts that  
16 the person believes to constitute a violation of sub. (2). The complaint shall be filed  
17 under s. 5.05 (2m) (c).

18           **(5)** Notwithstanding s. 5.05 (2m) (c), the board shall promptly review each  
19 complaint received under sub. (4), and if the board finds that the facts alleged in the  
20 complaint, if true, would constitute a violation of sub. (2), the board shall promptly  
21 investigate the complaint. Notwithstanding s. 5.05 (2m) (c) 11., if the board finds  
22 that a violation of sub. (2) has occurred or is occurring, the board shall take all  
23 measures necessary to provide correct information to electors who may have been  
24 deceived by the actions of the alleged violator, and shall refer the matter to the

**BILL****SECTION 116**

1 appropriate authority for prosecution in accordance with ss. 5.05 (2m) (i) and 12.60  
2 (4).

3 (6) (a) No later than 90 days after each each general election, the board shall  
4 report to the chief clerk of each house of the legislature for referral to the appropriate  
5 standing committees under s. 13.172 (2) concerning any complaints under sub. (4)  
6 that were acted upon or referred by the board under sub. (5) during the period  
7 beginning with the date of the 2nd preceding general election and ending with the  
8 preceding general election. Except as provided in par. (b), the report shall include  
9 a description of the alleged deceptive election practices that were the subject of each  
10 complaint, any corrective measures taken by the board with regard to the subject  
11 matter of the complaint, the board's evaluation of the effectiveness of those corrective  
12 measures, the status of any prosecution relating to the subject matter of the  
13 complaint, a compilation of the number and types of allegations made that were  
14 acted upon or referred by the board under sub. (5), the locations and segments of the  
15 population that were affected by the alleged deceptive election practices, and the  
16 status of any investigations conducted by the board under sub. (5).

17 (b) The board may exclude from the report under par. (a) any information that,  
18 if disclosed, would interfere with a pending investigation of a violation of the law.

19 (c) The board shall post a copy of each report submitted under this subsection  
20 on the Internet.

21 **SECTION 117.** 12.19 of the statutes is created to read:

22 **12.19 Voter suppression.** No person may knowingly attempt to prevent or  
23 deter another person from voting or registering to vote based upon fraudulent,  
24 deceptive, or spurious grounds or information. A violation of this section includes:

**BILL**

1           (1) Challenging another person's right to register or vote at an election based  
2 upon information the person knows is false.

3           (2) Attempting to induce another person to refrain from registering or voting  
4 by providing that person with information the person knows is false.

5           **SECTION 118.** 12.60 (1) (a) of the statutes is amended to read:

6           12.60 (1) (a) Whoever violates s. ~~12.09~~, 12.11 or 12.13 (1), (2) (b) 1. to 7. or (3)  
7 (a), (e), (f), (j), (k), (L), (m), (y) or (z) is guilty of a Class I felony.

8           **SECTION 119.** 12.60 (1) (am) of the statutes is created to read:

9           12.60 (1) (am) Whoever violates s. 12.17 (2) with the intent to prevent any  
10 person from exercising the right to vote in an election is guilty of a Class D felony.

11           **SECTION 120.** 12.60 (1) (an) of the statutes is created to read:

12           12.60 (1) (an) Whoever violates s. 12.09 is guilty of a Class D felony.

13           **SECTION 121.** 12.60 (1) (ap) of the statutes is created to read:

14           12.60 (1) (ap) Whoever violates s. 12.19 is guilty of a Class E felony.

15           **SECTION 122.** 12.60 (1) (bn) of the statutes is created to read:

16           12.60 (1) (bn) If a municipal clerk or executive director of a board of election  
17 commissioners fails to ensure compliance with s. 5.25 (4) (b) or to post the materials  
18 specified in s. 5.35 (6) (a) at each polling place located in the municipality served by  
19 the clerk or executive director at any election, except as authorized in s. 5.35 (6) (d),  
20 or the executive director of the government accountability board fails to include any  
21 of the materials specified in s. 7.08 (3) in the election manual, the violator may be  
22 required to forfeit not more than \$500 for each violation.

23           **SECTION 123.** 12.60 (4) of the statutes is amended to read:



**BILL**

1           12.60 (4) Prosecutions of civil offenses under this chapter shall be conducted  
2 in the manner prescribed in s. 11.60 (4). Prosecutions of criminal offenses under this  
3 chapter shall be conducted in accordance with the manner prescribed in s. 11.61 (2).

4           **SECTION 124.** 19.685 of the statutes is created to read:

5           **19.685 Access to information provided by Government Accountability**

6 **Board.** No state authority and no officer or employee thereof may provide access to  
7 information in any record of the authority that was obtained by the authority from  
8 the government accountability board under s. 6.36 (1) (bm).

9           **SECTION 125.** 85.61 (1) of the statutes is amended to read:

10           85.61 (1) The secretary of transportation and the administrator of the elections  
11 division of the government accountability board shall enter into an agreement to  
12 match personally identifiable information on the official registration list maintained  
13 by the government accountability board under s. 6.36 (1), the information specified  
14 in s. 6.34 (2n), and other information specified in s. 6.256 (2) with personally  
15 identifiable information in the operating record file database under ch. 343 and  
16 vehicle registration records under ch. 341, notwithstanding ss. 110.09 (2), 342.06 (1)  
17 (eg), and 343.14 (2j), to the extent required to enable the secretary of transportation  
18 and the administrator of the elections division of the government accountability  
19 board to verify the accuracy of the information provided for the purpose of voter  
20 registration. Notwithstanding ss. 110.09 (2), 342.06 (1) (eg), and 343.14 (2j), the  
21 agreement shall provide for the transfer of electronic information under s. 6.256 (2)  
22 to the board on a continuous basis, no less often than monthly.

23           **SECTION 126.** 939.50 (3) (d) of the statutes is amended to read:

24           939.50 (3) (d) For a Class D felony, a fine not to exceed \$100,000 or  
25 imprisonment not to exceed 25 years, or both, except that for a violation of s. 12.09,

**BILL**

1 the term of imprisonment may not exceed 3 years and for a violation of s. 12.17, the  
2 term of imprisonment may not exceed 5 years.

3 **SECTION 127.** 939.50 (3) (e) of the statutes is amended to read:

4 939.50 (3) (e) For a Class E felony, a fine not to exceed \$50,000 or imprisonment  
5 not to exceed 15 years, or both, except that for a violation of s. 12.19, the term of  
6 imprisonment may not exceed 2 years.

7 **SECTION 128. Nonstatutory provisions.**

8 (1) STUDY OF OPTIONS FOR CORRECTIVE ACTION. The government accountability  
9 board, in consultation with the department of justice and the federal election  
10 assistance commission, shall study the feasibility of providing corrective information  
11 that may be required under section 12.17 (5) of the statutes, as created by this act,  
12 through public service announcements, other uses of broadcast media, or an  
13 emergency alert system. No later than the first day of the 7th month beginning after  
14 the effective date of this subsection, the board shall report its findings and  
15 recommendations to the chief clerk of each house of the legislature, in the manner  
16 provided under section 13.172 (2) of the statutes, for referral to the appropriate  
17 standing committees of each house.

18 (2) HARDSHIP WAIVER REQUEST; STUDY OF ABSENTEE VOTING TIMELINE.

19 (a) Prior to the 2010 September primary, the legal counsel to the Government  
20 Accountability Board shall apply on behalf of this state to the presidential designee  
21 under 42 USC 1973ff-1 (g) for a determination that this state is unable to meet the  
22 requirement under 42 USC 1973ff-1 (a) (8) with respect to transmittal of absentee  
23 ballots to military and overseas electors at the 2010 September primary and general  
24 election. The application shall include a description of this state's efforts to enable  
25 delivery of absentee ballots to military and overseas electors as expeditiously as

**BILL**

1 possible. If the waiver is not granted, the legal counsel shall promptly report the  
2 response of the designee to the appropriate standing committees of the legislature  
3 in the manner prescribed in section 13.172 (3) of the statutes.

4 (b) No later than January 1, 2011, the Government Accountability Board shall  
5 report to the appropriate standing committees of the legislature, in the manner  
6 prescribed in section 13.172 (3) of the statutes, concerning the timeline used by this  
7 state for the absentee voting process and the feasibility of making adjustments to  
8 enable compliance with the timeline prescribed in 42 USC 1973ff-1 (a) (8) (A).

9 (3) INITIAL SHARING OF REGISTRATION INFORMATION. Notwithstanding sections  
10 85.61 (1), 110.09 (2), 342.06 (1) (eg), and 343.14 (2j) of the statutes, as affected by this  
11 act, the department of transportation shall enter into and begin transferring  
12 information under a revised agreement with the administrator of the elections  
13 division of the government accountability board pursuant to section 85.61 (1) of the  
14 statutes, as affected by this act, no later than the first day of the 4th month beginning  
15 after the effective date of this subsection.

16 (4) REPORT ON VOTER REGISTRATION INFORMATION INTEGRATION. No later than July  
17 1, 2011, the board shall report to the appropriate standing committees of the  
18 legislature, in the manner specified in section 13.172 (3) of the statutes, concerning  
19 its progress in initially implementing a system to ensure the complete and  
20 continuous registration of all eligible electors in this state, specifically including the  
21 operability and utility of information integration with the department of  
22 transportation and the desirability and feasibility of integrating public information  
23 maintained by other state agencies with the board's registration information to  
24 enhance the completeness and accuracy of the information. At a minimum, the  
25 report shall contain an assessment of the feasibility and desirability of the

**BILL**

1 integration of registration information with information maintained by the  
2 departments of health services, children and families, workforce development,  
3 revenue, regulation and licensing, and natural resources and the University of  
4 Wisconsin System.

**SECTION 129. Initial applicability.**

5  
6 (1) Except as provided in subsection (2) and except with respect to the  
7 requirements in section 7.08 (3) (d) to (g) of the statutes, as created by this act, this  
8 act first applies with respect to elections held on the effective date of this subsection.

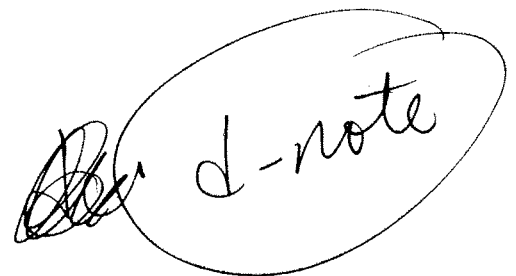
9 (2) The treatment of sections 6.24 (4) (c), 6.86 (1) (a) 3. (by SECTION 64) and (b)  
10 (by SECTION 69), (2), and (2m), 6.865 (title) (3), and (3m) (a), (b), and (c), 6.875 (3) and  
11 (4) (a), 7.08 (1) (c), and 7.15 (1) (j) of the statutes first applies with respect to requests  
12 for absentee ballots made for voting at elections held on or after the effective date of  
13 this subsection.

14 **SECTION 130. Effective dates.** This act takes effect on the day after  
15 publication, except as follows:

16 (1) The treatment of sections 6.24 (4) (c), 6.86 (1) (a) 3. (by SECTION 64) and (b)  
17 (by SECTION 69), (2), and (2m), 6.865 (title), (3), and (3m) (a), (b), and (c), 6.875 (3) and  
18 (4) (a), 7.08 (1) (c), and 7.15 (1) (j) of the statutes and SECTION 129 (2) of this act take  
19 effect on the 90th day beginning after publication.

20 (2) The treatment of section 7.08 (3) (d) to (g) of the statutes takes effect on  
21 January 1, 2011.

22 (END)

A handwritten signature, possibly "D. J. ...", is written in black ink. To its right, the text "d-note" is written in a cursive hand and enclosed within a large, hand-drawn oval.

**2009-2010 DRAFTING INSERT  
FROM THE  
LEGISLATIVE REFERENCE BUREAU**

LRB-4531/lins2  
JTK.....

INS 4A:

The bill also permits GAB to enter into an agreement with any state agency to enable matching of publicly available information in the records of the agency with records of the board to facilitate administration of voter registration by GAB.

INS 11A:

***Withholding of voluntarily provided elector information***

Currently, GAB and municipal clerks must provide public access to information in their records unless otherwise provided by law or unless the custodian demonstrates that the public interest in withholding public access outweighs the strong public interest in providing that access. This bill provides that whenever GAB or a county or municipal clerk or board of election commissioners has the telephone number, facsimile transmission number, or electronic mail address of an elector that is voluntarily provided by the elector to GAB or to the clerk or board, GAB and the clerk and board are prohibited from providing access to that information except to election officials and employees to be used for the administration of elections. ✓

INS 13-25: X

**SECTION 1.** 5.05 (16) of the statutes is created to read: X

5.05 (16) INTERAGENCY AGREEMENTS. The board may enter into an agreement with any agency, as defined in s. 16.70 (1e), ✓ to enable electronic matching of publicly available information in the records of the agency with records of the board to facilitate administration of elector registration by the board under s. 6.256 ✓ (1).

INS 58-7: X

**SECTION 2.** 7.08 (13) of the statutes is created to read: X

7.08 (13) WITHHOLD PERSONAL INFORMATION PROVIDED TO BOARD. Withhold from public access under s. 19.35 ✓ (1) the telephone number, facsimile transmission

number, or electronic mail address of any elector who voluntarily provides that information to the board or to a county or municipal clerk. The board may transfer the information to any official or employee who has access to the information in the registration list under s. 6.36 (1) (b) 1. a. to be used for the administration of elections.

**SECTION 3.** 7.10 (11) of the statutes is created to read:

**7.10 (11) WITHHOLD PERSONAL INFORMATION PROVIDED TO CLERK.** The county clerk shall withhold from public inspection under s. 19.35 (1) the telephone number, facsimile transmission number, or electronic mail address of any elector who voluntarily provides that information to the clerk or to the board or a municipal clerk. The county clerk may transfer the information to any official or employee who has access to the information in the registration list under s. 6.36 (1) (b) 1. a. to be used for the administration of elections.

INS 59-5:

**SECTION 4.** 7.15 (15) of the statutes is created to read:

**7.15 (15) WITHHOLD PERSONAL INFORMATION PROVIDED TO CLERK.** The municipal clerk shall withhold from public inspection under s. 19.35 (1) the telephone number, facsimile transmission number, or electronic mail address of any elector who voluntarily provides that information to the clerk or to the board or county clerk. The municipal clerk may transfer the information to any official or employee who has access to the information in the registration list under s. 6.36 (1) (b) 1. a. to be used for the administration of elections.

**DRAFTER'S NOTE  
FROM THE  
LEGISLATIVE REFERENCE BUREAU**

LRB-4531/1dn  
JTK:cjs:md

March 17, 2010

↑  
stays

Representative Smith:

I'm sorry to raise this issue late in the game, but the other day I came across a provision of HAVA [sec. 302 (b) (1) and (2)] that requires us to post 6 items of information ranging from sample ballots to provisional voting information at each polling place on the day of each federal election. Wisconsin law was amended to pick this up in 2003 Act 265, section 13. I'm wondering if GAB was aware of this. As you may recall, this draft provides in proposed s. 5.35 (6) (d) that GAB may substitute some other form of notice for the posting. You may wish to ask the Legislative Council Staff attorneys or GAB's staff to comment on this issue.

Jeffery T. Kuesel  
Managing Attorney  
Phone: (608) 266-6778

**DRAFTER'S NOTE  
FROM THE  
LEGISLATIVE REFERENCE BUREAU**

LRB-4531/1dn  
JTK:cjs:rs

March 17, 2010

Representative Smith:

I'm sorry to raise this issue late in the game, but the other day I came across a provision of HAVA [sec. 302 (b) (1) and (2)] that requires us to post 6 items of information ranging from sample ballots to provisional voting information at each polling place on the day of each federal election. Wisconsin law was amended to pick this up in 2003 Act 265, section 13. I'm wondering if GAB was aware of this. As you may recall, this draft provides in proposed s. 5.35 (6) (d) that GAB may substitute some other form of notice for the posting. You may wish to ask the Legislative Council Staff attorneys or GAB's staff to comment on this issue.

Jeffery T. Kuesel  
Managing Attorney  
Phone: (608) 266-6778



**Parisi, Lori**

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**From:** Wahl, Andrea  
**Sent:** Tuesday, March 23, 2010 12:27 PM  
**To:** LRB.Legal  
**Subject:** Draft Review: LRB 09-4531/1 Topic: Elections - various changes

Please Jacket LRB 09-4531/1 for the ASSEMBLY and please RUSH