

**2011 DRAFTING REQUEST**

**Bill**

Received: 11/16/2010

Received By: **jkuesel**

Wanted: **As time permits**

Companion to LRB:

For: **Joseph Leibham (608) 266-2056**

By/Representing: **Greg Gasper**

May Contact:

Drafter: **jkuesel**

Subject: **Elections - miscellaneous  
Transportation - other**

Addl. Drafters: **agary**

Extra Copies:

Submit via email: **YES**

Requester's email: **Sen.Leibham@legis.wisconsin.gov**

Carbon copy (CC:) to:

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**Pre Topic:**

No specific pre topic given

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**Topic:**

Identification required for voting in elections

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**Instructions:**

Per LRB-0089/1, with permission of Rep. Stone's office (p/c, Michael Pyritz, 11/10/10).

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**Drafting History:**

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	jkuesel 11/18/2010	csicilia 11/22/2010		_____			State
/1			phenry 11/22/2010	_____	mbarman 11/22/2010	sbasford 01/10/2011	

FE Sent For:

*at  
intro*

<END>

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DN 678

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12/1	jkuesel 11/18/10	1 ajs 11/22/10	11/22/10 ph	11/22/10 ph			

FE Sent For:

<END>

**Kuesel, Jeffery**

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**From:** Kuesel, Jeffery  
**Sent:** Wednesday, November 10, 2010 8:30 AM  
**To:** Pyritz, Michael  
**Subject:** LRB-0089 (Voter ID)

Michael,

This is just to let you know I received your voice mail on the above draft and will release it to Sen. Leibham's office. Thanks for coordinating the work on this draft.

***Jeffery T. Kuesel***

**Wisconsin Legislative Reference Bureau**

**P.O. Box 2037**

**Madison, WI 53701-2037**

**(608) 266-6778**

**Jeffery.Kuesel@legis.wisconsin.gov**



State of Wisconsin  
2011 - 2012 LEGISLATURE



LRB-008971  
JTK&ARG:cjs:rs

0493/1

Slays

MON

2011 BILL

SAL

Gen Cut

No changes except on d-note

1 AN ACT *to repeal* 6.56 (5), 12.13 (3) (v) and 343.50 (4g); *to renumber* 6.79 (3);  
2 *to renumber and amend* 6.87 (4) and 6.97 (3); *to amend* 5.35 (6) (a) 2., 5.35  
3 (6) (a) 4a., 5.35 (6) (a) 4a., 6.15 (1), 6.15 (2) (bm), 6.15 (2) (d) 1g., 6.15 (2) (d) 1r.,  
4 6.15 (3), 6.15 (3), 6.29 (1), 6.29 (2) (a), 6.33 (1), 6.33 (2) (b), 6.34 (2), 6.55 (2) (b),  
5 6.55 (2) (b), 6.55 (2) (c) 1., 6.55 (2) (c) 1., 6.55 (2) (c) 2., 6.79 (2) (a), 6.79 (2) (a),  
6 6.79 (2) (d), 6.79 (2) (d), 6.79 (3) (title), 6.79 (3) (title), 6.79 (3) (b), 6.79 (4), 6.79  
7 (6), 6.79 (6), 6.82 (1) (a), 6.82 (1) (a), 6.86 (1) (ac), 6.86 (1) (ar), 6.86 (1) (ar), 6.86  
8 (3) (a) 1., 6.86 (3) (a) 1., 6.86 (3) (a) 2., 6.869, 6.869, 6.87 (3) (d), 6.87 (4) (b) 1.,  
9 6.87 (4) (b) 2., 6.87 (4) (b) 3., 6.87 (4) (b) 5., 6.875 (title), 6.875 (2) (a), 6.875 (3)  
10 and (4), 6.875 (6) (a) and (b), 6.875 (6) (c) 1., 6.875 (6) (c) 1., 6.875 (6) (c) 2., 6.875  
11 (6) (e), 6.875 (7), 6.88 (3) (a), 6.88 (3) (a), 6.97 (title), 6.97 (1), 6.97 (1), 6.97 (2),  
12 6.97 (2), 6.97 (3) (a), 6.97 (3) (b), 6.97 (3) (c), 7.08 (8) (title), 7.08 (12), 7.52 (3) (a),  
13 7.52 (3) (a), 10.02 (3) (form) (a), 10.02 (3) (form) (a), 12.03 (2) (b) 3., 12.13 (2) (b)  
14 6m., 85.103 (2), 134.71 (8) (a) 2., 139.30 (4n), 165.8287 (2), 165.8287 (3) (d).

**BILL**

1           343.19 (title), 343.19 (2) (intro.), 343.235 (title), 343.237 (title), 343.237 (6),  
2           343.43 (2), subchapter V (title) of chapter 343 [precedes 343.50], 343.50 (3),  
3           343.50 (4), 343.50 (5) (a) 1. and 343.50 (6); **to repeal and recreate** 343.19 (1),  
4           343.22 (2), 343.22 (2m), 343.22 (3), 343.237 (2), 343.237 (3) (intro.), 343.50 (3),  
5           343.50 (4), 343.50 (5) (a) 1. and 343.50 (6); and **to create** 6.15 (2) (bm), 6.15 (2)  
6           (d) 1g., 6.79 (3) (b), 6.79 (7), 6.87 (4) (a), 6.87 (4) (b) 2., 6.87 (4) (b) 3., 6.87 (4) (b)  
7           4., 6.87 (4) (b) 5., 6.875 (1) (ap) and (asm), 6.875 (2) (d), 6.965, 6.97 (3) (a), 6.97  
8           (3) (c), 7.08 (12), 125.085 (1) (f), 343.19 (2) (c), 343.50 (4g) and 343.505 of the  
9           statutes; **relating to:** requiring certain identification in order to vote at a  
10          polling place or obtain an absentee ballot, verification of the addresses of  
11          electors, absentee voting procedure in certain residential care apartment  
12          complexes and adult family homes, identification cards issued by the  
13          Department of Transportation, creating an identification certificate issued by  
14          the Department of Transportation, requiring the exercise of rule-making  
15          authority, and providing a penalty.

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***Analysis by the Legislative Reference Bureau***

Under current law, any person who is a U.S. citizen, who is at least 18 years of age, and who has resided in a ward or election district in this state for at least ten days before the election at which the person is voting may vote in that ward or election district at that election unless the person is disqualified from voting, in certain cases specified by law, as the result of a felony conviction or an adjudication of incompetency. With limited exceptions, a person must register before voting and in certain cases must provide proof of residence. With certain limited exceptions, before being permitted to vote at any polling place, an eligible elector currently must provide his or her name and address. If the elector is not registered, the elector must provide a specified form of proof of residence in order to register. If an elector is not able to present any required proof of residence, as an alternative, current law permits an elector's registration information to be corroborated by another qualified elector who resides in the same municipality. In addition, an elector other than a military elector or an overseas elector, as defined by federal law, who registers by mail and who has not voted in an election in this state must provide one of the forms

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of identification specified by federal law, or a copy thereof if voting by absentee ballot, in order to be permitted to vote. Corroboration may not be substituted for this identification requirement, but an elector who cannot provide the required identification may cast a provisional ballot. The municipal clerk or board of election commissioners must determine whether electors casting provisional ballots are qualified to vote by 4 p.m. on the day after an election.

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

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or her operator's license or, if the elector is voting an absentee ballot by mail, may enclose a copy of the citation or notice in lieu of a copy of his or her operator's license. In this case, the bill provides that the elector's ballot is received and counted if otherwise valid, but the ballot is marked so it can be identified during the canvassing and recount process if the validity of the ballot is questioned.

The bill also directs the Government Accountability Board, in conjunction with the first regularly scheduled primary and election at which the voter identification requirements created by the bill initially apply, to conduct a public informational campaign for the purpose of informing prospective voters of the voter identification requirements created by the bill. In addition, the bill directs the board to conduct an ongoing outreach effort to identify and contact groups of electors who may need assistance in obtaining or renewing licenses or identification cards for voting purposes and to provide assistance in obtaining or renewing those licenses or identification cards.

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

Under 2007 Wisconsin Act 20 (the biennial budget act), certain provisions specified in the federal REAL ID Act are incorporated into state law when DOT provides notice that it is ready to implement the federal REAL ID Act. Among these provisions is the requirement that each operator's license and identification card include a photograph.

This bill creates an identification certificate to be issued by DOT beginning at the time that DOT implements the provisions of the federal REAL ID Act. A person is eligible for an identification certificate if the person provides the same information that an elector is required to provide in order to register to vote and signs a statement affirming that the information is correct. Identification certificates must be the same size as an operator's license but must be of a design that is readily distinguishable from the design of operator's licenses and identification cards. Each identification certificate must bear the words "IDENTIFICATION CERTIFICATE." As required by the federal REAL ID Act, identification certificates must clearly state on their face that they may not be accepted by any federal agency for federal identification or any other official purpose and must use a unique design or color indicator to alert federal agency and other law enforcement personnel that they may not be accepted for any such purpose. Each identification certificate must include a color photograph unless the identification certificate applicant provides an affidavit containing specified information, including that the applicant has a sincerely held religious belief against being photographed. An identification certificate is valid for eight years and the fee



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for an identification certificate is \$18 unless the applicant requests that the identification certificate be issued without charge.

The bill treats an identification certificate similarly to an identification card for some purposes and differently from an identification card for other purposes. The security standards for issuance of an identification certificate are not as strict as the standards applicable to an identification card after implementation of the federal REAL ID Act. However, when used for purposes of voting, an identification certificate has the same status as an identification card, as described above. Upon implementation of the provisions of the federal REAL ID Act, DOT may no longer issue an identification card without a photograph and a person may no longer obtain an identification card from DOT free of charge.

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

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

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

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

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

5           **SECTION 2.** 5.35 (6) (a) 4a. of the statutes is amended to read:

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

9           **SECTION 3.** 5.35 (6) (a) 4a. of the statutes, as affected by 2011 Wisconsin Act ....  
10 (this act), is amended to read:

**BILL****SECTION 3**

1           5.35 **(6)** (a) 4a. Instructions prescribed by the board for electors for whom a  
2 license ~~or~~ identification card, or identification certificate is required under s. 6.79 (2)  
3 or for whom proof of residence under s. 6.34 is required under s. 6.55 (2).

4           **SECTION 4.** 6.15 (1) of the statutes is amended to read:

5           6.15 **(1)** QUALIFICATIONS. Any person who was or who is ~~a qualified~~ an eligible  
6 elector under ss. 6.02 and 6.03, except that he or she has been a resident of this state  
7 for less than 10 days prior to the date of the presidential election, is entitled to vote  
8 for the president and vice president but for no other offices. The fact that the person  
9 was not registered to vote in the state from which he or she moved does not prevent  
10 voting in this state if the elector is otherwise qualified.

11           **SECTION 5.** 6.15 (2) (bm) of the statutes is created to read:

12           6.15 **(2)** (bm) Except as authorized in s. 6.79 (7), when making application in  
13 person at the office of the municipal clerk, each applicant shall present a valid  
14 operator's license issued to the person under ch. 343, a valid, current identification  
15 card issued to the person by a U.S. uniformed service, or a valid identification card  
16 issued to the person under s. 343.50. If any document presented by the applicant is  
17 not proof of residence under s. 6.34, the applicant shall also present proof of residence  
18 under s. 6.34.

19           **SECTION 6.** 6.15 (2) (bm) of the statutes, as created by 2011 Wisconsin Act ....  
20 (this act), is amended to read:

21           6.15 **(2)** (bm) Except as authorized in s. 6.79 (7), when making application in  
22 person at the office of the municipal clerk, each applicant shall present a valid  
23 operator's license issued to the person under ch. 343, a valid, current identification  
24 card issued to the person by a U.S. uniformed service, ~~or~~ a valid identification card  
25 issued to the person under s. 343.50, or a valid identification certificate issued to the

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1 person under s. 343.505. If any document presented by the applicant is not proof of  
2 residence under s. 6.34, the applicant shall also present proof of residence under s.  
3 6.34.

4 **SECTION 7.** 6.15 (2) (d) 1g. of the statutes is created to read:

5 6.15 (2) (d) 1g. If the elector makes application in person at the office of the  
6 municipal clerk, the clerk shall verify that the name on the license or identification  
7 card provided by the elector under par. (bm) is the same as the name on the elector's  
8 application and shall verify that any photograph appearing on that document  
9 reasonably resembles the elector.

10 **SECTION 8.** 6.15 (2) (d) 1g. of the statutes, as created by 2011 Wisconsin Act ....  
11 (this act), is amended to read:

12 6.15 (2) (d) 1g. If the elector makes application in person at the office of the  
13 municipal clerk, the clerk shall verify that the name on the license ~~or~~ identification  
14 card, or identification certificate provided by the elector under par. (bm) is the same  
15 as the name on the elector's application and shall verify that any photograph  
16 appearing on that document reasonably resembles the elector.

17 **SECTION 9.** 6.15 (2) (d) 1r. of the statutes is amended to read:

18 6.15 (2) (d) 1r. Upon proper completion of the application and cancellation card,  
19 the municipal clerk shall ~~require the elector to provide proof of residence under s.~~  
20 ~~6.34. If the elector cannot provide proof of residence, the elector may have his or her~~  
21 ~~residence corroborated in a statement that is signed by another elector of the~~  
22 ~~municipality and that contains the current street address of the corroborating~~  
23 ~~elector. If the residence is corroborated by another elector, that elector shall then~~  
24 ~~provide proof of residence under s. 6.34~~ permit the elector to cast his or her ballot for  
25 president and vice president. The elector shall then mark the ballot in the clerk's

**BILL****SECTION 9**

1 presence in a manner that will not disclose his or her vote. The elector shall then fold  
2 the ballot so as to conceal his or her vote. The clerk or elector shall then place the  
3 ballot in an envelope furnished by the clerk.

4 **SECTION 10.** 6.15 (3) of the statutes is amended to read:

5 6.15 (3) PROCEDURE AT POLLING PLACE. An eligible elector may appear at the  
6 polling place for the ward or election district where he or she resides and make  
7 application for a ballot under sub. (2). Except as otherwise provided in this  
8 subsection, an elector who casts a ballot under this subsection shall follow the same  
9 procedure required for casting a ballot at the municipal clerk's office under sub. (2).  
10 The inspectors shall perform the duties of the municipal clerk, except that the  
11 inspectors shall return the cancellation card under sub. (2) (b) to the municipal clerk  
12 and the clerk shall forward the card as provided in sub. (2) (c) if required. Upon  
13 proper completion of the application and cancellation card and ~~submittal of proof of~~  
14 ~~residence under s. 6.34 or providing corroboration of residence~~ verification of the  
15 elector's license or identification card as provided in sub. (2) (d) 1g., the inspectors  
16 shall permit the elector to cast his or her ballot for president and vice president. The  
17 elector shall mark the ballot and, unless the ballot is utilized with an electronic  
18 voting system, the elector shall fold the ballot, and deposit the ballot into the ballot  
19 box or give it to the inspector. The inspector shall deposit it directly into the ballot  
20 box. Voting machines or ballots utilized with electronic voting systems may only be  
21 used by electors voting under this section if they permit voting for president and vice  
22 president only.

23 **SECTION 11.** 6.15 (3) of the statutes, as affected by 2011 Wisconsin Act .... (this  
24 act), is amended to read:

**BILL**

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

18           **SECTION 12.** 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 is entitled to vote at the election upon compliance with this section,  
23 if the person complies with all other requirements for voting at the polling place.

24           **SECTION 13.** 6.29 (2) (a) of the statutes is amended to read:

**BILL****SECTION 13**

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

22           **SECTION 14.** 6.33 (1) of the statutes is amended to read:

23           6.33 (1) The board shall prescribe the format, size, and shape of registration  
24 forms. All forms shall be printed on cards and each item of information shall be of  
25 uniform font size, as prescribed by the board. The municipal clerk shall supply

**BILL**

1 sufficient forms to meet voter registration needs. The forms shall be designed to  
2 obtain from each applicant information as to name; date; residence location;  
3 citizenship; date of birth; age; the number of a valid operator's license issued to the  
4 elector under ch. 343 or the last 4 digits of the elector's social security account  
5 number; whether the applicant has resided within the ward or election district for  
6 at least 10 days; whether the applicant has been convicted of a felony for which he  
7 or she has not been pardoned, and if so, whether the applicant is incarcerated, or on  
8 parole, probation, or extended supervision; whether the applicant is disqualified on  
9 any other ground from voting; and whether the applicant is currently registered to  
10 vote at any other location. The form shall include a space for the applicant's  
11 signature ~~and the signature of any corroborating elector~~. The form shall include a  
12 space to enter the name of any special registration deputy under s. 6.26 or 6.55 (6)  
13 or inspector, municipal clerk, or deputy clerk under s. 6.55 (2) who obtains the form  
14 and a space for the deputy, inspector, clerk, or deputy clerk to sign his or her name,  
15 affirming that the deputy, inspector, clerk, or deputy clerk has accepted the form.  
16 The form shall include a space for entry of the ward and aldermanic district, if any,  
17 where the elector resides and any other information required to determine the offices  
18 and referenda for which the elector is certified to vote. The form shall also include  
19 a space where the clerk may record an indication of whether the form is received by  
20 mail, a space where the clerk may record an indication of the type of identifying  
21 document submitted by the elector as proof of residence under s. 6.34, whenever  
22 required, and a space where the clerk, for any applicant who possesses a valid voting  
23 identification card issued to the person under s. 6.47 (3), may record the  
24 identification serial number appearing on the voting identification card. Each

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1 county clerk shall obtain sufficient registration forms for completion by an elector  
2 who desires to register to vote at the office of the county clerk under s. 6.28 (4).

3 **SECTION 15.** 6.33 (2) (b) of the statutes is amended to read:

4 6.33 (2) (b) Except as provided in s. 6.86 (3) (a) 2., the registration form shall  
5 be signed by the registering elector ~~and any corroborating elector under s. 6.29 (2)~~  
6 ~~(a) or 6.55 (2)~~ before the clerk, issuing officer or registration deputy. The form shall  
7 contain a certification by the registering elector that all statements are true and  
8 correct.

9 **SECTION 16.** 6.34 (2) of the statutes is amended to read:

10 6.34 (2) ~~Except as authorized in ss. 6.29 (2) (a) and 6.86 (3) (a) 2., upon~~ Upon  
11 completion of a registration form prescribed under s. 6.33, each eligible elector who  
12 is required to register under s. 6.27, who is not a military elector or an overseas  
13 elector, and who registers after the close of registration under s. 6.29 or 6.86 (3) (a)  
14 2., shall provide an identifying document that establishes proof of residence under  
15 sub. (3). Each eligible elector who is required to register under s. 6.27, who is not a  
16 military elector or an overseas elector, who registers by mail, and who has not voted  
17 in an election in this state shall, if voting in person, provide an identifying document  
18 that establishes proof of residence under sub. (3) or, if voting by absentee ballot,  
19 provide a copy of an identifying document that establishes proof of residence under  
20 sub. (3). If the elector registered by mail, the identifying document may not be a  
21 residential lease.

22 **SECTION 17.** 6.55 (2) (b) of the statutes is amended to read:

23 6.55 (2) (b) Upon executing the registration form under par. (a), ~~the~~ except as  
24 authorized under s. 6.79 (7), each elector shall be required by a special registration  
25 deputy or inspector to present a valid operator's license issued to the elector under



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1 ~~ch. 343, a valid, current identification card issued to the elector by a U.S. uniformed~~  
2 ~~service, or a valid identification card issued to the elector under s. 343.50. If any~~  
3 ~~document presented is not proof of residence under s. 6.34, the elector shall also~~  
4 provide proof of residence under s. 6.34. ~~If the elector cannot provide proof of~~  
5 ~~residence, the information contained in the registration form shall be corroborated~~  
6 ~~in a statement that is signed by any elector who resides in the same municipality as~~  
7 ~~the registering elector and that contains the current street address of the~~  
8 ~~corroborating elector. The corroborator shall then provide proof of residence as~~  
9 ~~provided in s. 6.34.~~ If the elector is registering to vote in the general election and the  
10 elector presents a valid driver's license issued by another state, the inspector or  
11 deputy shall record on a separate list the name and address of the elector, the name  
12 of the state, and the license number and expiration date of the license. The signing  
13 by the elector executing the registration form and by any corroborator shall be in the  
14 presence of the special registration deputy or inspector who shall then print his or  
15 her name on and sign the form, indicating that the deputy or inspector has accepted  
16 the form. Upon compliance with this procedure, the elector shall be permitted to cast  
17 his or her vote, if the elector complies with all other requirements for voting at the  
18 polling place.

19 **SECTION 18.** 6.55 (2) (b) of the statutes, as affected by 2011 Wisconsin Act ....  
20 (this act), is amended to read:

21 6.55 **(2)** (b) Upon executing the registration form under par. (a), except as  
22 authorized under s. 6.79 (7), each elector shall be required by a special registration  
23 deputy or inspector to present a valid operator's license issued to the elector under  
24 ch. 343, a valid, current identification card issued to the elector by a U.S. uniformed  
25 service, ~~or~~ a valid identification card issued to the elector under s. 343.50, or a valid

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1 identification certificate issued to the elector under s. 343.505. If any document  
2 presented is not proof of residence under s. 6.34, the elector shall also provide proof  
3 of residence under s. 6.34. If the elector is registering to vote in the general election  
4 and the elector presents a valid driver's license issued by another state, the inspector  
5 or deputy shall record on a separate list the name and address of the elector, the name  
6 of the state, and the license number and expiration date of the license. The signing  
7 by the elector executing the registration form and by any corroborator shall be in the  
8 presence of the special registration deputy or inspector who shall then print his or  
9 her name on and sign the form, indicating that the deputy or inspector has accepted  
10 the form. Upon compliance with this procedure, the elector shall be permitted to cast  
11 his or her vote, if the elector complies with all other requirements for voting at the  
12 polling place.

13 **SECTION 19.** 6.55 (2) (c) 1. of the statutes is amended to read:

14 6.55 (2) (c) 1. As an alternative to registration at the polling place under pars.  
15 (a) and (b), the board of election commissioners, or the governing body of any  
16 municipality may by resolution require a person who qualifies as an elector and who  
17 is not registered and desires to register on the day of an election to do so at another  
18 readily accessible location in the same building as the polling place serving the  
19 elector's residence or at an alternate polling place assigned under s. 5.25 (5) (b),  
20 instead of at the polling place serving the elector's residence. In such case, the  
21 municipal clerk shall prominently post a notice of the registration location at the  
22 polling place. ~~The~~ An eligible elector who desires to register shall execute a  
23 registration form as prescribed under par. (a) and, except as authorized in s. 6.79 (7),  
24 present a valid operator's license issued to the person under ch. 343, a valid, current  
25 identification card issued to the person by a U.S. uniformed service, or a valid

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1 identification card issued to the person under s. 343.50. If any document presented  
2 by the person is not acceptable proof of residence under s. 6.34, the person shall also  
3 provide proof of residence as provided under s. 6.34. ~~If the elector cannot provide~~  
4 ~~proof of residence, the information contained in the registration form shall be~~  
5 ~~corroborated in the manner provided in par. (b).~~ If the elector a person is registering  
6 to vote in the general election and the ~~elector~~ person presents a valid driver's license  
7 issued by another state, the municipal clerk, deputy clerk, or special registration  
8 deputy shall record on a separate list the name and address of the ~~elector~~ person, the  
9 name of the state, and the license number and expiration date of the license. The  
10 signing by the ~~elector~~ person executing the registration form ~~and by any corroborator~~  
11 shall be in the presence of the municipal clerk, deputy clerk or special registration  
12 deputy. The municipal clerk, the deputy clerk, or the special registration deputy  
13 shall then print his or her name and sign the form, indicating that the clerk, deputy  
14 clerk, or deputy has accepted the form. Upon proper completion of registration, the  
15 municipal clerk, deputy clerk or special registration deputy shall serially number the  
16 registration and give one copy to the ~~elector~~ person for presentation at the polling  
17 place serving the ~~elector's~~ person's residence or an alternate polling place assigned  
18 under s. 5.25 (5) (b).

19 **SECTION 20.** 6.55 (2) (c) 1. of the statutes, as affected by 2011 Wisconsin Act ....  
20 (this act), is amended to read:

21 6.55 (2) (c) 1. As an alternative to registration at the polling place under pars.  
22 (a) and (b), the board of election commissioners, or the governing body of any  
23 municipality may by resolution require a person who qualifies as an elector and who  
24 is not registered and desires to register on the day of an election to do so at another  
25 readily accessible location in the same building as the polling place serving the

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1 elector's residence or at an alternate polling place assigned under s. 5.25 (5) (b),  
2 instead of at the polling place serving the elector's residence. In such case, the  
3 municipal clerk shall prominently post a notice of the registration location at the  
4 polling place. An eligible elector who desires to register shall execute a registration  
5 form as prescribed under par. (a) and, except as authorized in s. 6.79 (7), present a  
6 valid operator's license issued to the person under ch. 343, a valid, current  
7 identification card issued to the person by a U.S. uniformed service, ~~or~~ a valid  
8 identification card issued to the person under s. 343.50, or a valid identification  
9 certificate issued to the person under s. 343.505. If any document presented by the  
10 person is not acceptable proof of residence under s. 6.34, the person shall also provide  
11 proof of residence as provided under s. 6.34. If a person is registering to vote in the  
12 general election and the person presents a valid driver's license issued by another  
13 state, the municipal clerk, deputy clerk, or special registration deputy shall record  
14 on a separate list the name and address of the person, the name of the state, and the  
15 license number and expiration date of the license. The signing by the person  
16 executing the registration form shall be in the presence of the municipal clerk,  
17 deputy clerk or special registration deputy. The municipal clerk, the deputy clerk,  
18 or the special registration deputy shall then print his or her name and sign the form,  
19 indicating that the clerk, deputy clerk, or deputy has accepted the form. Upon proper  
20 completion of registration, the municipal clerk, deputy clerk or special registration  
21 deputy shall serially number the registration and give one copy to the person for  
22 presentation at the polling place serving the person's residence or an alternate  
23 polling place assigned under s. 5.25 (5) (b).

24 **SECTION 21.** 6.55 (2) (c) 2. of the statutes is amended to read:

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

10           **SECTION 22.** 6.56 (5) of the statutes is repealed.

11           **SECTION 23.** 6.79 (2) (a) of the statutes is amended to read:

12           6.79 (2) (a) Unless information on the poll list is entered electronically, the  
13           municipal clerk shall supply the inspectors with 2 copies of the most current official  
14           registration list or lists prepared under s. 6.36 (2) (a) for use as poll lists at the polling  
15           place. Except as provided in ~~sub.~~ subs. (6) and (7), each ~~person eligible elector~~, before  
16           receiving a serial number, shall state his or her full name and address and present  
17           to the officials a valid operator's license issued to the elector under ch. 343, a valid,  
18           current identification card issued to the elector by a U.S. uniformed service, or a valid  
19           identification card issued to the elector under s. 343.50. The officials shall verify that  
20           the name and address ~~provided~~ stated by the ~~person elector~~ are the same as the  
21           ~~person's~~ elector's name and address on the poll list.

22           **SECTION 24.** 6.79 (2) (a) of the statutes, as affected by 2011 Wisconsin Act ....  
23           (this act), is amended to read:

24           6.79 (2) (a) Unless information on the poll list is entered electronically, the  
25           municipal clerk shall supply the inspectors with 2 copies of the most current official

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1 registration list or lists prepared under s. 6.36 (2) (a) for use as poll lists at the polling  
2 place. Except as provided in subs. (6) and (7), each eligible elector, before receiving  
3 a serial number, shall state his or her full name and address and present to the  
4 officials a valid operator's license issued to the elector under ch. 343, a valid, current  
5 identification card issued to the elector by a U.S. uniformed service, ~~or~~ a valid  
6 identification card issued to the elector under s. 343.50, or a valid identification  
7 certificate issued to the elector under s. 343.505. The officials shall verify that the  
8 name and address stated by the elector are the same as the elector's name and  
9 address on the poll list.

10 **SECTION 25.** 6.79 (2) (d) of the statutes is amended to read:

11 6.79 (2) (d) If the poll list indicates that proof of residence under s. 6.34 is  
12 required and the document provided by the elector under par. (a) does not constitute  
13 proof of residence under s. 6.34, the officials shall require the elector to provide proof  
14 of residence. If proof of residence is provided, the officials shall verify that the name  
15 and address on the identification document submitted as proof of residence provided  
16 is the same as the name and address shown on the registration list. If proof of  
17 residence is required and not provided, or if the elector does not present a license or  
18 identification card under par. (a), whenever required, the officials shall offer the  
19 opportunity for the elector to vote under s. 6.97.

20 **SECTION 26.** 6.79 (2) (d) of the statutes, as affected by 2011 Wisconsin Act ....  
21 (this act), is amended to read:

22 6.79 (2) (d) If the poll list indicates that proof of residence under s. 6.34 is  
23 required and the document provided by the elector under par. (a) does not constitute  
24 proof of residence under s. 6.34, the officials shall require the elector to provide proof  
25 of residence. If proof of residence is provided, the officials shall verify that the name

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1 and address on the document submitted as proof of residence provided is the same  
2 as the name and address shown on the registration list. If proof of residence is  
3 required and not provided, or if the elector does not present a license ~~or~~, identification  
4 card, or identification certificate under par. (a), whenever required, the officials shall  
5 offer the opportunity for the elector to vote under s. 6.97.

6 **SECTION 27.** 6.79 (3) (title) of the statutes is amended to read:

7 6.79 (3) (title) REFUSAL TO GIVE NAME AND ADDRESS PROVIDE NAME, ADDRESS,  
8 LICENSE, OR IDENTIFICATION CARD.

9 **SECTION 28.** 6.79 (3) (title) of the statutes, as affected by 2011 Wisconsin Act  
10 .... (this act), is amended to read:

11 6.79 (3) (title) REFUSAL TO PROVIDE NAME, ADDRESS, LICENSE, OR IDENTIFICATION  
12 CARD OR CERTIFICATE.

13 **SECTION 29.** 6.79 (3) of the statutes is renumbered 6.79 (3) (a).

14 **SECTION 30.** 6.79 (3) (b) of the statutes is created to read:

15 6.79 (3) (b) If a license or identification card under sub. (2) is not provided by  
16 the elector or if the name or any photograph appearing on the document that is  
17 provided cannot be verified by the officials, the elector shall not be permitted to vote,  
18 except as authorized under sub. (6) or (7), but if the elector is entitled to cast a  
19 provisional ballot under s. 6.97, the officials shall offer the opportunity for the elector  
20 to vote under s. 6.97.

21 **SECTION 31.** 6.79 (3) (b) of the statutes, as created by 2011 Wisconsin Act ....  
22 (this act), is amended to read:

23 6.79 (3) (b) If a license ~~or~~, identification card, or identification certificate under  
24 sub. (2) is not provided by the elector or if the name or any photograph appearing on  
25 the document that is provided cannot be verified by the officials, the elector shall not

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1 be permitted to vote, except as authorized under sub. (6) or (7), but if the elector is  
2 entitled to cast a provisional ballot under s. 6.97, the officials shall offer the  
3 opportunity for the elector to vote under s. 6.97.

4 **SECTION 32.** 6.79 (4) of the statutes is amended to read:

5 6.79 (4) SUPPLEMENTAL INFORMATION. When any elector provides proof of  
6 residence under s. 6.15, 6.29 or 6.55 (2), the election officials shall enter the type of  
7 identifying document provided on the poll list, or separate list maintained under sub.  
8 (2) (c). If the document submitted as proof of identity or residence includes a number  
9 which applies only to the individual holding that document, the election officials  
10 shall also enter that number on the list. ~~When any elector corroborates the~~  
11 ~~registration identity or residence of any person offering to vote under s. 6.55 (2) (b)~~  
12 ~~or (c), or the registration identity or residence of any person registering on election~~  
13 ~~day under s. 6.86 (3) (a) 2., the election officials shall also enter the name and address~~  
14 ~~of the corroborator next to the name of the elector whose information is being~~  
15 ~~corroborated on the poll list, or the separate list maintained under sub. (2) (c).~~ When  
16 any person offering to vote has been challenged and taken the oath, following the  
17 person's name on the poll list, the officials shall enter the word "Sworn".

18 **SECTION 33.** 6.79 (6) of the statutes is amended to read:

19 6.79 (6) CONFIDENTIAL NAMES AND ADDRESSES. An elector who has a confidential  
20 listing under s. 6.47 (2) may present his or her identification card issued under s. 6.47  
21 (3), or give his or her name and identification serial number issued under s. 6.47 (3),  
22 in lieu of stating his or her name and address and presenting a license or  
23 identification card under sub. (2). If the elector's name and identification serial  
24 number appear on the confidential portion of the list, the inspectors shall issue a



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1 voting serial number to the elector, record that number on the poll list and permit  
2 the elector to vote.

3 **SECTION 34.** 6.79 (6) of the statutes, as affected by 2011 Wisconsin Act .... (this  
4 act), is amended to read:

5 **6.79 (6) CONFIDENTIAL NAMES AND ADDRESSES.** An elector who has a confidential  
6 listing under s. 6.47 (2) may present his or her identification card issued under s. 6.47  
7 (3), or give his or her name and identification serial number issued under s. 6.47 (3),  
8 in lieu of stating his or her name and address and presenting a license or  
9 identification card, or identification certificate under sub. (2). If the elector's name  
10 and identification serial number appear on the confidential portion of the list, the  
11 inspectors shall issue a voting serial number to the elector, record that number on  
12 the poll list and permit the elector to vote.

13 **SECTION 35.** 6.79 (7) of the statutes is created to read:

14 **6.79 (7) LICENSE SURRENDER.** If an elector receives a citation or notice of intent  
15 to revoke or suspend an operator's license from a law enforcement officer in any  
16 jurisdiction that is dated within 60 days of the date of an election and is required to  
17 surrender his or her operator's license issued to the elector under ch. 343 at the time  
18 the citation or notice is issued, the elector may present an original copy of the citation  
19 or notice in lieu of an operator's license under ch. 343. In such case, the elector shall  
20 cast his or her ballot under s. 6.965.

21 **SECTION 36.** 6.82 (1) (a) of the statutes is amended to read:

22 **6.82 (1) (a)** When any inspectors are informed that an eligible elector is at the  
23 entrance to the polling place who as a result of disability is unable to enter the polling  
24 place, they shall permit the elector to be assisted in marking a ballot by any  
25 individual selected by the elector, except the elector's employer or an agent of that

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

21 **SECTION 37.** 6.82 (1) (a) of the statutes, as affected by 2011 Wisconsin Act ....  
22 (this act), is amended to read:

23 6.82 (1) (a) When any inspectors are informed that an eligible elector is at the  
24 entrance to the polling place who as a result of disability is unable to enter the polling  
25 place, they shall permit the elector to be assisted in marking a ballot by any

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1 individual selected by the elector, except the elector's employer or an agent of that  
2 employer or an officer or agent of a labor organization which represents the elector.  
3 Except as authorized in s. 6.79 (6) and (7), the individual selected by the elector shall  
4 present to the inspectors a valid operator's license issued to the elector under ch. 343,  
5 a valid, current identification card issued to the elector by a U.S. uniformed service,  
6 ~~or a valid identification card issued to the elector under s. 343.50, or a valid~~  
7 identification certificate issued to the elector under s. 343.505 and, if the license ~~or,~~  
8 identification card, or identification certificate does not constitute proof of residence  
9 under s. 6.34, shall also provide proof of residence under s. 6.34 for the assisted  
10 elector, whenever required, and all other information necessary for the elector to  
11 obtain a ballot under s. 6.79 (2). The inspectors shall issue a ballot to the individual  
12 selected by the elector and shall accompany the individual to the polling place  
13 entrance where the assistance is to be given. If the ballot is a paper ballot, the  
14 assisting individual shall fold the ballot after the ballot is marked by the assisting  
15 individual. The assisting individual shall then immediately take the ballot into the  
16 polling place and give the ballot to an inspector. The inspector shall distinctly  
17 announce that he or she has "a ballot offered by .... (stating person's name), an elector  
18 who, as a result of disability, is unable to enter the polling place without assistance".  
19 The inspector shall then ask, "Does anyone object to the reception of this ballot?" If  
20 no objection is made, the inspectors shall record the elector's name under s. 6.79 and  
21 deposit the ballot in the ballot box, and shall make a notation on the poll list: "Ballot  
22 received at poll entrance".

23 **SECTION 38.** 6.86 (1) (ac) of the statutes is amended to read:

24 6.86 (1) (ac) Any elector qualifying under par. (a) may make written application  
25 to the municipal clerk for an official ballot by means of facsimile transmission or

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1 electronic mail. Any application under this paragraph shall contain a copy of the  
2 applicant's original signature. An elector requesting a ballot under this paragraph  
3 shall return with the voted ballot a copy of the request bearing an original signature  
4 of the elector as provided in s. 6.87 (4) (b).

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

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

17 **SECTION 40.** 6.86 (1) (ar) of the statutes, as affected by 2011 Wisconsin Act ....  
18 (this act), is amended to read:

19 6.86 (1) (ar) Except as authorized in s. 6.875 (6), the municipal clerk shall not  
20 issue an absentee ballot unless the clerk receives a written application therefor from  
21 a qualified elector of the municipality. The clerk shall retain each absentee ballot  
22 application until destruction is authorized under s. 7.23 (1). Except as authorized  
23 in s. 6.79 (6) and (7), if a qualified elector applies for an absentee ballot in person at  
24 the clerk's office, the clerk shall not issue the elector an absentee ballot unless the  
25 elector presents a valid operator's license issued to the elector under ch. 343, a valid,

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1 current identification card issued to the elector by a U.S. uniformed service, ~~or~~ a valid  
2 identification card issued to the elector under s. 343.50, or a valid identification  
3 certificate issued to the elector under s. 343.505. The clerk shall make a copy of the  
4 document presented by the elector and shall enclose the copy in the certificate  
5 envelope.

6 **SECTION 41.** 6.86 (3) (a) 1. of the statutes is amended to read:

7 6.86 (3) (a) 1. Any elector who is registered and who is hospitalized, may apply  
8 for and obtain an official ballot by agent. The agent may apply for and obtain a ballot  
9 for the hospitalized absent elector by presenting a form prescribed by the board and  
10 containing the required information supplied by the hospitalized elector and signed  
11 by that elector ~~and any other elector residing in the same municipality as the~~  
12 ~~hospitalized elector, corroborating the information contained therein. The~~  
13 ~~corroborating elector shall state on the form his or her full name and address. Except~~  
14 as authorized for an elector who has a confidential listing under s. 6.47 (2) or as  
15 authorized in s. 6.87 (4) (b) 4., the agent shall present the license or identification  
16 card required under sub. (1) (ar). The clerk shall make a copy of the document  
17 presented by the agent and shall enclose the copy in the certificate envelope.

18 **SECTION 42.** 6.86 (3) (a) 1. of the statutes, as affected by 2011 Wisconsin Act ....  
19 (this act), is amended to read:

20 6.86 (3) (a) 1. Any elector who is registered and who is hospitalized, may apply  
21 for and obtain an official ballot by agent. The agent may apply for and obtain a ballot  
22 for the hospitalized absent elector by presenting a form prescribed by the board and  
23 containing the required information supplied by the hospitalized elector and signed  
24 by that elector. Except as authorized for an elector who has a confidential listing  
25 under s. 6.47 (2) or as authorized in s. 6.87 (4) (b) 4., the agent shall present the

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1 license or identification card, or identification certificate required under sub. (1) (ar).

2 The clerk shall make a copy of the document presented by the agent and shall enclose  
3 the copy in the certificate envelope.

4 **SECTION 43.** 6.86 (3) (a) 2. of the statutes is amended to read:

5 6.86 (3) (a) 2. If a hospitalized elector is not registered, the elector may register  
6 by agent under this subdivision at the same time that the elector applies for an  
7 official ballot by agent under subd. 1. To register the elector under this subdivision,  
8 the agent shall present a completed registration form that contains the required  
9 information supplied by the elector and the elector's signature, unless the elector is  
10 unable to sign due to physical disability. In this case, the elector may authorize  
11 another elector to sign on his or her behalf. Any elector signing a form on another  
12 elector's behalf shall attest to a statement that the application is made on request  
13 and by authorization of the named elector, who is unable to sign the form due to  
14 physical disability. The agent shall present this statement along with all other  
15 information required under this subdivision. ~~Except as otherwise provided in this~~  
16 ~~subdivision, the~~ The agent shall ~~in every case~~ provide proof of the elector's residence  
17 under s. 6.34. If the elector is registering to vote in the general election and the agent  
18 presents a valid driver's license issued to the elector by another state, the municipal  
19 clerk shall record on a separate list the name and address of the elector, the name  
20 of the state, and the license number and expiration date of the license. ~~If the agent~~  
21 ~~cannot present proof of residence, the registration form shall be signed and~~  
22 ~~substantiated by another elector residing in the elector's municipality of residence,~~  
23 ~~corroborating the information in the form. The form shall contain the full name and~~  
24 ~~address of the corroborating elector. The agent shall then present proof of the~~  
25 ~~corroborating elector's residence under s. 6.34.~~

**BILL**

1           **SECTION 44.** 6.869 of the statutes is amended to read:

2           **6.869 Uniform instructions.** The board shall prescribe uniform instructions  
3 for absentee voters. The instructions shall include information concerning whether  
4 a copy of a license or identification card is required under s. 6.86 (1) (ar) or 6.87 (4)  
5 (b) and information concerning the procedure for correcting errors in marking a  
6 ballot and obtaining a replacement for a spoiled ballot. The procedure shall, to the  
7 extent possible, respect the privacy of each elector and preserve the confidentiality  
8 of each elector's vote.

9           **SECTION 45.** 6.869 of the statutes, as affected by 2011 Wisconsin Act ....(this  
10 act), is amended to read:

11           **6.869 Uniform instructions.** The board shall prescribe uniform instructions  
12 for absentee voters. The instructions shall include information concerning whether  
13 a copy of a license ~~or~~ identification card, or identification certificate is required under  
14 s. 6.86 (1) (ar) or 6.87 (4) (b) and information concerning the procedure for correcting  
15 errors in marking a ballot and obtaining a replacement for a spoiled ballot. The  
16 procedure shall, to the extent possible, respect the privacy of each elector and  
17 preserve the confidentiality of each elector's vote.

18           **SECTION 46.** 6.87 (3) (d) of the statutes is amended to read:

19           **6.87 (3) (d)** A municipal clerk may, if the clerk is reliably informed by an absent  
20 elector of a facsimile transmission number or electronic mail address where the  
21 elector can receive an absentee ballot, transmit a facsimile or electronic copy of the  
22 absent elector's ballot to that elector in lieu of mailing under this subsection if, in the  
23 judgment of the clerk, the time required to send the ballot through the mail may not  
24 be sufficient to enable return of the ballot by the time provided under sub. (6). An  
25 elector may receive an absentee ballot under this subsection only if the elector has

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1 filed a valid application for the ballot under s. 6.86 (1). If the clerk transmits an  
2 absentee ballot under this paragraph, the clerk shall also transmit a facsimile or  
3 electronic copy of the text of the material that appears on the certificate envelope  
4 prescribed in sub. (2), together with instructions prescribed by the board. The  
5 instructions shall require the absent elector to make and subscribe to the  
6 certification as required under sub. (4) (b) and to enclose the absentee ballot in a  
7 separate envelope contained within a larger envelope, that shall include the  
8 completed certificate. The elector shall then affix sufficient postage unless the  
9 absentee ballot qualifies for mailing free of postage under federal free postage laws  
10 and shall mail the absentee ballot to the municipal clerk. Except as authorized in  
11 s. 6.97 (2), an absentee ballot received under this paragraph shall not be counted  
12 unless it is cast in the manner prescribed in this paragraph and in accordance with  
13 the instructions provided by the board.

14 **SECTION 47.** 6.87 (4) of the statutes is renumbered 6.87 (4) (b) 1. and amended  
15 to read:

16 6.87 **(4)** (b) 1. Except as otherwise provided in s. 6.875, the elector voting  
17 absentee shall make and subscribe to the certification before one witness who is an  
18 adult U.S. citizen. The absent elector, in the presence of the witness, shall mark the  
19 ballot in a manner that will not disclose how the elector's vote is cast. The elector  
20 shall then, still in the presence of the witness, fold the ballots so each is separate and  
21 so that the elector conceals the markings thereon and deposit them in the proper  
22 envelope. If a consolidated ballot under s. 5.655 is used, the elector shall fold the  
23 ballot so that the elector conceals the markings thereon and deposit the ballot in the  
24 proper envelope. ~~If proof of residence is required~~ Except as authorized in subds. 2.  
25 to 5. and s. 6.875 (6) and notwithstanding s. 343.43 (1) (f), the elector shall enclose



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1 a copy of the license or identification card required under s. 6.86 (1) (ar) in the  
2 envelope, unless the elector is a military elector or an overseas elector or the elector  
3 has a confidential listing under s. 6.47 (2). If proof of residence under s. 6.34 is  
4 required and the document enclosed by the elector under this subdivision does not  
5 constitute proof of residence under s. 6.34, the elector shall also enclose proof of  
6 residence under s. 6.34 in the envelope. Proof of residence is required if the elector  
7 is not a military elector or an overseas elector, ~~as defined in s. 6.34 (1),~~ and the elector  
8 registered by mail and has not voted in an election in this state. If the elector  
9 requested a ballot by means of facsimile transmission or electronic mail under s. 6.86  
10 (1) (ac), the elector shall enclose in the envelope a copy of the request which bears an  
11 original signature of the elector. The elector may receive assistance under sub. (5).  
12 The return envelope shall then be sealed. The witness may not be a candidate. The  
13 envelope shall be mailed by the elector, or delivered in person, to the municipal clerk  
14 issuing the ballot or ballots. If the envelope is mailed from a location outside the  
15 United States, the elector shall affix sufficient postage unless the ballot qualifies for  
16 delivery free of postage under federal law. Failure to return an unused ballot in a  
17 primary does not invalidate the ballot on which the elector's votes are cast. Return  
18 of more than one marked ballot in a primary or return of a ballot prepared under s.  
19 5.655 or a ballot used with an electronic voting system in a primary which is marked  
20 for candidates of more than one party invalidates all votes cast by the elector for  
21 candidates in the primary.

22 **SECTION 48.** 6.87 (4) (a) of the statutes is created to read:

23 6.87 (4) (a) In this subsection:

- 24 1. "Military elector" has the meaning given in s. 6.34 (1) (a).
- 25 2. "Overseas elector" has the meaning given in s. 6.34 (1) (b).

**BILL****SECTION 49**

1           **SECTION 49.** 6.87 (4) (b) 1. of the statutes, as affected by 2011 Wisconsin Act ....  
2           (this act), is amended to read:

3           6.87 (4) (b) 1. Except as otherwise provided in s. 6.875, the elector voting  
4           absentee shall make and subscribe to the certification before one witness who is an  
5           adult U.S. citizen. The absent elector, in the presence of the witness, shall mark the  
6           ballot in a manner that will not disclose how the elector's vote is cast. The elector  
7           shall then, still in the presence of the witness, fold the ballots so each is separate and  
8           so that the elector conceals the markings thereon and deposit them in the proper  
9           envelope. If a consolidated ballot under s. 5.655 is used, the elector shall fold the  
10          ballot so that the elector conceals the markings thereon and deposit the ballot in the  
11          proper envelope. Except as authorized in subds. 2. to 5. and s. 6.875 (6) and  
12          notwithstanding s. 343.43 (1) (f), the elector shall enclose a copy of the license or,  
13          identification card, or identification certificate required under s. 6.86 (1) (ar) in the  
14          envelope, unless the elector is a military elector or an overseas elector or the elector  
15          has a confidential listing under s. 6.47 (2). If proof of residence under s. 6.34 is  
16          required and the document enclosed by the elector under this subdivision does not  
17          constitute proof of residence under s. 6.34, the elector shall also enclose proof of  
18          residence under s. 6.34 in the envelope. Proof of residence is required if the elector  
19          is not a military elector or an overseas elector and the elector registered by mail and  
20          has not voted in an election in this state. If the elector requested a ballot by means  
21          of facsimile transmission or electronic mail under s. 6.86 (1) (ac), the elector shall  
22          enclose in the envelope a copy of the request which bears an original signature of the  
23          elector. The elector may receive assistance under sub. (5). The return envelope shall  
24          then be sealed. The witness may not be a candidate. The envelope shall be mailed  
25          by the elector, or delivered in person, to the municipal clerk issuing the ballot or

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1 ballots. If the envelope is mailed from a location outside the United States, the  
2 elector shall affix sufficient postage unless the ballot qualifies for delivery free of  
3 postage under federal law. Failure to return an unused ballot in a primary does not  
4 invalidate the ballot on which the elector's votes are cast. Return of more than one  
5 marked ballot in a primary or return of a ballot prepared under s. 5.655 or a ballot  
6 used with an electronic voting system in a primary which is marked for candidates  
7 of more than one party invalidates all votes cast by the elector for candidates in the  
8 primary.

9 **SECTION 50.** 6.87 (4) (b) 2. of the statutes is created to read:

10 6.87 (4) (b) 2. Unless subd. 3. applies, if the absentee elector has applied for and  
11 qualified to receive absentee ballots automatically under s. 6.86 (2) (a), the elector  
12 may, in lieu of providing a copy of a license or identification card required under s.  
13 6.86 (1) (ar), submit with his or her absentee ballot a statement signed by the same  
14 individual who witnesses voting of the ballot which contains the name and address  
15 of the elector and verifies that the name and address are correct.

16 **SECTION 51.** 6.87 (4) (b) 2. of the statutes, as created by 2011 Wisconsin Act ....  
17 (this act), is amended to read:

18 6.87 (4) (b) 2. Unless subd. 3. applies, if the absentee elector has applied for and  
19 qualified to receive absentee ballots automatically under s. 6.86 (2) (a), the elector  
20 may, in lieu of providing a copy of a license ~~or~~ identification card, or identification  
21 certificate required under s. 6.86 (1) (ar), submit with his or her absentee ballot a  
22 statement signed by the same individual who witnesses voting of the ballot which  
23 contains the name and address of the elector and verifies that the name and address  
24 are correct.

25 **SECTION 52.** 6.87 (4) (b) 3. of the statutes is created to read:

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1           6.87 (4) (b) 3. If the absentee elector has received an absentee ballot from the  
2 municipal clerk by mail for a previous election, has provided a copy of a license or  
3 identification card required under s. 6.86 (1) (ar) with that ballot, and has not  
4 changed his or her name or address since providing that identification, the elector  
5 is not required to provide a copy of the identification required under s. 6.86 (1) (ar).

6           **SECTION 53.** 6.87 (4) (b) 3. of the statutes, as created by 2011 Wisconsin Act ....  
7 (this act), is amended to read:

8           6.87 (4) (b) 3. If the absentee elector has received an absentee ballot from the  
9 municipal clerk by mail for a previous election, has provided a copy of a license or,  
10 identification card, or identification certificate required under s. 6.86 (1) (ar) with  
11 that ballot, and has not changed his or her name or address since providing that  
12 identification, the elector is not required to provide a copy of the identification  
13 required under s. 6.86 (1) (ar).

14           **SECTION 54.** 6.87 (4) (b) 4. of the statutes is created to read:

15           6.87 (4) (b) 4. If the absentee elector has received a citation or notice of intent  
16 to revoke or suspend an operator's license from a law enforcement officer in any  
17 jurisdiction that is dated within 60 days of the date of the election and is required  
18 to surrender his or her operator's license issued to the elector under ch. 343 at the  
19 time the citation or notice is issued, the elector may enclose a copy of the citation or  
20 notice in lieu of a copy of an operator's license under ch. 343 if the elector is voting  
21 by mail, or may present an original copy of the citation or notice in lieu of an  
22 operator's license under ch. 343 if the elector is voting at the office of the municipal  
23 clerk.

24           **SECTION 55.** 6.87 (4) (b) 5. of the statutes is created to read:

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1           6.87 (4) (b) 5. Unless subd. 3. or 4. applies, if the absentee elector resides in a  
2 qualified retirement home, as defined in s. 6.875 (1) (at), a qualified  
3 community-based residential facility, as defined in s. 6.875 (1) (as), a residential care  
4 apartment complex that is certified or registered under s. 50.034 (1), or an adult  
5 family home that is certified under s. 50.032 or licensed under s. 50.033 and the  
6 municipal clerk or board of election commissioners of the municipality where the  
7 complex, facility, or home is located does not send special voting deputies to visit the  
8 complex, facility, or home at the election under s. 6.875, the elector may, in lieu of  
9 providing a copy of a license or identification card required under s. 6.86 (1) (ar),  
10 submit with his or her absentee ballot a statement signed by the same individual who  
11 witnesses voting of the ballot that contains the certification of the manager of the  
12 complex, facility, or home that the elector resides in the complex, facility, or home and  
13 the complex, facility, or home is certified or registered as required by law, that  
14 contains the name and address of the elector, and that verifies that the name and  
15 address are correct.

16           **SECTION 56.** 6.87 (4) (b) 5. of the statutes, as created by 2011 Wisconsin Act ....  
17 (this act), is amended to read:

18           6.87 (4) (b) 5. Unless subd. 3. or 4. applies, if the absentee elector resides in a  
19 residential care apartment complex that is certified or registered under s. 50.034 (1)  
20 or an adult family home that is certified under s. 50.032 or licensed under s. 50.033  
21 and the municipal clerk or board of election commissioners of the municipality where  
22 the complex or home is located does not send special voting deputies to visit the  
23 complex or home at the election under s. 6.875, the elector may, in lieu of providing  
24 a copy of a license or, identification card, or identification certificate required under  
25 s. 6.86 (1) (ar), submit with his or her absentee ballot a statement signed by the same

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1 individual who witnesses voting of the ballot that contains the certification of the  
2 manager of the complex or home that the elector resides in the complex or home and  
3 the complex or home is certified or registered as required by law, that contains the  
4 name and address of the elector, and that verifies that the name and address are  
5 correct.

6 **SECTION 57.** 6.875 (title) of the statutes is amended to read:

7 **6.875 (title) ~~Absentee voting in nursing and retirement~~ certain homes**  
8 **~~and certain community-based residential, facilities, and complexes.~~**

9 **SECTION 58.** 6.875 (1) (ap) and (asm) of the statutes are created to read:

10 **6.875 (1) (ap)** “Qualified adult family home” means a facility that is certified  
11 or licensed to operate as an adult family home under s. 50.032 or 50.033 that qualifies  
12 under sub. (2) (d) to utilize the procedures under this section.

13 (asm) “Qualified residential care apartment complex” means a facility that is  
14 certified or registered to operate as a residential care apartment complex under s.  
15 50.034 (1) that qualifies under sub. (2) (d) to utilize the procedures under this section.

16 **SECTION 59.** 6.875 (2) (a) of the statutes is amended to read:

17 **6.875 (2) (a)** The procedures prescribed in this section are the exclusive means  
18 of absentee voting for electors who are occupants of nursing homes, qualified  
19 community-based residential facilities ~~or~~, qualified retirement homes, qualified  
20 residential care apartment complexes, and qualified adult family homes.

21 **SECTION 60.** 6.875 (2) (d) of the statutes is created to read:

22 **6.875 (2) (d)** The municipal clerk or board of election commissioners of any  
23 municipality where a residential care apartment complex certified or registered  
24 under s. 50.034 (1) or an adult family home certified under s. 50.032 or licensed under  
25 s. 50.033 is located may adopt the procedures under this section for absentee voting

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1 in any such residential care apartment complex or adult family home located in the  
2 municipality if the municipal clerk or board of election commissioners finds that  
3 there are a significant number of the occupants of the complex or home who lack  
4 adequate transportation to the appropriate polling place, a significant number of the  
5 occupants of the complex or home may need assistance in voting, there are a  
6 significant number of the occupants of the complex or home aged 60 or over, or there  
7 are a significant number of indefinitely confined electors who are occupants of the  
8 complex or home.

9 **SECTION 61.** 6.875 (3) and (4) of the statutes are amended to read:

10 6.875 (3) An occupant of a nursing home or qualified retirement home ~~or,~~  
11 qualified community-based residential facility, qualified residential care apartment  
12 complex, or qualified adult family home who qualifies as an absent elector and  
13 desires to receive an absentee ballot shall make application under s. 6.86 (1), (2), or  
14 (2m) with the municipal clerk or board of election commissioners of the municipality  
15 in which the elector is a resident. The clerk or board of election commissioners of a  
16 municipality receiving an application from an elector who is an occupant of a nursing  
17 home or qualified retirement home ~~or,~~ qualified community-based residential  
18 facility, qualified residential care apartment complex, or qualified adult family home  
19 located in a different municipality shall, as soon as possible, notify and transmit an  
20 absentee ballot for the elector to the clerk or board of election commissioners of the  
21 municipality in which the home ~~or qualified community-based residential, facility~~  
22 or complex is located. The clerk or board of election commissioners of a municipality  
23 receiving an application from an elector who is an occupant of a nursing home or  
24 qualified retirement home ~~or,~~ qualified community-based residential facility,  
25 qualified residential care apartment complex, or qualified adult family home located

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1 in the municipality but who is a resident of a different municipality shall, as soon as  
2 possible, notify and request transmission of an absentee ballot from the clerk or  
3 board of election commissioners of the municipality in which the elector is a resident.  
4 The clerk or board of election commissioners shall make a record of all absentee  
5 ballots to be transmitted, delivered, and voted under this section.

6 (4) (a) For the purpose of absentee voting in nursing homes ~~and~~, qualified  
7 retirement homes ~~and~~, qualified community-based residential facilities, qualified  
8 residential care apartment complexes, and qualified adult family homes, the  
9 municipal clerk or board of election commissioners of each municipality in which one  
10 or more nursing homes ~~or~~, qualified retirement homes ~~or~~, qualified  
11 community-based residential facilities, qualified residential care apartment  
12 complexes, or qualified adult family homes are located shall appoint at least 2 special  
13 voting deputies for the municipality. Upon application under s. 6.86 (1), (2), or (2m)  
14 by one or more qualified electors who are occupants of a ~~nursing home or qualified~~  
15 ~~retirement home or qualified community-based residential~~, facility, or complex, the  
16 municipal clerk or board of election commissioners of the municipality in which the  
17 home ~~or~~, facility, or complex is located shall dispatch 2 special voting deputies to visit  
18 the home ~~or qualified community-based residential~~, facility, or complex for the  
19 purpose of supervising absentee voting procedure by occupants of the home ~~or~~  
20 ~~qualified community-based residential~~, facility, or complex. The clerk shall  
21 maintain a list, available to the public upon request, of each ~~nursing home or~~  
22 ~~qualified retirement home or qualified community-based residential~~, facility, or  
23 complex where an elector has requested an absentee ballot. The list shall include the  
24 date and time the deputies intend to visit each home ~~or~~, facility, or complex. The 2  
25 deputies designated to visit each nursing home ~~or~~, qualified retirement home ~~or~~,



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1 qualified community-based residential facility, qualified residential care apartment  
2 complex, and qualified adult family home shall be affiliated with different political  
3 parties whenever deputies representing different parties are available.

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

15 **SECTION 62.** 6.875 (6) (a) and (b) of the statutes are amended to read:

16 6.875 (6) (a) Special voting deputies in each municipality shall, not later than  
17 5 p.m. on the Friday preceding an election, arrange one or more convenient times  
18 with the administrator of each nursing home, qualified retirement home, ~~and~~  
19 qualified community-based residential facility, qualified residential care apartment  
20 complex, and qualified adult family home in the municipality from which one or more  
21 occupants have filed an application under s. 6.86 to conduct absentee voting for the  
22 election. The time may be no earlier than the 4th Monday preceding the election and  
23 no later than 5 p.m. on the Monday preceding the election. The municipal clerk shall  
24 post a notice at the home ~~or~~, facility, or complex indicating the date and time that  
25 absentee voting will take place at that home ~~or~~, facility, or complex. The notice shall

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1 be posted as soon as practicable after arranging the visit but in no case less than 24  
2 hours before the visit. At the designated time, 2 deputies appointed under sub. (4)  
3 shall visit the home ~~or~~, facility, or complex.

4 (b) The municipal clerk or executive director of the board of election  
5 commissioners shall issue a supply of absentee ballots to the deputies sufficient to  
6 provide for the number of valid applications for an absentee ballot received by the  
7 clerk, and a reasonable additional number of ballots. The deputies may exercise the  
8 authority granted to the chief inspector under s. 7.41 to regulate the conduct of  
9 observers. For purposes of the application of s. 7.41, the home ~~or~~, facility, or complex  
10 shall be treated as a polling place. The municipal clerk or executive director shall  
11 keep a careful record of all ballots issued to the deputies and shall require the  
12 deputies to return every ballot issued to them.

13 **SECTION 63.** 6.875 (6) (c) 1. of the statutes is amended to read:

14 6.875 (6) (c) 1. Upon their visit to the home ~~or~~, facility, or complex under par.  
15 (a), the deputies shall personally offer each elector who has filed a proper application  
16 for an absentee ballot the opportunity to cast his or her absentee ballot. In lieu of  
17 providing a copy of a license or identification card under s. 6.87 (4) (b) 1. with his or  
18 her absentee ballot, the elector may submit with his or her ballot a statement signed  
19 by both deputies that contains the name and address of the elector and verifies that  
20 the name and address are correct. The deputies shall enclose the statement in the  
21 certificate envelope. If an elector presents a license or identification card under s.  
22 6.87 (4) (b) 1., the deputies shall make a copy of the document presented by the elector  
23 and shall enclose the copy in the certificate envelope. If an elector is present who has  
24 not filed a proper application for an absentee ballot, the 2 deputies may accept an  
25 application from the elector and shall issue a ballot to the elector if the elector is

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1 qualified, the elector presents a license or identification card, whenever required, or  
2 submits a statement containing his or her name and address under this subdivision,  
3 and the application is proper. The deputies shall each witness the certification and  
4 may, upon request of the elector, assist the elector in marking the elector's ballot. All  
5 voting shall be conducted in the presence of the deputies. Upon request of the elector,  
6 a relative of the elector who is present in the room may assist the elector in marking  
7 the elector's ballot. No individual other than a deputy may witness the certification  
8 and no individual other than a deputy or relative of an elector may render voting  
9 assistance to the elector.

10 **SECTION 64.** 6.875 (6) (c) 1. of the statutes, as affected by 2011 Wisconsin Act  
11 ... (this act), is amended to read:

12 6.875 (6) (c) 1. Upon their visit to the home, facility, or complex under par. (a),  
13 the deputies shall personally offer each elector who has filed a proper application for  
14 an absentee ballot the opportunity to cast his or her absentee ballot. In lieu of  
15 providing a copy of a license ~~or~~, identification card, or identification certificate under  
16 s. 6.87 (4) (b) 1. with his or her absentee ballot, the elector may submit with his or  
17 her ballot a statement signed by both deputies that contains the name and address  
18 of the elector and verifies that the name and address are correct. The deputies shall  
19 enclose the statement in the certificate envelope. If an elector presents a license ~~or~~,  
20 identification card, or identification certificate under s. 6.87 (4) (b) 1., the deputies  
21 shall make a copy of the document presented by the elector and shall enclose the copy  
22 in the certificate envelope. If an elector is present who has not filed a proper  
23 application for an absentee ballot, the 2 deputies may accept an application from the  
24 elector and shall issue a ballot to the elector if the elector is qualified, the elector  
25 presents a license ~~or~~, identification card, or identification certificate, whenever

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1 required, or submits a statement containing his or her name and address under this  
2 subsection, and the application is proper. The deputies shall each witness the  
3 certification and may, upon request of the elector, assist the elector in marking the  
4 elector's ballot. All voting shall be conducted in the presence of the deputies. Upon  
5 request of the elector, a relative of the elector who is present in the room may assist  
6 the elector in marking the elector's ballot. No individual other than a deputy may  
7 witness the certification and no individual other than a deputy or relative of an  
8 elector may render voting assistance to the elector.

9 **SECTION 65.** 6.875 (6) (c) 2. of the statutes is amended to read:

10 6.875 **(6)** (c) 2. Upon the request of a relative of an occupant of a nursing home  
11 ~~or~~, qualified retirement home ~~or~~, qualified community-based residential facility,  
12 qualified residential care apartment complex, or qualified adult family home, the  
13 administrator of the home ~~or~~, facility, or complex may notify the relative of the time  
14 or times at which special voting deputies will conduct absentee voting at the home  
15 ~~or~~, facility, or complex and permit the relative to be present in the room where the  
16 voting is conducted.

17 **SECTION 66.** 6.875 (6) (e) of the statutes is amended to read:

18 6.875 **(6)** (e) If a qualified elector is not able to cast his or her ballot on 2 separate  
19 visits by the deputies to the home ~~or~~, facility, or complex, the deputies shall so inform  
20 the municipal clerk or executive director of the board of election commissioners, who  
21 may then send the ballot to the elector no later than 5 p.m. on the Friday preceding  
22 the election.

23 **SECTION 67.** 6.875 (7) of the statutes is amended to read:

24 6.875 **(7)** One observer from each of the 2 recognized political parties whose  
25 candidate for governor or president received the greatest number of votes in the

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1 municipality at the most recent general election may accompany the deputies to each  
2 home ~~or~~ facility, or complex where absentee voting will take place under this section.  
3 The observers may observe the process of absentee ballot distribution in the common  
4 areas of the home ~~or~~ facility, or complex. Each party wishing to have an observer  
5 present shall submit the name of the observer to the clerk or board of election  
6 commissioners no later than the close of business on the last business day prior to  
7 the visit.

8 **SECTION 68.** 6.88 (3) (a) of the statutes is amended to read:

9 6.88 (3) (a) Except in municipalities where absentee ballots are canvassed  
10 under s. 7.52, at any time between the opening and closing of the polls on election day,  
11 the inspectors shall, in the same room where votes are being cast, in such a manner  
12 that members of the public can hear and see the procedures, open the carrier  
13 envelope only, and announce the name of the absent elector or the identification  
14 serial number of the absent elector if the elector has a confidential listing under s.  
15 6.47 (2). When the inspectors find that the certification has been properly executed,  
16 the applicant is a qualified elector of the ward or election district, and the applicant  
17 has not voted in the election, they shall enter an indication on the poll list next to the  
18 applicant's name indicating an absentee ballot is cast by the elector. They shall then  
19 open the envelope containing the ballot in a manner so as not to deface or destroy the  
20 certification thereon. The inspectors shall take out the ballot without unfolding it  
21 or permitting it to be unfolded or examined. Unless the ballot is cast under s. 6.95,  
22 the inspectors shall verify that the ballot has been endorsed by the issuing clerk. If  
23 the poll list indicates that proof of residence under s. 6.34 is required and no proof  
24 of residence is enclosed or the name or address on the document that is provided is  
25 not the same as the name and address shown on the poll list, or if the elector is not

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1 a military elector, as defined in s. 6.34 (1) (a), or an overseas elector, as defined in s.  
2 6.34 (1) (b), and the elector is required to provide, or to provide a copy of, a license  
3 or identification card under s. 6.86 (1) (ar) or 6.87 (4) (b) 1. and no copy of the license  
4 or identification card is enclosed or the name on the document cannot be verified by  
5 the inspectors, the inspectors shall proceed as provided under s. 6.97 (2). The  
6 inspectors shall then deposit the ballot into the proper ballot box and enter the  
7 absent elector's name or voting number after his or her name on the poll list in the  
8 same manner as if the elector had been present and voted in person.

9 **SECTION 69.** 6.88 (3) (a) of the statutes, as affected by 2011 Wisconsin Act ....  
10 (this act), is amended to read:

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

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1 of residence is enclosed or the name or address on the document that is provided is  
2 not the same as the name and address shown on the poll list, or if the elector is not  
3 a military elector, as defined in s. 6.34 (1) (a), or an overseas elector, as defined in s.  
4 6.34 (1) (b), and the elector is required to provide, or to provide a copy of, a license  
5 ~~or~~, identification card, or identification certificate under s. 6.86 (1) (ar) or 6.87 (4) (b)  
6 1. and no copy of the license ~~or~~, identification card, or identification certificate is  
7 enclosed or the name on the document cannot be verified by the inspectors, the  
8 inspectors shall proceed as provided under s. 6.97 (2). The inspectors shall then  
9 deposit the ballot into the proper ballot box and enter the absent elector's name or  
10 voting number after his or her name on the poll list in the same manner as if the  
11 elector had been present and voted in person.

12 **SECTION 70.** 6.965 of the statutes is created to read:

13 **6.965 Voting procedure for electors presenting citation or notice in**  
14 **lieu of license.** Whenever any elector is allowed to vote at a polling place under s.  
15 6.79 (7) by presenting a citation or notice of intent to revoke or suspend an operator's  
16 license in lieu of an operator's license issued to the elector under ch. 343, the  
17 inspectors shall, before giving the elector a ballot, write on the back of the ballot the  
18 serial number of the elector corresponding to the number kept at the election on the  
19 poll list or other list maintained under s. 6.79 and the notation "s. 6.965." If voting  
20 machines are used in the municipality where the elector is voting, the elector's vote  
21 may be received only upon an absentee ballot furnished by the municipal clerk which  
22 shall have the notation "s. 6.965" written on the back of the ballot by the inspectors  
23 before the ballot is given to the elector. If the municipal clerk receives an absentee  
24 ballot from an elector who presents a citation or notice, or copy thereof, under s. 6.87  
25 (4) (b) 4., the clerk shall enter a notation on the certificate envelope "Ballot under s.

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1 6.965, stats.” Upon receiving the envelope, the inspectors shall open and write on  
2 the back of the ballot the serial number of the elector corresponding to the number  
3 kept at the election on the poll list or other list maintained under s. 6.79 and the  
4 notation “s. 6.965.” The inspectors shall indicate on the poll list or other list  
5 maintained under s. 6.79 the fact that the elector is voting by using a citation or  
6 notice in lieu of a license. The inspectors shall then deposit the ballot. The ballot  
7 shall then be counted under s. 5.85, or under s. 7.51 or 7.52.

8 **SECTION 71.** 6.97 (title) of the statutes is amended to read:

9 **6.97 (title) Voting procedure for individuals not providing required**  
10 **proof of residence or identification.**

11 **SECTION 72.** 6.97 (1) of the statutes is amended to read:

12 6.97 (1) Whenever any individual who is required to provide proof of residence  
13 under s. 6.34 in order to be permitted to vote appears to vote at a polling place and  
14 cannot provide the required proof of residence, the inspectors shall offer the  
15 opportunity for the individual to vote under this section. Whenever any individual,  
16 other than a military elector, as defined in s. 6.34 (1) (a), or an overseas elector, as  
17 defined in s. 6.34 (1) (b), or an elector who has a confidential listing under s. 6.47 (2),  
18 appears to vote at a polling place and does not present a license or identification card  
19 under s. 6.79 (2), whenever required, the inspectors or the municipal clerk shall  
20 similarly offer the opportunity for the individual to vote under this section. If the  
21 individual wishes to vote, the inspectors shall provide the elector with an envelope  
22 marked “Ballot under s. 6.97, stats.” on which the serial number of the elector is  
23 entered and shall require the individual to execute on the envelope a written  
24 affirmation stating that the individual is a qualified elector of the ward or election  
25 district where he or she offers to vote and is eligible to vote in the election. The



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1 inspectors shall, before giving the elector a ballot, write on the back of the ballot the  
2 serial number of the individual corresponding to the number kept at the election on  
3 the poll list or other list maintained under s. 6.79 and the notation “s. 6.97”. If voting  
4 machines are used in the municipality where the individual is voting, the  
5 individual’s vote may be received only upon an absentee ballot furnished by the  
6 municipal clerk which shall have the corresponding number from the poll list or  
7 other list maintained under s. 6.79 and the notation “s. 6.97” written on the back of  
8 the ballot by the inspectors before the ballot is given to the elector. When receiving  
9 the individual’s ballot, the inspectors shall provide the individual with written  
10 voting information prescribed by the board under s. 7.08 (8). The inspectors shall  
11 indicate on the list the fact that the individual is required to provide proof of  
12 residence or a license or identification card under s. 6.79 (2) but did not do so. The  
13 inspectors shall notify the individual that he or she may provide proof of residence  
14 or a license or identification card to the municipal clerk or executive director of the  
15 municipal board of election commissioners. The inspectors shall also promptly notify  
16 the municipal clerk or executive director of the name, address, and serial number of  
17 the individual. The inspectors shall then place the ballot inside the envelope and  
18 place the envelope in a separate carrier envelope.

19 **SECTION 73.** 6.97 (1) of the statutes, as affected by 2011 Wisconsin Act .... (this  
20 act), is amended to read:

21 6.97 (1) Whenever any individual who is required to provide proof of residence  
22 under s. 6.34 in order to be permitted to vote appears to vote at a polling place and  
23 cannot provide the required proof of residence, the inspectors shall offer the  
24 opportunity for the individual to vote under this section. Whenever any individual,  
25 other than a military elector, as defined in s. 6.34 (1) (a), or an overseas elector, as

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1 defined in s. 6.34 (1) (b), or an elector who has a confidential listing under s. 6.47 (2),  
2 appears to vote at a polling place and does not present a license ~~or~~, identification card,  
3 or identification certificate under s. 6.79 (2), whenever required, the inspectors or the  
4 municipal clerk shall similarly offer the opportunity for the individual to vote under  
5 this section. If the individual wishes to vote, the inspectors shall provide the elector  
6 with an envelope marked “Ballot under s. 6.97, stats.” on which the serial number  
7 of the elector is entered and shall require the individual to execute on the envelope  
8 a written affirmation stating that the individual is a qualified elector of the ward or  
9 election district where he or she offers to vote and is eligible to vote in the election.  
10 The inspectors shall, before giving the elector a ballot, write on the back of the ballot  
11 the serial number of the individual corresponding to the number kept at the election  
12 on the poll list or other list maintained under s. 6.79 and the notation “s. 6.97”. If  
13 voting machines are used in the municipality where the individual is voting, the  
14 individual’s vote may be received only upon an absentee ballot furnished by the  
15 municipal clerk which shall have the corresponding number from the poll list or  
16 other list maintained under s. 6.79 and the notation “s. 6.97” written on the back of  
17 the ballot by the inspectors before the ballot is given to the elector. When receiving  
18 the individual’s ballot, the inspectors shall provide the individual with written  
19 voting information prescribed by the board under s. 7.08 (8). The inspectors shall  
20 indicate on the list the fact that the individual is required to provide proof of  
21 residence or a license ~~or~~, identification card, or identification certificate under s. 6.79  
22 (2) but did not do so. The inspectors shall notify the individual that he or she may  
23 provide proof of residence or a license ~~or~~, identification card, or identification  
24 certificate to the municipal clerk or executive director of the municipal board of  
25 election commissioners. The inspectors shall also promptly notify the municipal

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1 clerk or executive director of the name, address, and serial number of the individual.

2 The inspectors shall then place the ballot inside the envelope and place the envelope  
3 in a separate carrier envelope.

4 **SECTION 74.** 6.97 (2) of the statutes is amended to read:

5 6.97 (2) Whenever any individual who votes by absentee ballot is required to  
6 provide proof of residence in order to be permitted to vote and does not provide the  
7 required proof of residence under s. 6.34, the inspectors shall treat the ballot as a  
8 provisional ballot under this section. Whenever any individual, other than a military  
9 elector, as defined in s. 6.34 (1) (a), or an overseas elector, as defined in s. 6.34 (1) (b),  
10 an individual who has a confidential listing under s. 6.47 (2), or an individual who  
11 is exempted under s. 6.87 (4) or s. 6.875 (6), votes by absentee ballot and does not  
12 enclose a copy of the license or identification card required under s. 6.86 (1) (ar), the  
13 inspectors shall similarly treat the ballot as a provisional ballot under this section.  
14 Upon removing the ballot from the envelope, the inspectors shall write on the back  
15 of the absentee ballot the serial number of the individual corresponding to the  
16 number kept at the election on the poll list or other list maintained under s. 6.79 and  
17 the notation “s. 6.97”. The inspectors shall indicate on the list the fact that the  
18 individual is required to provide proof of residence or to provide, or provide a copy  
19 of, a license or identification card required under s. 6.86 (1) (ar) or 6.87 (4) (b) 1, but  
20 did not do so. The inspectors shall promptly notify the municipal clerk or executive  
21 director of the municipal board of election commissioners of the name, address, and  
22 serial number of the individual. The inspectors shall then place the ballot inside an  
23 envelope on which the name and serial number of the elector is entered and shall  
24 place the envelope in a separate carrier envelope.