

2011 DRAFTING REQUEST

Bill

Received: **07/05/2011**

Received By: **jkuesel**

Wanted: **As time permits**

Companion to LRB:

For: **Fred Risser (608) 266-1627**

By/Representing: **Terry Tuschen**

May Contact:

Drafter: **jkuesel**

Subject: **Elections - miscellaneous**

Addl. Drafters: **agary**

Extra Copies:

Submit via email: **YES**

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

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Electronic voter registration

Instructions:

Per LRB-0064/2, with permission of Rep. Berceau (p/c, Joanna Beilman-Dulin, 6/5/11).

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 07/11/2011 agary 07/12/2011	jdye 07/14/2011		_____			S&L
/1			jfrantze 07/14/2011	_____	ggodwin 07/14/2011	ggodwin 02/27/2012	

FE Sent For:

*at intro
2-28-12*

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/?	jkuesel	7/14 jld	7/14	Sbb 7/14			

FE Sent For:

<END>

Kuesel, Jeffery

From: Tuschen, Terry
Sent: Tuesday, July 05, 2011 2:25 PM
To: Kuesel, Jeffery
Subject: Risser companion to Rep. Berceau's LRB 0064/2, electronic voter registration

Hi Jeff, did I ever ask for a Risser Senate companion to Rep. Berceau's LRB 0064/2 re; electronic voter registration? I thought I did but can't find the jacket or anything.

Thanks, Terry

Terry Tuschen
Office of State Senator Fred Risser
130 South, State Capitol
Madison, WI 53702
608.266.1627
Terry.Tuschen@legis.wisconsin.gov



State of Wisconsin
2011 - 2012 LEGISLATURE

soon

in 7/12

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LRB-0864/2
JTK&ARG/ldrs

Keep

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2011 BILL

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AN ACT ~~to amend 5.056, 6.24 (3), 6.275 (1) (b), 6.28 (1), 6.30 (1), 6.32, 6.33 (1), 6.33 (2) (a), 6.34 (2), 6.35 (1) (intro.), 6.36 (2) (c), 6.40 (1) (a) 1., 6.40 (1) (c), 6.50 (10), 6.55 (2) (d), 6.86 (3) (c), 6.87 (4), 7.08 (1) (c), 85.61 (1) and 343.027; to repeal and recreate 343.027; and to create 6.30 (5), 6.34 (2m), 6.34 (4) and 6.35 (2)~~ of the statutes; **relating to:** electronic voter registration, verification of certain registrations, and proof of residence for voting in an election and granting rule-making authority. ✓

Analysis by the Legislative Reference Bureau

Currently, a qualified elector may register to vote at any election by mail or by completing a registration form with a special registration deputy no later than the 20th day before the election. A qualified elector may also register to vote at an election in person at the office of the municipal clerk or board of election commissioners for the municipality where the elector resides no later than 5 p.m. on the ~~day~~ before the election. In order to register, an elector must provide his or her name and address and certain other information required to ascertain his or her eligibility and must sign the form. With certain exceptions, an elector who registers after the 20th day before an election or an elector who registers by mail and who has not voted before in an election in this state must provide proof of residence prior to voting. Currently, the clerk or board of election commissioners must verify each

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registration received by mail or submitted by a special registration deputy by sending a first-class letter or postcard to the registrant at the registrant's address.

This bill permits a qualified elector who has a current and valid driver's license or identification card issued by the Department of Transportation (DOT) to register to vote at an election electronically on a secure Internet site maintained by the Government Accountability Board (GAB). The bill requires an electronic registration to be completed no later than the 20th day before an election in order to be valid for that election. Under the bill, a qualified elector enters the same information that appears on the current registration form and authorizes DOT to forward a copy of his or her electronic signature to GAB. The authorization affirms that all information provided by the elector is correct and has the same effect as if the elector signed the form personally. The bill also permits an elector who is currently registered to vote and who has a current and valid driver's license or identification card to electronically enter a change of name or address using a similar procedure. Under the bill, an electronic registration is treated the same as a mail registration. GAB or the clerk or board of election commissioners of the elector's municipality of residence must verify the registration by sending a first-class letter or postcard to the registrant at the registrant's address and, if the registrant is voting for the first time in an election in this state, the registrant must provide proof of residence before voting in the election. However, the bill also provides that if an elector who registers electronically provides his or her Wisconsin driver's license number, together with his or her name and date of birth, and GAB is able to verify the information electronically at the time of registration by electronically accessing records of DOT, the elector need not provide proof of residence prior to voting. The bill directs GAB and DOT to enter into an agreement that permits GAB to verify the necessary information instantly by accessing DOT's electronic files.

Currently, each municipal clerk and board of election commissioners must maintain a file of voter registration forms for the electors of the municipality. This bill provides that the clerk or board must maintain registrations that are entered electronically in the manner prescribed by GAB, by rule.

The changes first apply with respect to registration for voting at the first spring or September primary election that follows the day the bill becomes law by at least six months.

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

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

- 1 **SECTION 1.** 5.056 of the statutes is amended to read:
- 2 **5.056 Matching program with secretary of transportation.** The
- 3 administrator of the elections division of the board shall enter into the agreement

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1 with the secretary of transportation specified under s. 85.61 (1) to match personally
2 identifiable information on the official registration list maintained by the board
3 under s. 6.36 (1) and the information specified in s. 6.34 (2m) with personally
4 identifiable information maintained by the department of transportation.

5 **SECTION 2.** 6.24 (3) of the statutes is amended to read:

6 6.24 (3) REGISTRATION. The overseas elector shall register in the municipality
7 where he or she was last domiciled or where the overseas elector's parent was last
8 domiciled on a form prescribed by the board designed to ascertain the elector's
9 qualifications under this section. The form shall be substantially similar to the
10 original form under s. 6.33 (1), insofar as applicable. Registration shall be
11 accomplished in accordance with s. 6.30 (4) or (5).

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

13 6.275 (1) (b) The total number of electors of the municipality residing in that
14 county who were preregistered on the deadline specified in s. 6.28 (1), including valid
15 mail registrations which are postmarked by that day and valid electronic
16 registrations entered under s. 6.30 (5).

17 **SECTION 4.** 6.28 (1) of the statutes is amended to read:

18 6.28 (1) REGISTRATION LOCATIONS; DEADLINE. Except as authorized in ss. 6.29,
19 6.55 (2), and 6.86 (3) (a) 2., registration in person for any election shall close at 5 p.m.
20 on the 3rd Wednesday preceding the election. Registrations made by mail under s.
21 6.30 (4) must be delivered to the office of the municipal clerk or postmarked no later
22 than the 3rd Wednesday preceding the election. Electronic registration for an
23 election under s. 6.30 (5) shall close at midnight on the 3rd Wednesday preceding the
24 election. All applications for registration corrections and additions may be made
25 throughout the year at the office of the city board of election commissioners, at the

BILL**SECTION 4**

1 office of the municipal clerk, at the office of the county clerk, or at other locations
2 provided by the board of election commissioners or the common council in cities over
3 500,000 population or by either or both the municipal clerk, or the common council,
4 village or town board in all other municipalities and may also be made during the
5 school year at any high school by qualified persons under sub. (2) (a). Other
6 registration locations may include but are not limited to fire houses, police stations,
7 public libraries, institutions of higher education, supermarkets, community centers,
8 plants and factories, banks, savings and loan associations and savings banks.
9 Special registration deputies shall be appointed for each location unless the location
10 can be sufficiently staffed by the board of election commissioners or the municipal
11 clerk or his or her deputies. An elector who wishes to obtain a confidential listing
12 under s. 6.47 (2) shall register at the office of the municipal clerk of the municipality
13 where the elector resides.

14 **SECTION 5.** 6.30 (1) of the statutes is amended to read:

15 6.30 (1) **IN PERSON.** An elector shall apply for registration in person, except as
16 provided under ~~sub.~~ subs. (4) and (5) and s. 6.86 (3) (a) 2.

17 **SECTION 6.** 6.30 (5) of the statutes is created to read:

18 6.30 (5) **BY ELECTRONIC APPLICATION.** Any eligible elector who holds a current
19 and valid operator's license issued under ch. 343 or a current and valid identification
20 card issued under s. 343.50 may register electronically in the manner prescribed by
21 the board. The board shall maintain on the Internet a secure registration form that
22 enables the elector to enter the information required under s. 6.33 (1) electronically.
23 The form shall contain an authorization for the board to obtain from the department
24 of transportation an electronic copy of the applicant's signature, which signature
25 shall constitute an affirmation that all information provided by the elector is correct

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1 and shall have the same effect as if the applicant had signed the application
2 personally. Upon submittal of the electronic application, the board shall obtain from
3 the department of transportation a copy of the electronic signature of the applicant
4 and shall integrate the signature into the applicant's electronic application. The
5 board shall maintain the electronically integrated application on file together with
6 nonelectronic applications and shall notify the municipal clerk or board of election
7 commissioners of the municipality where the applicant resides of its receipt of each
8 completed application. The board shall also permit any elector who has a current and
9 valid operator's license issued to the elector under ch. 343 or a current and valid
10 identification card issued under s. 343.50 to make changes in his or her registration
11 authorized under s. 6.40 (1) at the same Internet site that is used by electors for
12 original registration under this subsection. An elector shall attest to the correctness
13 of any changes in the same manner as provided in this subsection for information
14 entered on an application for original registration.

15 **SECTION 7.** 6.32 of the statutes is amended to read:

16 **6.32 Verification of certain registrations.** (1) Upon receipt of a
17 registration form that is submitted by mail under s. 6.30 (4) or by electronic
18 application under s. 6.30 (5) or that is submitted by a special registration deputy
19 appointed under s. 6.26, the board or municipal clerk shall examine the form for
20 sufficiency.

21 (2) If the form is insufficient to accomplish registration or the board or clerk
22 knows or has reliable information that the proposed elector is not qualified, the board
23 or clerk shall notify the proposed elector within 5 days, if possible, and request that
24 the elector appear at the clerk's office or ~~other~~ another registration center location
25 to complete a proper registration or substantiate the information presented.

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SECTION 7

1 (3) If the form is submitted later than the close of registration, the board or
2 clerk shall make a good faith effort to notify the elector that he or she may register
3 at the clerk's office under s. 6.29 or at the proper polling place or other location
4 designated under s. 6.55 (2).

5 (4) If the form is sufficient to accomplish registration and the board or clerk has
6 no reliable information to indicate that the proposed elector is not qualified, the
7 board or clerk shall enter the elector's name on the registration list and transmit a
8 1st class letter or postcard to the registrant, specifying the elector's ward ~~or~~ and
9 aldermanic district, or both, if any, and polling place. The letter or postcard shall be
10 sent within 10 days of receipt of the form. If the letter or postcard is returned, or if
11 the board or clerk is informed of a different address than the one specified by the
12 elector, the board or clerk shall change the status of the elector on the list from
13 eligible to ineligible. The letter or postcard shall be marked in accordance with postal
14 regulations to ensure that it will be returned to the board or clerk if the elector does
15 not reside at the address given on the letter or postcard.

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~~SECTION 8. 6.33 (1) of the statutes is amended to read:~~

17 6.33 (1) The board shall prescribe the format, size, and shape of nonelectronic
18 registration forms. All nonelectronic forms shall be printed on cards and each item
19 of information shall be of uniform font size, as prescribed by the board. Except as
20 provided in this subsection, electronic registration forms shall contain the same
21 information as the nonelectronic forms. The municipal clerk shall supply sufficient
22 forms to meet voter registration needs. The forms shall be designed to obtain from
23 each applicant information as to name; date; residence location; citizenship; date of
24 birth; age; the number of a valid operator's license issued to the elector under ch. 343
25 or the last 4 digits of the elector's social security account number; whether the

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1 applicant has resided within the ward or election district for at least 10 days;
2 whether the applicant has been convicted of a felony for which he or she has not been
3 pardoned, and if so, whether the applicant is incarcerated, or on parole, probation,
4 or extended supervision; whether the applicant is disqualified on any other ground
5 from voting; and whether the applicant is currently registered to vote at any other
6 location. The Except as provided in s. 6.30 (5), the form shall include a space for the
7 applicant's signature and the signature of any corroborating elector. The
8 nonelectronic form shall include a space to enter the name of any special registration
9 deputy under s. 6.26 or 6.55 (6) or inspector, municipal clerk, or deputy clerk under
10 s. 6.55 (2) who obtains the form and a space for the deputy, inspector, clerk, or deputy
11 clerk to sign his or her name, affirming that the deputy, inspector, clerk, or deputy
12 clerk has accepted the form. The form shall include a space for entry of the ward and
13 aldermanic district, if any, where the elector resides and any other information
14 required to determine the offices and referenda for which the elector is certified to
15 vote. The form shall also include a space where the clerk may record an indication
16 of whether the form is received by mail or by electronic application, a space where
17 the clerk may record an indication of the type of identifying document submitted by
18 the elector as proof of residence under s. 6.34 or an indication that the elector's
19 information in lieu of proof of residence was verified under s. 6.34 (2m), whenever
20 required, and a space where the clerk, for any applicant who possesses a valid voting
21 identification card issued to the person under s. 6.47 (3), may record the
22 identification serial number appearing on the voting identification card. Each
23 county clerk shall obtain sufficient registration forms for completion by an elector
24 who desires to register to vote at the office of the county clerk under s. 6.28 (4).

25 **SECTION 9.** 6.33 (2) (a) of the statutes is amended to read:

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SECTION 9

1 6.33 (2) (a) All information may be recorded by any person, except that the ward
 2 and aldermanic district, if any, other geographic information under sub. (1), the
 3 indication of whether the registration is received by mail or by electronic application,
 4 the type of identifying document submitted by the elector as proof of residence under
 5 s. 6.34 or the indication of verification of information in lieu of proof of residence
 6 under s. 6.34 (2m), whenever required, and any information relating to an applicant's
 7 voting identification card shall be recorded by the clerk. ~~Each~~ Except as provided in
 8 s. 6.30 (5), each applicant shall sign his or her own name unless the applicant is
 9 unable to sign his or her name due to physical disability. In such case, the applicant
 10 may authorize another elector to sign the form on his or her behalf. If the applicant
 11 so authorizes, the elector signing the form shall attest to a statement that the
 12 application is made upon request and by authorization of a named elector who is
 13 unable to sign the form due to physical disability.

14 ~~SECTION 10: 6.34 (2) of the statutes is amended to read:~~

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

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1 by mail or by electronic application, the identifying document may not be a
2 residential lease.

3 **SECTION 11.** 6.34 (2m) of the statutes is created to read:

4 6.34 (2m) An elector who registers by electronic application under s. 6.30 (5)
5 is not required to provide proof of residence under sub. (2) if, at the time of
6 registration, the elector provides the number of a current and valid operator's license
7 issued under ch. 343 together with the elector's name and date of birth and the board
8 is able to verify the information using the system maintained under sub. (4).

9 **SECTION 12.** 6.34 (4) of the statutes is created to read:

10 6.34 (4) The board shall maintain a system that electronically verifies, on an
11 instant basis, information submitted in lieu of proof of residence under sub. (2m)
12 using the information maintained by the department of transportation pursuant to
13 the board's agreement with the secretary of transportation under s. 5.056.

14 **SECTION 13.** 6.35 (1) (intro.) of the statutes is amended to read:

15 6.35 (1) (intro.) Under the direction of the municipal clerk or board of election
16 commissioners, the original registration forms shall be filed in one of the following
17 ways, except as provided in ~~sub.~~ subs. (1m) and (2):

18 **SECTION 14.** 6.35 (2) of the statutes is created to read:

19 6.35 (2) The board shall prescribe, by rule, the procedure and methods by which
20 municipal clerks and boards of election commissioners shall maintain records of
21 registrations that are entered electronically under s. 6.30 (5).

22 **SECTION 15.** 6.36 (2) (c) of the statutes is amended to read:

23 6.36 (2) (c) The list shall contain, next to the name of each elector, an indication
24 of whether proof of residence under s. 6.34 is required for the elector to be permitted
25 to vote. ~~Proof~~ Except as authorized in s. 6.34 (2m), proof of residence is required if

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SECTION 15

1 ✓ the elector is not a military elector or an overseas elector and the elector registers by
2 mail or by electronic application and has not previously voted in an election in this
3 state.

4 ~~SECTION 16.~~ 6.40 (1) (a) 1. of the statutes is amended to read:

5 6.40 (1) (a) 1. Any registered elector shall transfer registration after a change
6 of residence within the state by filing in person with the municipal clerk or by mailing
7 to the municipal clerk a signed request stating his or her present address, affirming
8 that this will be his or her residence for 10 days prior to the election and providing
9 the address where he or she was last registered. Alternatively, the elector may
10 transfer his or her registration at the proper polling place or other registration
11 location under s. 6.02 (2) in accordance with s. 6.55 (2) (a), or, if the elector has a
12 current and valid operator's license issued to the elector under ch. 343 or a current
13 and valid identification card issued under s. 343.50, the elector may transfer his or
14 her registration electronically under s. 6.30 (5). If an elector is voting in the ward
15 or election district where the elector formerly resided, the change shall be effective
16 for the next election.

17 SECTION 17. 6.40 (1) (c) of the statutes is amended to read:

18 6.40 (1) (c) *Name change.* Whenever an elector's name is legally changed,
19 including a change by marriage or divorce, the elector shall transfer his or her
20 registration to his or her legal name by appearing in person or mailing to the
21 municipal clerk a signed request for a transfer of registration to such name.
22 Alternatively, a registered elector may make notification of a name change at his or
23 her polling place under s. 6.55 (2) (d), or, if the elector has a current and valid
24 operator's license issued to the elector under ch. 343 or a current and valid

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1 identification card issued under s. 343.50, the elector may make notification of a
2 name change electronically under s. 6.30 (5).

3 **SECTION 18.** 6.50 (10) of the statutes is amended to read:

4 6.50 (10) Any qualified elector whose registration is changed from eligible to
5 ineligible status under this section may reregister as provided under s. 6.28 (1), 6.29
6 (2), or 6.55 (2), or, if the elector has a current and valid operator's license issued to
7 the elector under ch. 343 or a current and valid identification card issued under s.
8 343.50, may reregister under s. 6.30 (5).

9 **SECTION 19.** 6.55 (2) (d) of the statutes is amended to read:

10 6.55 (2) (d) A registered elector who has changed his or her name but resides
11 at the same address, and has not ~~notified the municipal clerk previously provided~~
12 notice of the change under s. 6.40 (1) (c), shall notify the inspector of the change
13 before voting. The inspector shall then notify the municipal clerk at the time when
14 materials are returned under s. 6.56 (1). If an elector has changed both a name and
15 address, the elector shall register at the polling place or other registration location
16 under pars. (a) and (b).

17 ~~**SECTION 20.** 6.86 (3) (c) of the statutes is amended to read:~~

18 6.86 (3) (c) An application under par. (a) 1. may be made and a registration form
19 under par. (a) 2. may be filed in person at the office of the municipal clerk not earlier
20 than 7 days before an election and not later than 5 p.m. on the day of the election.
21 A list of hospitalized electors applying for ballots under par. (a) 1. shall be made by
22 the municipal clerk and used to check that the electors vote only once, and by
23 absentee ballot. ~~If Except as provided in s. 6.34 (2m), if the elector is registering for~~
24 ~~the election after the close of registration or if the elector registered by mail or by~~
25 ~~electronic application and has not voted in an election in this state, the municipal~~

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1 clerk shall inform the agent that proof of residence under s. 6.34 is required and the
 2 elector shall enclose proof of residence under s. 6.34 in the envelope with the ballot.
 3 The ballot shall be sealed by the elector and returned to the municipal clerk either
 4 by mail or by personal delivery of the agent; but if the ballot is returned on the day
 5 of the election, the agent shall make personal delivery to the polling place serving the
 6 hospitalized elector's residence before the closing hour or, in municipalities where
 7 absentee ballots are canvassed under s. 7.52, to the municipal clerk no later than 8
 8 p.m. on election day.

9 SECTION 21. 6.87 (4) of the statutes is amended to read:

10 6.87 (4) Except as otherwise provided in s. 6.875, the elector voting absentee
 11 shall make and subscribe to the certification before one witness who is an adult U.S.
 12 citizen. The absent elector, in the presence of the witness, shall mark the ballot in
 13 a manner that will not disclose how the elector's vote is cast. The elector shall then,
 14 still in the presence of the witness, fold the ballots so each is separate and so that the
 15 elector conceals the markings thereon and deposit them in the proper envelope. If
 16 a consolidated ballot under s. 5.655 is used, the elector shall fold the ballot so that
 17 the elector conceals the markings thereon and deposit the ballot in the proper
 18 envelope. If proof of residence is required, the elector shall enclose proof of residence
 19 under s. 6.34 in the envelope. ~~Proof~~ Except as authorized in s. 6.34 (2m), proof of
 20 residence is required if the elector is not a military elector or an overseas elector, as
 21 defined in s. 6.34 (1), and the elector registered by mail or by electronic application
 22 and has not voted in an election in this state. If the elector requested a ballot by
 23 means of facsimile transmission or electronic mail under s. 6.86 (1) (ac), the elector
 24 shall enclose in the envelope a copy of the request which bears an original signature
 25 of the elector. The elector may receive assistance under sub. (5). The return envelope

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

11 SECTION 22. 7.08 (1) (c) of the statutes is amended to read:

12 7.08 (1) (c) Prescribe forms required by ss. 6.24 (3) and (4), 6.30 (4) and (5), 6.33
13 (1), 6.40 (1) (a), 6.47 (1) (am) 2. and (3), 6.55 (2), and 6.86 (2) to (3). All such forms
14 shall contain a statement of the penalty applicable to false or fraudulent registration
15 or voting through use of the form. Forms are not required to be furnished by the
16 board.

17 SECTION 23. 85.61 (1) of the statutes is amended to read:

18 85.61 (1) The secretary of transportation and the administrator of the elections
19 division of the government accountability board shall enter into an agreement to
20 match personally identifiable information on the official registration list maintained
21 by the government accountability board under s. 6.36 (1) and the information
22 specified in s. 6.34 (2m) with personally identifiable information in the operating
23 record file database under ch. 343 and vehicle registration records under ch. 341 to
24 the extent required to enable the secretary of transportation and the administrator

BILL**SECTION 23**

1 of the elections division of the government accountability board to verify the accuracy
2 of the information provided for the purpose of voter registration.

3 **SECTION 24.** 343.027 of the statutes is amended to read:

4 **343.027 Confidentiality of signatures.** Any signature collected under this
5 chapter may be maintained by the department and shall be kept confidential, except
6 that the department shall release a signature or a facsimile of a signature to the
7 department of revenue for the purposes of administering state taxes and collecting
8 debt, to the government accountability board, in electronic or digital format, for the
9 purposes specified in s. 6.30 (5), or to the person to whom the signature relates.

10 **SECTION 25.** 343.027 of the statutes, as affected by 2007 Wisconsin Act 20 and
11 2011 Wisconsin Act (this act), is repealed and recreated to read:

12 **343.027 Confidentiality of signatures.** Any signature collected under this
13 chapter may be maintained by the department and shall be kept confidential, except
14 that the department shall release a signature or a facsimile of a signature to the
15 department of revenue for the purposes of administering state taxes and collecting
16 debt, to the government accountability board, in electronic or digital format, for the
17 purposes specified in s. 6.30 (5), to the person to whom the signature relates, to a
18 court, district attorney, county corporation counsel, city, village, or town attorney,
19 law enforcement agency, or to the driver licensing agency of another jurisdiction.

20 **SECTION 26. Nonstatutory provisions.**

21 (1) No later than the 20th day following the end of each calendar quarter, the
22 government accountability board and the department of transportation shall each
23 report to the appropriate standing committees of the legislature in the manner
24 provided in section 13.172 (3) of the statutes concerning its progress in implementing
25 an electronic voter registration system. The board and department shall continue

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1 to file reports under this subsection until the board determines that implementation
2 is complete and the performance of the system is satisfactory.

SECTION 27. Fiscal changes.

3
4 (1) In the schedule under section 20.005 (3) of the statutes for the appropriation
5 to the government accountability board under section 20.511 (1) (a) of the statutes,
6 as affected by the acts of 2011, the dollar amount is increased by \$-0- for the first
7 fiscal year of the fiscal biennium in which this subsection takes effect to implement
8 the provisions of this act. In the schedule under section 20.005 (3) of the statutes for
9 the appropriation to the government accountability board under section 20.511 (1)
10 (a) of the statutes, as affected by the acts of 2011, the dollar amount is increased by
11 \$-0- for the second fiscal year of the fiscal biennium in which this subsection takes
12 effect to implement the provisions of this act.

13 (2) In the schedule under section 20.005 (3) of the statutes for the appropriation
14 to the department of transportation under section 20.395 (4) (aq) of the statutes, as
15 affected by the acts of 2011, the dollar amount is increased by \$-0- for the first fiscal
16 year of the fiscal biennium in which this subsection takes effect to implement the
17 provisions of this act. In the schedule under section 20.005 (3) of the statutes for the
18 appropriation to the department of transportation under section 20.395 (4) (aq) of the
19 statutes, as affected by the acts of 2011, the dollar amount is increased by \$-0- for
20 the second fiscal year of the fiscal biennium in which this subsection takes effect to
21 implement the provisions of this act.

SECTION 28. Initial applicability.

22
23 (1) This act first applies with respect to registration for voting at the first spring
24 or September primary election that follows the effective date of this subsection by at
25 least 6 months.

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INS 6-15:

SECTION 1. 6.33 (1) of the statutes, as affected by 2011 Wisconsin Act 23, is amended to read:

6.33 (1) The board shall prescribe the format, size, and shape of nonelectronic registration forms. All nonelectronic forms shall be printed on cards and each item of information shall be of uniform font size, as prescribed by the board. Except as provided in this subsection, electronic registration forms shall contain the same information as the nonelectronic forms. The municipal clerk shall supply sufficient forms to meet voter registration needs. The forms shall be designed to obtain from each applicant information as to name; date; residence location; location of previous residence immediately before moving to current residence location; citizenship; date of birth; age; the number of a current and valid operator's license issued to the elector under ch. 343 or the last 4 digits of the elector's social security account number; whether the applicant has resided within the ward or election district for at least 28 consecutive days; whether the applicant has been convicted of a felony for which he or she has not been pardoned, and if so, whether the applicant is incarcerated, or on parole, probation, or extended supervision; whether the applicant is disqualified on any other ground from voting; and whether the applicant is currently registered to vote at any other location. The Except as provided in s. 6.30 (5), the form shall include a space for the applicant's signature. Below the space for the signature, the form shall state "Falsification of information on this form is punishable under Wisconsin law as a Class I felony." The form shall include a space to enter the name of any special registration deputy under s. 6.26 or 6.55 (6) or inspector, municipal clerk, or



INS 6-15
CONT

deputy clerk under s. 6.55 (2) who obtains the form and a space for the deputy, inspector, clerk, or deputy clerk to sign his or her name, affirming that the deputy, inspector, clerk, or deputy clerk has accepted the form. The form shall include a space for entry of the ward and aldermanic district, if any, where the elector resides and any other information required to determine the offices and referenda for which the elector is certified to vote. The form shall also include a space where the clerk may record an indication of whether the form is received by mail ^{or} by electronic application, a space where the clerk may record an indication of the type of identifying document submitted by the elector as proof of residence under s. 6.34 or an indication that the elector's information in lieu of proof of residence was verified under s. 6.34 (2m), whenever required, and a space where the clerk, for any applicant who possesses a valid voting identification card issued to the person under s. 6.47 (3), may record the identification serial number appearing on the voting identification card. Each county clerk shall obtain sufficient registration forms for completion by an elector who desires to register to vote at the office of the county clerk under s. 6.28 (4).

(end ins 6-15)

History: 1971 c. 304 s. 29 (1), (2); 1971 c. 336 s. 37; 1975 c. 85 ss. 15, 16, 17, 66 (3); 1975 c. 94 s. 91; 1977 c. 378, 394, 447; 1979 c. 32; 1981 c. 44 s. 3; 1981 c. 202 s. 23; 1985 a. 304; 1987 a. 391; 1989 a. 31, 192; 1999 a. 49, 182; 2001 a. 51; 2003 a. 265; 2005 a. 451; 2007 a. 96; 2011 a. 23.

INS 8-13:

SECTION 2. 6.34 (2) of the statutes, as affected by 2011 Wisconsin Act 23, is amended to read:

6.34 (2) Upon completion of a registration form prescribed under s. 6.33, each eligible elector who is required to register under s. 6.27, who is not a military elector or an overseas elector, and who registers after the close of registration under s. 6.29 or 6.86 (3) (a) 2., shall provide an identifying document that establishes proof of



INS 8-13

✓ cont

residence under sub. (3). ~~Each~~ Except as provided in s. 6.34 (2m), each eligible elector who is required to register under s. 6.27, who is not a military elector or an overseas elector, who registers by mail or by electronic application, and who has not voted in an election in this state shall, if voting in person, provide an identifying document that establishes proof of residence under sub. (3) or, if voting by absentee ballot, provide a copy of an identifying document that establishes proof of residence under sub. (3). If the elector registered by mail or by electronic application, the identifying document may not be a residential lease.

History: 2005 a. 451 ss. 40, 43, 44; 2011 a. 23.

(end ins 8-13)

INS 10-3:

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SECTION 3. 6.40 (1) (a) 1. of the statutes, affected by 2011 Wisconsin Act 23, is amended to read:

6.40 (1) (a) 1. Any registered elector may transfer registration after a change of residence within the state by filing in person with the municipal clerk of the municipality where the elector resides or by mailing to the municipal clerk a signed request stating his or her present address, affirming that this will be his or her residence for 28 consecutive days prior to the election and providing the address where he or she was last registered. Alternatively, the elector may transfer his or her registration at the proper polling place or other registration location under s. 6.02 (2) in accordance with s. 6.55 (2) (a), or if the elector has a current and valid operator's license issued to the elector under ch. 343 or a current and valid identification card issued under s. 343.50, the elector may transfer his or her registration electronically



INS 10-3
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under s. 6.30 (5). ✓ If an elector is voting in the ward or election district where the elector formerly resided, the change shall be effective for the next election.

History: 1971 c. 242; 1971 c. 304 s. 29 (1), (2); 1975 c. 85, 199, 200; 1977 c. 394 ss. 23, 24, 53; 1983 a. 484; 1985 a. 304; 1999 a. 49; 2003 a. 265; 2011 a. 23.

(end ins)

INS 11-16:

✓
SECTION 4. 6.86 (3) (c) of the statutes, as affected by 2011 Wisconsin Act 23, is amended to read:

6.86 (3) (c) An application under par. (a) 1. may be made and a registration form under par. (a) 2. may be filed in person at the office of the municipal clerk not earlier than 7 days before an election and not later than 5 p.m. on the day of the election. A list of hospitalized electors applying for ballots under par. (a) 1. shall be made by the municipal clerk and used to check that the electors vote only once, and by absentee ballot. If Except as provided in s. 6.34 (2m), ✓ if the elector is registering for the election after the close of registration or if the elector registered by mail or by electronic application ✓ and has not voted in an election in this state, the municipal clerk shall inform the agent that proof of residence under s. 6.34 is required and the elector shall enclose proof of residence under s. 6.34 in the envelope with the ballot. The clerk shall verify that the name on any required proof of identification presented by the agent conforms to the name on the elector's application. The clerk shall then enter his or her initials on the carrier envelope indicating that the agent presented proof of identification to the clerk. The agent is not required to enter a signature on the registration list. The ballot shall be sealed by the elector and returned to the municipal clerk either by mail or by personal delivery of the agent; but if the ballot is returned on the day of the election, the agent shall make personal delivery to the polling place serving the hospitalized elector's residence before the closing hour or,



INS 11-16
CONT

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

History: 1975 c. 85 ss. 37, 38, 65; 1975 c. 90, 199, 200, 275, 422; 1977 c. 394 ss. 14, 40, 41; 1979 c. 232, 311; 1981 c. 391; 1983 a. 183, 484; 1985 a. 304 ss. 69, 156; 1987 a. 391; 1995 a. 313; 1999 a. 182; 2001 a. 51; 2003 a. 265; 2005 a. 451; 2011 a. 23.

(end ins)

INS 12-8:

SECTION 5. 6.87 (4) (b) 1. of the statutes, as affected by 2011 Wisconsin Act 23, is amended to read:

6.87 (4) (b) 1. Except as otherwise provided in s. 6.875, the elector voting absentee shall make and subscribe to the certification before one witness who is an adult U.S. citizen. The absent elector, in the presence of the witness, shall mark the ballot in a manner that will not disclose how the elector's vote is cast. The elector shall then, still in the presence of the witness, fold the ballots so each is separate and so that the elector conceals the markings thereon and deposit them in the proper envelope. If a consolidated ballot under s. 5.655 is used, the elector shall fold the ballot so that the elector conceals the markings thereon and deposit the ballot in the proper envelope. Except as authorized in subds. 2. to 5. and s. 6.875 (6) and notwithstanding s. 343.43 (1) (f), if the elector has not enclosed a copy of his or her proof of identification with his or her application, the elector shall enclose a copy of the proof of identification in the manner provided in sub. (1) in the envelope, unless the elector is a military elector or an overseas elector or the elector has a confidential listing under s. 6.47 (2). If proof of residence under s. 6.34 is required and the document enclosed by the elector under this subdivision does not constitute proof of residence under s. 6.34, the elector shall also enclose proof of residence under s. 6.34 in the envelope. Proof Except as authorized in s. 6.34 (2m), proof of residence is required if the elector is not a military elector or an overseas elector and the elector



INS 12-8
CONT

registered by mail or by electronic application ✓ and has not voted in an election in this state. If the elector requested a ballot by means of facsimile transmission or electronic mail under s. 6.86 (1) (ac), the elector shall enclose in the envelope a copy of the request which bears an original signature of the elector. The elector may receive assistance under sub. (5). The return envelope shall then be sealed. The witness may not be a candidate. The envelope shall be mailed by the elector, or delivered in person, to the municipal clerk issuing the ballot or ballots. If the envelope is mailed from a location outside the United States, the elector shall affix sufficient postage unless the ballot qualifies for delivery free of postage under federal law. Failure to return an unused ballot in a primary does not invalidate the ballot on which the elector's votes are cast. Return of more than one marked ballot in a primary or return of a ballot prepared under s. 5.655 or a ballot used with an electronic voting system in a primary which is marked for candidates of more than one party invalidates all votes cast by the elector for candidates in the primary.

History: 1971 c. 242; 1971 c. 304 s. 29 (1), (2); 1975 c. 85; 1975 c. 93 s. 119 (2); 1975 c. 199; 1977 c. 394; 1979 c. 232, 260, 311, 355; 1983 a. 36, 484, 538; 1985 a. 304; 1991 a. 316; 1999 a. 49, 182; 2001 a. 16, 38, 109; 2003 a. 265; 2005 a. 451; 2011 a. 23.

(end ins)

Parisi, Lori

From: Tuschen, Terry
Sent: Monday, February 27, 2012 11:02 AM
To: LRB.Legal
Cc: Tuschen, Terry
Subject: Draft Review: LRB 11-2334/1 Topic: Electronic voter registration

Please Jacket LRB 11-2334/1 for the SENATE.