

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

2 **6.97 (title) Voting procedure for individuals not providing required**
3 **proof of residence or identification.**

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

5 6.97 (1) Whenever any individual who is required to provide proof of residence
6 under s. 6.34 in order to be permitted to vote appears to vote at a polling place and
7 cannot provide the required proof of residence, the inspectors shall offer the
8 opportunity for the individual to vote under this section. Whenever any individual,
9 other than a military elector, as defined in s. 6.34 (1) (a), or an overseas elector, as
10 defined in s. 6.34 (1) (b), or an elector who has a confidential listing under s. 6.47 (2),
11 appears to vote at a polling place and does not present proof of identification under
12 s. 6.79 (2), whenever required, the inspectors or the municipal clerk shall similarly
13 offer the opportunity for the individual to vote under this section. If the individual
14 wishes to vote, the inspectors shall provide the elector with an envelope marked
15 “Ballot under s. 6.97, stats.” on which the serial number of the elector is entered and
16 shall require the individual to execute on the envelope a written affirmation stating
17 that the individual is a qualified elector of the ward or election district where he or
18 she offers to vote and is eligible to vote in the election. The inspectors shall, before
19 giving the elector a ballot, write on the back of the ballot the serial number of the
20 individual corresponding to the number kept at the election on the poll list or other
21 list maintained under s. 6.79 and the notation “s. 6.97”. If voting machines are used
22 in the municipality where the individual is voting, the individual’s vote may be
23 received only upon an absentee ballot furnished by the municipal clerk which shall
24 have the corresponding number from the poll list or other list maintained under s.
25 6.79 and the notation “s. 6.97” written on the back of the ballot by the inspectors

1 before the ballot is given to the elector. When receiving the individual's ballot, the
2 inspectors shall provide the individual with written voting information prescribed
3 by the board under s. 7.08 (8). The inspectors shall indicate on the list the fact that
4 the individual is required to provide proof of residence or proof of identification under
5 s. 6.79 (2) but did not do so. The inspectors shall notify the individual that he or she
6 may provide proof of residence or proof of identification to the municipal clerk or
7 executive director of the municipal board of election commissioners. The inspectors
8 shall also promptly notify the municipal clerk or executive director of the name,
9 address, and serial number of the individual. The inspectors shall then place the
10 ballot inside the envelope and place the envelope in a separate carrier envelope.

11 **SECTION 73.** 6.97 (3) of the statutes is renumbered 6.97 (3) (b) and amended to
12 read:

13 6.97 (3) (b) Whenever the municipal clerk or executive director of the municipal
14 board of election commissioners is informed by the inspectors that a ballot has been
15 cast under this section, the clerk or executive director shall promptly provide written
16 notice to the board of canvassers of each municipality, special purpose district, and
17 county that is responsible for canvassing the election of the number of ballots cast
18 under this section in each ward or election district. The municipal clerk or executive
19 director then shall determine whether each individual voting under this section is
20 qualified to vote in the ward or election district where the individual's ballot is cast.
21 If the elector is required to provide proof of identification under s. 6.79 (2) and fails
22 to do so, the elector bears the burden of correcting the omission by providing the proof
23 of identification at the polling place before the closing hour or at the office of the
24 municipal clerk or board of election commissioners no later than 4 p.m. on the Friday
25 after the election. The municipal clerk or executive director shall make a record of

1 the procedure used to determine the validity of each ballot cast under this section.
2 If, prior to 4 p.m. on the day Friday after the election, the municipal clerk or executive
3 director determines that the individual is qualified to vote in the ward or election
4 district where the individual's ballot is cast, the municipal clerk or executive director
5 shall notify the board of canvassers for each municipality, special purpose district
6 and county that is responsible for canvassing the election of that fact.

7 **SECTION 74.** 6.97 (3) (a) of the statutes is created to read:

8 6.97 (3) (a) Whenever an elector who votes by provisional ballot under sub. (1)
9 or (2) because the elector does not provide proof of identification under s. 6.79 (2) later
10 appears at the polling place where the ballot is cast before the closing hour and
11 provides the proof of identification, the inspectors shall remove the elector's ballot
12 from the separate carrier envelope, shall note on the poll list that the elector's
13 provisional ballot is withdrawn, and shall deposit the elector's ballot in the ballot
14 box. If the inspectors have notified the municipal clerk or executive director of the
15 board of election commissioners that the elector's ballot was cast under this section,
16 the inspectors shall notify the clerk or executive director that the elector's
17 provisional ballot is withdrawn.

18 **SECTION 75.** 6.97 (3) (c) of the statutes is created to read:

19 6.97 (3) (c) A ballot cast under this section by an elector for whom proof of
20 identification is required under s. 6.79 (2) shall not be counted unless the municipal
21 clerk or executive director of the board of election commissioners provides timely
22 notification that the elector has provided proof of identification under this section.

23 **SECTION 76.** 7.08 (8) (title) of the statutes is amended to read:

24 7.08 (8) (title) ELECTORS VOTING WITHOUT PROOF OF RESIDENCE OR IDENTIFICATION
25 OR PURSUANT TO COURT ORDER.

1 **SECTION 77.** 7.08 (9) of the statutes is repealed.

2 **SECTION 78.** 7.08 (12) of the statutes is created to read:

3 7.08 (12) ASSISTANCE IN OBTAINING PROOF OF IDENTIFICATION. Engage in outreach
4 to identify and contact groups of electors who may need assistance in obtaining or
5 renewing a document that constitutes proof of identification for voting under s. 6.79
6 (2) (a) and provide assistance to the electors in obtaining or renewing that document.

7 **SECTION 79.** 7.15 (1) (cm) of the statutes is amended to read:

8 7.15 (1) (cm) Prepare official absentee ballots for delivery to electors requesting
9 them, and send or transmit an official absentee ballot to each elector who has
10 requested ~~one~~ a ballot by mail, electronic mail, or facsimile transmission no later
11 than the 30th day before each September primary and general election and no later
12 than the 21st day before each other primary and election if the request is made before
13 that day; otherwise, the municipal clerk shall send or transmit an official absentee
14 ballot within one day of the time the elector's request for such a ballot is received.

15 **SECTION 80.** 7.15 (1) (j) of the statutes is amended to read:

16 7.15 (1) (j) Send or transmit an absentee ballot automatically to each person
17 making an authorized request therefor in accordance with s. 6.22 (4) or 6.86 (2) or
18 (2m).

19 **SECTION 81.** 7.15 (1) (L) of the statutes is repealed.

20 **SECTION 82.** 7.23 (1) (e) of the statutes is amended to read:

21 7.23 (1) (e) Poll lists created ~~at a nonpartisan primary or~~ for any election may
22 be destroyed ~~2 years~~ 22 months after the ~~primary or~~ election at which they were
23 created and ~~poll lists created at a partisan primary or election may be destroyed 4~~
24 ~~years after the primary or election at which they were created.~~

25 **SECTION 83.** 7.50 (2) (a) of the statutes is repealed.

1 **SECTION 84.** 7.51 (5) (a) 4. of the statutes is amended to read:

2 7.51 (5) (a) 4. The inspectors shall immediately deliver all ballots, statements,
3 tally sheets, lists, ~~and envelopes,~~ and affidavits to the municipal clerk.

4 **SECTION 85.** 7.51 (5) (b) of the statutes is amended to read:

5 7.51 (5) (b) The municipal clerk shall deliver all ballots, statements, tally
6 sheets, lists, and envelopes relating to a school district election to the school district
7 clerk by 4 p.m. on the day following each such election. The municipal clerk shall
8 deliver the ballots, statements, tally sheets, lists, and envelopes for his or her
9 municipality relating to any county, technical college district, state, or national
10 election to the county clerk no later than 4 p.m. on the day following each such
11 election or, in municipalities where absentee ballots are canvassed under s. 7.52, by
12 4 p.m. on the 2nd day following each such election, and no later than 4 p.m. on the
13 day after receiving any corrected returns under s. 6.221 (6) (b). The person delivering
14 the returns shall be paid out of the municipal treasury. Each clerk shall retain
15 ballots, statements, tally sheets, ~~or envelopes,~~ and affidavits received by the clerk
16 until destruction is authorized under s. 7.23 (1).

17 **SECTION 86.** 10.02 (3) (form) (a) of the statutes is amended to read:

18 10.02 (3) (form) (a) Upon entering the polling place and before being permitted
19 to vote, an elector shall state his or her name and address. If an elector is not
20 registered to vote, an elector may register to vote at the polling place serving his or
21 her residence if the elector presents proof of identification in a form specified by law
22 unless the elector is exempted from this requirement, and, if the document presented
23 does not constitute proof of residence, the elector provides proof of residence or the
24 elector's registration is verified by another elector of the same municipality where
25 the elector resides. Where ballots are distributed to electors, the initials of 2

1 inspectors must appear on the ballot. Upon being permitted to vote, the elector shall
2 retire alone to a voting booth or machine and cast his or her ballot, except that an
3 elector who is a parent or guardian may be accompanied by the elector's minor child
4 or minor ward. An election official may inform the elector of the proper manner for
5 casting a vote, but the official may not in any manner advise or indicate a particular
6 voting choice.

7 **SECTION 87.** 10.02 (3) (b) 1. of the statutes is amended to read:

8 10.02 (3) (b) 1. ~~If an elector wishes to vote for all candidates nominated by any~~
9 ~~party, the elector shall make a cross (X) or depress the lever or button next to the~~
10 ~~party designation shown at the top of the ballot. Unless a name has been erased or~~
11 ~~crossed out, another name written in, a cross made next to the name of a candidate~~
12 ~~for the same office in another column or a sticker applied, a cross next to a party~~
13 ~~designation at the top of the column is a vote for all the party's candidates listed in~~
14 ~~the column. If an elector does not wish to vote for all the candidates nominated by~~
15 ~~one party, the~~ The elector shall make a cross (X) next to or separately depress the
16 levers or buttons next to each candidate's name for whom he or she intends to vote,
17 or shall insert or write in the name of a candidate.

18 **SECTION 88.** 10.02 (3) (c) of the statutes is amended to read:

19 10.02 (3) (c) In presidential elections, ~~unless the elector wishes to vote for all~~
20 ~~candidates nominated by any party,~~ the elector shall make a cross (X) next to or
21 depress the button or lever next to the set of candidates for president and vice
22 president for whom he or she intends to vote. A vote for candidates for president and
23 vice president is a vote for the presidential electors of those candidates.

24 **SECTION 89.** 12.03 (2) (b) 3. of the statutes is amended to read:

1 12.03 (2) (b) 3. No person may engage in electioneering within 100 feet of an
 2 entrance to or within a nursing home ~~or~~, qualified retirement home ~~or~~, qualified
 3 community-based residential facility, qualified residential care apartment complex,
 4 or qualified adult family home while special voting deputies are present at the home
 5 or facility.

6 **SECTION 90.** 12.13 (2) (b) 6m. of the statutes is amended to read:

7 12.13 (2) (b) 6m. Obtain an absentee ballot for voting in a nursing home or
 8 qualified retirement home ~~or~~, qualified community-based residential facility,
 9 qualified residential care apartment complex, or qualified adult family home under
 10 s. 6.875 (6) and fail to return the ballot to the issuing officer.

11 **SECTION 91.** 20.005 (3) (schedule) of the statutes: at the appropriate place,
 12 insert the following amounts for the purposes indicated:

	2009-10	2010-11
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14 **20.511 Government accountability board**

15 (1) ADMINISTRATION OF ELECTIONS, ETHICS, AND
 16 LOBBYING LAWS

17 (e) Voter identification information

and implementation	GPR	C	-0-	650,000
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19 **SECTION 92.** 20.511 (1) (e) of the statutes is created to read:

20 20.511 (1) (e) *Voter identification information and implementation.* As a
 21 continuing appropriation, the amounts in the schedule for the board to conduct an
 22 outreach and public informational campaign with respect to the voter identification
 23 requirement, and to provide training and staffing for implementation of the
 24 requirement.

1 **SECTION 93.** 343.03 (3r) of the statutes is created to read:

2 343.03 **(3r)** REAL ID NONCOMPLIANT LICENSE. If any license described under sub.
3 (3) is issued based upon the exception specified in s. 343.165 (7), the license shall, in
4 addition to any legend or label described in sub. (3), be marked in a manner
5 consistent with requirements under applicable federal law and regulations to
6 indicate that the license is issued in accordance with P.L. 109-13, section 202 (d) (11),
7 and is not intended to be accepted by any federal agency for federal identification or
8 any other official purpose.

9 **SECTION 94.** 343.06 (1) (L) of the statutes, as affected by 2007 Wisconsin Act
10 20, is amended to read:

11 343.06 **(1)** (L) To any person who does not satisfy the requirements under s.
12 343.165 (1).

13 **SECTION 95.** 343.10 (7) (d) of the statutes, as affected by 2007 Wisconsin Act 20,
14 is amended to read:

15 343.10 **(7)** (d) An occupational license issued by the department under this
16 subsection shall be in the form of a license that includes a photograph described in
17 s. 343.14 (3), unless the exception under s. 343.14 (3m) applies, and any special
18 restrictions cards under s. 343.17 (4). The license shall clearly indicate that
19 restrictions on a special restrictions card apply and that the special restrictions card
20 is part of the person's license.

21 **SECTION 96.** 343.11 (1) of the statutes is amended to read:

22 343.11 **(1)** The department shall not issue a license to a person previously
23 licensed in another jurisdiction unless such person surrenders to the department all
24 valid operator's licenses possessed by the person issued by any other jurisdiction,
25 which surrender operates as a cancellation of the surrendered licenses insofar as the

1 person's privilege to operate a motor vehicle in this state is concerned. When such
2 applicant surrenders the license to the department, the department shall issue a
3 receipt therefor, which receipt shall constitute a temporary license to operate a motor
4 vehicle for a period not to exceed 60 days if the applicant meets the standard required
5 for eyesight and, in the opinion of the examiner, is not a dangerous hazard to the
6 applicant and other users of the highways. ~~Except as provided in s. 343.055, the~~
7 ~~temporary license shall not be valid authorization for the operation of commercial~~
8 ~~motor vehicles.~~ The temporary license shall be surrendered to the examiner for
9 cancellation by the department if the 3rd attempt at the driving test is failed and the
10 applicant shall be required to secure a temporary instruction permit for further
11 practice driving.

12 **SECTION 97.** 343.11 (3) of the statutes is amended to read:

13 343.11 (3) Except as provided in sub. (1), the department may issue a receipt
14 to any applicant for a license, which receipt shall constitute a temporary license to
15 operate a motor vehicle while the application for license is being processed. Such
16 temporary license shall be valid for a period not to exceed ~~30~~ 60 days.

17 **SECTION 98.** 343.11 (3) of the statutes, as affected by 2011 Wisconsin Act ...
18 (this act), is amended to read:

19 343.11 (3) Except as provided in sub. (1), the department may issue a receipt
20 to any applicant for a license, which receipt shall constitute a temporary license to
21 operate a motor vehicle while the application for license is being processed. Such
22 temporary license shall be valid for a period not to exceed 60 days. If the application
23 for a license is processed under the exception specified in s. 343.165 (7), the receipt
24 shall include the marking specified in s. 343.03 (3r).

25 **SECTION 99.** 343.14 (2) (j) of the statutes is created to read:

1 343.14 (2) (j) For an identification card, a question as to whether the applicant
2 will be a qualified elector on the date of the next election and a statement, in boldface
3 type of at least 12-point size, that there is no fee for the initial issuance, renewal, or
4 reinstatement of an identification card to a qualified elector.

5 **SECTION 100.** 343.14 (3) of the statutes, as affected by 2007 Wisconsin Act 20,
6 is amended to read:

7 343.14 (3) ~~The Except as provided in sub. (3m), the department shall, as part~~
8 ~~of the application process, take a digital photograph including facial image capture~~
9 ~~of the applicant to comply with s. 343.17 (3) (a) 2. No ~~Except as provided in sub. (3m)~~,~~
10 ~~no application may be processed without the photograph being taken. Except as~~
11 ~~provided in sub. (3m) and s. 343.165 (4) (d), in the case of renewal licenses, the~~
12 ~~photograph shall be taken once every 8 years, and shall coincide with the appearance~~
13 ~~for examination which is required under s. 343.16 (3).~~

14 **SECTION 101.** 343.14 (3m) of the statutes is created to read:

15 343.14 (3m) If the application for a license is processed under the exception
16 specified in s. 343.165 (7), the application may be processed and the license issued
17 or renewed without a photograph being taken of the applicant if the applicant
18 provides to the department an affidavit stating that the applicant has a sincerely
19 held religious belief against being photographed; identifying the religion to which he
20 or she belongs or the tenets of which he or she adheres to; and stating that the tenets
21 of the religion prohibit him or her from being photographed.

22 **SECTION 102.** 343.16 (3) (a) of the statutes is amended to read:

23 343.16 (3) (a) The department shall examine every applicant for the renewal
24 of an operator's license once every 8 years. The department may institute a method
25 of selecting the date of renewal so that such examination shall be required for each

1 applicant for renewal of a license to gain a uniform rate of examinations. The
2 examination shall consist of a test of eyesight. The department shall make
3 provisions for giving such examinations at examining stations in each county to all
4 applicants for an operator's license. All examining stations shall be open for business
5 until at least 8 p.m. on each election day and on the day immediately prior to each
6 election day. The person to be examined shall appear at the examining station
7 nearest the person's place of residence or at such time and place as the department
8 designates in answer to an applicant's request. In lieu of examination, the applicant
9 may present or mail to the department a report of examination of the applicant's
10 eyesight by an ophthalmologist, optometrist, or physician licensed to practice
11 medicine. The report shall be based on an examination made not more than 3 months
12 prior to the date it is submitted. The report shall be on a form furnished and in the
13 form required by the department. The department shall decide whether, in each
14 case, the eyesight reported is sufficient to meet the current eyesight standards.

15 **SECTION 103.** 343.16 (3) (a) of the statutes is amended to read:

16 343.16 (3) (a) The department shall examine every applicant for the renewal
17 of an operator's license once every 8 years. The department may institute a method
18 of selecting the date of renewal so that such examination shall be required for each
19 applicant for renewal of a license to gain a uniform rate of examinations. The
20 examination shall consist of a test of eyesight. The department shall make
21 provisions for giving such examinations at examining stations in each county to all
22 applicants for an operator's license. Each examining station shall be open at least
23 one day per week during the 2 months immediately prior to the spring primary and
24 spring election and the September primary and general election. The person to be
25 examined shall appear at the examining station nearest the person's place of

1 residence or at such time and place as the department designates in answer to an
2 applicant's request. In lieu of examination, the applicant may present or mail to the
3 department a report of examination of the applicant's eyesight by an
4 ophthalmologist, optometrist, or physician licensed to practice medicine. The report
5 shall be based on an examination made not more than 3 months prior to the date it
6 is submitted. The report shall be on a form furnished and in the form required by
7 the department. The department shall decide whether, in each case, the eyesight
8 reported is sufficient to meet the current eyesight standards.

9 **SECTION 104.** 343.16 (3) (a) of the statutes, as affected by 2007 Wisconsin Act
10 20 and 2011 Wisconsin Act (this act), is repealed and recreated to read:

11 343.16 (3) (a) Except as provided in s. 343.165 (4) (d), the department shall
12 examine every applicant for the renewal of an operator's license once every 8 years.
13 The department may institute a method of selecting the date of renewal so that such
14 examination shall be required for each applicant for renewal of a license to gain a
15 uniform rate of examinations. The examination shall consist of a test of eyesight.
16 The department shall make provisions for giving such examinations at examining
17 stations in each county to all applicants for an operator's license. All examining
18 stations shall be open for business until at least 8 p.m. on each election day and on
19 the day immediately prior to each election day. The person to be examined shall
20 appear at the examining station nearest the person's place of residence or at such
21 time and place as the department designates in answer to an applicant's request. In
22 lieu of examination, the applicant may present or mail to the department a report
23 of examination of the applicant's eyesight by an ophthalmologist, optometrist, or
24 physician licensed to practice medicine. The report shall be based on an examination
25 made not more than 3 months prior to the date it is submitted. The report shall be

1 on a form furnished and in the form required by the department. The department
2 shall decide whether, in each case, the eyesight reported is sufficient to meet the
3 current eyesight standards.

4 **SECTION 105.** ~~343.16 (3) (a) of the statutes, as affected by 2007 Wisconsin Act~~
5 ~~20 and 2011 Wisconsin Act ... (this act), is repealed and recreated to read:~~

6 ~~343.16 (3) (a) Except as provided in s. 343.165 (4) (d), the department shall~~
7 ~~examine every applicant for the renewal of an operator's license once every 8 years.~~
8 ~~The department may institute a method of selecting the date of renewal so that such~~
9 ~~examination shall be required for each applicant for renewal of a license to gain a~~
10 ~~uniform rate of examinations. The examination shall consist of a test of eyesight.~~
11 ~~The department shall make provisions for giving such examinations at examining~~
12 ~~stations in each county to all applicants for an operator's license. Each examining~~
13 ~~station shall be open at least one day per week during the 2 months immediately~~
14 ~~prior to the spring primary and spring election and the September primary and~~
15 ~~general election. The person to be examined shall appear at the examining station~~
16 ~~nearest the person's place of residence or at such time and place as the department~~
17 ~~designates in answer to an applicant's request. In lieu of examination, the applicant~~
18 ~~may present or mail to the department a report of examination of the applicant's~~
19 ~~eyesight by an ophthalmologist, optometrist, or physician licensed to practice~~
20 ~~medicine. The report shall be based on an examination made not more than 3 months~~
21 ~~prior to the date it is submitted. The report shall be on a form furnished and in the~~
22 ~~form required by the department. The department shall decide whether, in each~~
23 ~~case, the eyesight reported is sufficient to meet the current eyesight standards.".~~

24 **SECTION 106.** 343.165 (1) (intro.) of the statutes, as created by 2007 Wisconsin
25 Act 20, is amended to read:

1 343.165 (1) (intro.) The Subject to ss. 343.14 (3m) and 343.50 (4g), the
2 department may not complete the processing of an application for initial issuance or
3 renewal of an operator's license or identification card received by the department
4 after ~~May 10, 2008~~ the effective date of this subsection [LRB inserts date], and no
5 such license or identification card may be issued or renewed, unless the applicant
6 presents or provides, and, subject to sub. (7), the department verifies under sub. (3),
7 all of the following information:

8 **SECTION 107.** 343.165 (2) of the statutes, as created by 2007 Wisconsin Act 20,
9 is amended to read:

10 343.165 (2) (a) The Subject to sub. (7), the department shall, in processing any
11 application for an operator's license or identification card under sub. (1), capture a
12 digital image of each document presented or provided to the department by an
13 applicant. Images captured under this paragraph shall be maintained, in electronic
14 storage and in a transferable format, in the applicant's file or record as provided
15 under ss. 343.23 (2) (a) and 343.50 (8) (a).

16 (b) The Subject to sub. (7), the department shall record in the applicant's file
17 under s. 343.23 (2) (a) or record under s. 343.50 (8) (a) the date on which verification
18 under subs. (1) and (3) is completed.

19 **SECTION 108.** 343.165 (3) (a) of the statutes, as created by 2007 Wisconsin Act
20 20, is amended to read:

21 343.165 (3) (a) Except as provided in pars. (b) and (c) and subject to sub. (7),
22 the department shall verify, in the manner and to the extent required under federal
23 law, each document presented or provided to the department that is required to be
24 presented or provided to the department by an applicant under sub. (1).

1 **SECTION 109.** 343.165 (4) (a) of the statutes, as created by 2007 Wisconsin Act
2 20, is amended to read:

3 343.165 (4) (a) Subsection (1) does not apply to an application for renewal of
4 an operator's license or identification card received by the department after ~~May 10,~~
5 ~~2008~~ the effective date of this paragraph ... [LRB inserts date], if in connection with
6 a prior application after ~~May 10, 2008~~ the effective date of this paragraph ... [LRB
7 inserts date], the applicant previously presented or provided, and the department
8 verified under sub. (3) or (7), the information specified in sub. (1) and, if verified
9 under sub. (3), the department recorded the date on which the verification
10 procedures were completed as described in sub. (2) (b).

11 **SECTION 110.** 343.165 (4) (c) of the statutes, as created by 2007 Wisconsin Act
12 20, is amended to read:

13 343.165 (4) (c) Notwithstanding pars. (a) and (b), no operator's license
14 displaying the legend required under s. 343.03 (3m) or identification card displaying
15 the legend required under s. 343.50 (3) (a) may be renewed unless the applicant
16 presents or provides valid documentary proof under sub. (1) (e) and this proof shows
17 that the status by which the applicant qualified for the license or identification card
18 has been extended by the secretary of the federal department of homeland security.

19 **SECTION 111.** 343.165 (4) (d) of the statutes, as created by 2007 Wisconsin Act
20 20, is amended to read:

21 343.165 (4) (d) With any license or identification card renewal following a
22 license or identification card expiration established under s. 343.20 (1m) or 343.50
23 (5) (c) at other than an 8-year interval, the department may determine whether the
24 applicant's photograph is to be taken, or if the renewal is for a license the applicant
25 is to be examined, or both, at the time of such renewal, so long as the applicant's

1 photograph is taken, and if the renewal is for a license the applicant is examined,
2 with a license or card renewal at least once every 8 years and the applicant's license
3 or identification card at all times includes a photograph unless an exception under
4 s. 343.14 (3m) or 343.50 (4g) applies.

5 **SECTION 112.** 343.165 (5) of the statutes, as created by 2007 Wisconsin Act 20,
6 is amended to read:

7 343.165 (5) The department may, by rule, require that applications for
8 reinstatement of operator's licenses or identification cards, issuance of occupational
9 licenses, reissuance of operator's licenses, or issuance of duplicate operator's licenses
10 or identification cards, received by the department after ~~May 10, 2008~~ the effective
11 date of this subsection ... [LRB inserts date], be processed in a manner consistent
12 with the requirements established under this section for applications for initial
13 issuance or renewal of operator's licenses and identification cards.

14 **SECTION 113.** 343.165 (7) of the statutes is created to read:

15 343.165 (7) (a) The department may process an application for, and issue or
16 renew, an operator's license or identification card without meeting the requirements
17 under subs. (2) and (3) if all of the following apply:

18 1. The operator's license contains the marking specified in s. 343.03 (3r) or the
19 identification card contains the marking specified in s. 343.50 (3) (b).

20 2. The operator's license or identification card is processed and issued or
21 renewed in compliance with applicable department practices and procedures that
22 were in effect immediately prior to the effective date of this subdivision ... [LRB
23 inserts date].

24 (b) In addition to other instances of original issuance or renewal, this
25 subsection specifically applies to renewals occurring after the effective date of this

1 paragraph [LRB inserts date], of operator's licenses or identification cards
2 originally issued prior to the effective date of this paragraph [LRB inserts date].

3 **SECTION 114.** 343.17 (3) (a) 2. of the statutes is amended to read:

4 343.17 (3) (a) 2. A color photograph of the person, unless the exception under
5 s. 343.14 (3m) applies.

6 **SECTION 115.** 343.17 (3) (a) 14. of the statutes is created to read:

7 343.17 (3) (a) 14. If the license contains the marking specified in s. 343.03 (3r),
8 a distinctive appearance specified by the department that clearly distinguishes the
9 license from other operator's licenses or identification cards issued by the
10 department and that alerts federal agency and other law enforcement personnel that
11 the license may not be accepted for federal identification or any other official
12 purpose.

13 **SECTION 116.** 343.17 (5) of the statutes is amended to read:

14 343.17 (5) NO PHOTOS ON TEMPORARY LICENSES. The temporary licenses issued
15 under ss. 343.10, 343.11 (1) and (3), 343.16 (6) (b), and 343.305 (8) (a) shall be on
16 forms provided by the department and shall contain the information required by sub.
17 (3), except the license is that temporary licenses under ss. 343.16 (6) (b) and 343.305
18 (8) (a), and temporary licenses subject to any photograph exception under s. 343.14
19 (3), are not required to include a photograph of the licensee.

20 **SECTION 117.** 343.17 (5) of the statutes, as affected by 2007 Wisconsin Act 20
21 and 2011 Wisconsin Act (this act), is repealed and recreated to read:

22 343.17 (5) NO PHOTOS ON TEMPORARY LICENSES. The temporary licenses issued
23 under ss. 343.10, 343.11 (1) and (3), 343.16 (6) (b), and 343.305 (8) (a) shall be on
24 forms provided by the department and shall contain the information required by sub.
25 (3), except that temporary licenses under ss. 343.16 (6) (b) and 343.305 (8) (a) are not

1 required to include a photograph of the licensee. This subsection does not apply to
2 a noncitizen temporary license, as described in s. 343.03 (3m).

3 **SECTION 118.** 343.50 (1) of the statutes is renumbered 343.50 (1) (a).

4 **SECTION 119.** 343.50 (1) of the statutes, as affected by 2007 Wisconsin Act 20
5 and 2011 Wisconsin Act (this act), is repealed and recreated to read:

6 343.50 (1) (a) Subject to par. (b) and s. 343.165, the department shall issue to
7 every qualified applicant, who has paid all required fees, an identification card as
8 provided in this section.

9 (b) The department may not issue an identification card to a person previously
10 issued an operator's license in another jurisdiction unless the person surrenders to
11 the department any valid operator's license possessed by the person issued by
12 another jurisdiction, which surrender operates as a cancellation of the license insofar
13 as the person's privilege to operate a motor vehicle in this state is concerned. Within
14 30 days following issuance of the identification card under this section, the
15 department shall destroy any operator's license surrendered under this paragraph
16 and report to the jurisdiction that issued the surrendered operator's license that the
17 license has been destroyed and the person has been issued an identification card in
18 this state.

19 (c) The department may issue a receipt to any applicant for an identification
20 card, which receipt shall constitute a temporary identification card while the
21 application is being processed and shall be valid for a period not to exceed 60 days.
22 If the application for an identification card is processed under the exception specified
23 in s. 343.165 (7), the receipt shall include the marking specified in sub. (3) (b).

24 **SECTION 120.** 343.50 (1) (c) of the statutes is created to read:

1 343.50 (1) (c) The department may issue a receipt to any applicant for an
2 identification card, which receipt shall constitute a temporary identification card
3 while the application is being processed and shall be valid for a period not to exceed
4 60 days.

5 **SECTION 121.** 343.50 (3) of the statutes is amended to read:

6 343.50 (3) DESIGN AND CONTENTS OF CARD. The card shall be the same size as
7 an operator's license but shall be of a design which is readily distinguishable from
8 the design of an operator's license and bear upon it the words "IDENTIFICATION
9 CARD ONLY". The information on the card shall be the same as specified under s.
10 343.17 (3). The card may serve as a record of gift under s. 157.06 (2) (t) and the holder
11 may affix a sticker thereto as provided in s. 343.175 (3). The card may also serve as
12 a record of refusal under s. 157.06 (2) (u). The Except as provided in sub. (4g), the
13 card shall contain the holder's photograph and, if applicable, shall be of the design
14 specified under s. 343.17 (3) (a) 12.

15 **SECTION 122.** 343.50 (3) of the statutes, as affected by 2007 Wisconsin Act 20
16 and 2011 Wisconsin Act (this act), is repealed and recreated to read:

17 343.50 (3) DESIGN AND CONTENTS OF CARD. (a) The card shall be the same size as
18 an operator's license but shall be of a design which is readily distinguishable from
19 the design of an operator's license and bear upon it the words "IDENTIFICATION
20 CARD ONLY." The information on the card shall be the same as specified under s.
21 343.17 (3). If the issuance of the card requires the applicant to present any
22 documentary proof specified in s. 343.14 (2) (es) 4. to 7., the card shall display, on the
23 front side of the card, a legend identifying the card as temporary. The card shall
24 contain physical security features consistent with any requirement under federal
25 law. The card may serve as a record of gift under s. 157.06 (2) (t) and the holder may

1 affix a sticker thereto as provided in s. 343.175 (3). The card may also serve as a
2 record of refusal under s. 157.06 (2) (u). Except as provided in sub. (4g), the card shall
3 contain the holder's photograph and, if applicable, shall be of the design specified
4 under s. 343.17 (3) (a) 12.

5 (b) If an identification card is issued based upon the exception specified in s.
6 343.165 (7), the card shall, in addition to any other required legend or design, be of
7 the design specified under s. 343.17 (3) (a) 14. and include a marking similar or
8 identical to the marking described in s. 343.03 (3r).

9 **SECTION 123.** 343.50 (4) of the statutes is amended to read:

10 343.50 (4) APPLICATION. The application for an identification card shall include
11 any information required under ss. 85.103 (2) and 343.14 (2) (a), (b), (bm), (br), (em),
12 ~~and (er), and (j),~~ and such further information as the department may reasonably
13 require to enable it to determine whether the applicant is entitled by law to an
14 identification card. ~~The Except as provided in sub. (4g), the department shall, as part~~
15 ~~of the application process, take a photograph of the applicant to comply with sub. (3).~~
16 ~~No Except as provided in sub. (4g), no application may be processed without the~~
17 ~~photograph being taken. Misrepresentations in violation of s. 343.14 (5) are~~
18 ~~punishable as provided in s. 343.14 (9).~~

19 **SECTION 124.** 343.50 (4) of the statutes, as affected by 2007 Wisconsin Act 20
20 and 2011 Wisconsin Act (this act), is repealed and recreated to read:

21 343.50 (4) APPLICATION. The application for an identification card shall include
22 any information required under ss. 85.103 (2) and 343.14 (2) (a), (b), (bm), (br), (em),
23 (es), and (j), and such further information as the department may reasonably require
24 to enable it to determine whether the applicant is entitled by law to an identification
25 card. Except with respect to renewals described in s. 343.165 (4) (d) and except as

1 provided in sub. (4g), the department shall, as part of the application process, take
2 a digital photograph including facial image capture of the applicant to comply with
3 sub. (3) (a). Except with respect to renewals described in s. 343.165 (4) (d) and except
4 as provided in sub. (4g), no application may be processed without the photograph
5 being taken. Misrepresentations in violation of s. 343.14 (5) are punishable as
6 provided in s. 343.14 (9).

7 **SECTION 125.** 343.50 (4g) of the statutes is created to read:

8 343.50 (4g) PHOTOGRAPH REQUIREMENT; EXCEPTION. An application for an
9 identification card may be processed and the identification card issued or renewed
10 without a photograph being taken of the applicant if the applicant provides to the
11 department an affidavit stating that the applicant has a sincerely held religious
12 belief against being photographed; identifying the religion to which he or she belongs
13 or the tenets of which he or she adheres to; and stating that the tenets of the religion
14 prohibit him or her from being photographed.

15 **SECTION 126.** 343.50 (4g) of the statutes, as created by 2011 Wisconsin Act
16 (this act), is repealed and recreated to read:

17 343.50 (4g) PHOTOGRAPH REQUIREMENT; EXCEPTION. If the application for an
18 identification card is processed under the exception specified in s. 343.165 (7), the
19 application may be processed and the identification card issued or renewed without
20 a photograph being taken of the applicant if the applicant provides to the department
21 an affidavit stating that the applicant has a sincerely held religious belief against
22 being photographed; identifying the religion to which he or she belongs or the tenets
23 of which he or she adheres to; and stating that the tenets of the religion prohibit him
24 or her from being photographed.

1 **SECTION 127.** 343.50 (5) (a) of the statutes, as affected by 2009 Wisconsin Act
2 28, sections 2958 and 2959, and 2011 Wisconsin Act (this act), is repealed and
3 recreated to read:

4 343.50 (5) (a) 1. Except as provided in subds. 2. and 3., the fee for an original
5 card, for renewal of a card, and for the reinstatement of an identification card after
6 cancellation under sub. (10) shall be \$18.

7 2. The department may not charge a fee to an applicant for the initial issuance
8 of an identification card if any of the following apply:

9 a. The department has canceled the applicant's valid operator's license after
10 a special examination under s. 343.16 (5) and, at the time of cancellation, the
11 expiration date for the canceled license was not less than 6 months after the date of
12 cancellation.

13 b. The department has accepted the applicant's voluntary surrender of a valid
14 operator's license under s. 343.265 (1) and, at the time the department accepted
15 surrender, the expiration date for the surrendered license was not less than 6 months
16 after the date that the department accepted surrender.

17 3. The department may not charge a fee to an applicant for the initial issuance,
18 renewal, or reinstatement of an identification card if the applicant identifies himself
19 or herself as a qualified elector.

20 **SECTION 128.** 343.50 (5) (a) 1. of the statutes is amended to read:

21 343.50 (5) (a) 1. Except as provided in ~~subd.~~ subds. 2. and 3., the fee for an
22 original card and for the reinstatement of an identification card after cancellation
23 under sub. (10) shall be \$18.

24 **SECTION 129.** 343.50 (5) (a) 3. of the statutes is created to read:

1 343.50 (5) (a) 3. The department may not charge a fee to an applicant for the
2 initial issuance or reinstatement of an identification card if the applicant identifies
3 himself or herself as a qualified elector.

4 **SECTION 130.** 343.50 (5m) of the statutes is amended to read:

5 343.50 (5m) CARD ISSUANCE FEE. In addition to any other fee under this section,
6 for the issuance of an original identification card or duplicate identification card or
7 for the renewal or reinstatement of an identification card after cancellation under
8 sub. (10), a card issuance fee of \$10 shall be paid to the department. The fee under
9 this subsection does not apply to an applicant if the department may not charge the
10 applicant a fee under sub. (5) (a) 2. or 3.

11 **SECTION 131.** 343.50 (6) of the statutes is amended to read:

12 343.50 (6) RENEWAL. At least 30 days prior to the expiration of the card, the
13 department shall mail a renewal application to the last-known address of each
14 identification card holder. The department shall include with the application
15 information, as developed by all organ procurement organizations in cooperation
16 with the department, that promotes anatomical donations and which relates to the
17 anatomical donation opportunity available under s. 343.175. The fee for a renewal
18 identification card shall be \$18, which except that, if the identification card holder
19 satisfies the requirements for an applicant specified in sub. (5) (a) 3., there shall be
20 no fee for renewal of the identification card. The renewal identification card shall
21 be valid for 8 years, except that a card that is issued to a person who is not a United
22 States citizen and who provides documentary proof of legal status as provided under
23 s. 343.14 (2) (er) shall expire on the date that the person's legal presence in the United
24 States is no longer authorized. If the documentary proof as provided under s. 343.14

1 (2) (er) does not state the date that the person's legal presence in the United States
2 is no longer authorized, then the card shall be valid for 8 years.

3 **SECTION 132.** 343.50 (6) of the statutes, as affected by 2007 Wisconsin Act 20,
4 section 3383, and 2011 Wisconsin Act (this act), is repealed and recreated to read:

5 343.50 (6) RENEWAL NOTICE. At least 30 days prior to the expiration of an
6 identification card, the department shall mail a renewal application to the
7 last-known address of the card holder. If the card was issued or last renewed based
8 upon the person's presenting of any documentary proof specified in s. 343.14 (2) (es)
9 4. to 7., the notice shall inform the card holder of the requirement under s. 343.165
10 (4) (c). The department shall include with the application information, as developed
11 by all organ procurement organizations in cooperation with the department, that
12 promotes anatomical donations and which relates to the anatomical donation
13 opportunity available under s. 343.175.

14 **SECTION 133. Nonstatutory provisions.**

15 (1) PUBLIC INFORMATIONAL CAMPAIGN. In conjunction with the first regularly
16 scheduled primary and election at which the voter identification requirements of this
17 act initially apply, the government accountability board shall conduct a public
18 informational campaign for the purpose of informing prospective voters of the voter
19 identification requirements of this act.

20 (2) SPECIAL PROCEDURE AT ELECTIONS HELD PRIOR TO 2012 SPRING PRIMARY.
21 Notwithstanding sections 6.15 (3), 6.18, 6.79 (2) (a), 6.82 (1) (a), 6.87 (2), 6.94, 6.97
22 (1) and (3) (b) of the statutes, as affected by this act, and sections 6.15 (2) (bm) and
23 6.97 (3) (a) and (c) of the statutes, as created by this act, no elector who votes by
24 absentee ballot at an election held prior to the 2012 spring primary is required to
25 provide proof of identification, and an elector who votes at a polling place at an

1 election held prior to the date of the 2012 spring primary shall be requested by the
 2 election officials to present proof of identification, but if the elector does not present
 3 proof of identification, and the elector is otherwise qualified, the elector’s ballot shall
 4 be counted without the necessity of presenting proof of identification and without the
 5 necessity of casting a provisional ballot. If any elector who votes at a polling place
 6 at such an election does not provide proof of identification and would be required to
 7 provide proof of identification but for the exemption under this subsection, the
 8 election official who provides that elector with a ballot shall also provide to the elector
 9 written information prescribed by the government accountability board briefly
 10 describing the voter identification requirement created by this act and informing the
 11 elector that he or she will be required to comply with that requirement when voting
 12 at future elections beginning with the 2012 spring primary unless an exemption
 13 applies.

14 (3) SPECIAL REGISTRATION DEPUTY APPOINTMENTS. Notwithstanding section 6.26
 15 (2) (am), 2009 stats., the appointment of each individual who serves as a special
 16 registration deputy under section 6.26 (2) of the statutes on the effective date of this
 17 subsection solely as the result of action of the government accountability board is
 18 revoked.

19 **SECTION 134. Initial applicability.**

20 (1) PARTY TICKET VOTING. The treatment of sections 5.37 (1), 5.64 (1) (ar) 1. a.
 21 and 1m. and (b), 5.91 (2), 7.50 (2) (a), and 10.02 (3) (b) 1. and (c) of the statutes first
 22 applies with respect to voting at the 2012 general election.

23 (2) ABSENTEE VOTING. The treatment of section 6.86 (1) (b) of the statutes first
 24 applies with respect to requests for absentee ballots made for voting at elections held
 25 on the effective date of this subsection.

1 (3) **DEADLINE FOR LATE REGISTRATION.** The treatment of sections 6.29 (2) (a) (with
2 respect to the deadline for late registration) first applies with respect to late
3 registration for elections held on the effective date of this subsection.

4 (4) **VOTER REGISTRATION INFORMATION.** The treatment of section 6.33 (1) of the
5 statutes first applies with respect to registration of electors occurring on the effective
6 date of this subsection.

7 (5) **PROOF OF RESIDENCE.** The treatment of section 6.34 (3) (a) 7. and (b) (intro.)
8 of the statutes first applies with respect to elections held on the effective date of this
9 subsection.

10 **SECTION 135. Effective dates.** This act takes effect on the day after
11 publication, except as follows:

12 (1) **VOTING IDENTIFICATION ASSISTANCE.** The treatment of section 7.08 (12) of the
13 statutes and SECTION 133 (1) of this act take effect on the day after publication or the
14 day after publication of the 2011-2013 biennial budget act, whichever is later.

15 (2) **OPERATOR'S LICENSES AND IDENTIFICATION CARDS.**

16 (a) The treatment of sections 343.03 (3r), 343.06 (1) (L), 343.10 (7) (d), 343.11
17 (3) (by SECTION 98), 343.14 (3) and (3m), 343.165 (1) (intro.), (2), (3) (a), (4) (a), (c), and
18 (d), (5), and (7), and 343.17 (3) (a) 2. and 14. of the statutes and the repeal and
19 recreation of sections 343.16 (3) (a), 343.17 (5), and 343.50 (1), (3), (4), and (4g) of the
20 statutes take effect on the day after publication or on the date on which the creation
21 of section 343.165 of the statutes by 2007 Wisconsin Act 20 takes effect, whichever
22 is later.

23 (b) The amendment of section 343.50 (5) (a) 1., (5m), and (6) of the statutes and
24 the creation of section 343.50 (5) (a) 3. of the statutes take effect on the day after

1 publication, or on the day after publication of the 2011-13 biennial budget act,
2 whichever is later.

3 (c) The repeal and recreation of sections 343.50 (5) (a) and (6) of the statutes
4 takes effect on the day after publication, or on the day after publication of the
5 2011-13 biennial budget act, or on the date on which the creation of section 343.165
6 of the statutes by 2007 Wisconsin Act 20 takes effect, whichever is latest.

7 (END)

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1 (6) (b), 10.02 (3) (form) (a), 10.02 (3) (b) 1., 10.02 (3) (c), 12.03 (2) (b) 3., 12.13 (2)
 2 (b) 6m., 343.06 (1) (L), 343.10 (7) (d), 343.11 (1), 343.11 (3), 343.11 (3), 343.14
 3 (3), 343.165 (1) (intro.), 343.165 (2), 343.165 (3) (a), 343.165 (4) (a), 343.165 (4)
 4 (c), 343.165 (4) (d), 343.165 (5), 343.17 (3) (a) 2., 343.17 (5), 343.50 (3), 343.50
 5 (4), 343.50 (5) (a) 1., 343.50 (5m) and 343.50 (6); **to repeal and recreate** 343.17
 6 (5), 343.50 (1), 343.50 (3), 343.50 (4), 343.50 (4g), 343.50 (5) (a) and 343.50 (6);
 7 and **to create** 5.02 (6m), 5.02 (16c), 5.64 (1) (ar) 1m., 6.15 (2) (bm), 6.36 (1) (bm)
 8 and (bn), 6.79 (2) (am), 6.79 (3) (b), 6.79 (7), 6.87 (4) (a), 6.87 (4) (b) 2., 6.87 (4)
 9 (b) 3., 6.87 (4) (b) 4., 6.87 (4) (b) 5., 6.875 (1) (ap) and (asm), 6.875 (2) (d), 6.965,
 10 6.97 (3) (a), 6.97 (3) (c), 7.08 (12), 343.03 (3r), 343.14 (3m), 343.165 (7), 343.17
 11 (3) (a) 14., 343.50 (1) (c), 343.50 (4g) and 343.50 (5) (a) 3. of the statutes;
 12 **relating to:** requiring certain identification in order to vote at a polling place
 13 or obtain an absentee ballot; absentee voting; late voter registration; a
 14 requirement for electors to provide a signature when voting in person at an
 15 election; the ~~division and location of residency for voting purposes~~; voting a
 16 straight party ticket; issuance of operator's licenses and identification cards by
 17 the Department of Transportation; voter registration information; the
 18 statewide voter registration list; voter registration activities; granting
 19 rule-making authority; and providing a penalty.

Analysis by the Legislative Reference Bureau

Identification required for voting

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

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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 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 substitute amendment requires each eligible elector who wishes to vote at the polls on election day to present "proof of identification." Under the substitute amendment, "proof of identification" means an identification document that contains the name of the individual to whom the document was issued, which name conforms to the individual's voter registration, if the individual is required to register to vote, and that contains a photograph of the individual, except as otherwise permitted by the substitute amendment (see below). "Identification" means a) one of the following documents issued to the individual that is unexpired or if expired has expired after the date of the most recent general election: an operator's license issued by the Wisconsin Department of Transportation (DOT), an identification card issued by DOT, an identification card issued by a U.S. uniformed service, or a U.S. passport; b) a certificate of U.S. naturalization that was issued not earlier than two years before the date of an election at which it is presented; c) an unexpired driving receipt issued by DOT (see below); d) an unexpired identification card receipt issued by DOT; e) an identification card issued by a federally recognized Indian tribe in this state; ~~f) an unexpired identification card issued by an accredited university or college in this state that contains the date of issuance and signature of the individual to whom it was issued and that contains an expiration date indicating that the card expires no later than two years after the date of issuance if the individual establishes that he or she is enrolled as a student at the university or college on the date that the card is presented.~~ 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. If a person has applied to DOT for a driver's license or identification card, the person may also present the unexpired driving receipt or identification card receipt (DOT receipt) that DOT issues to the person while the application is processed. ~~Under the substitute amendment, 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~~

approval by the Government Accountability Board (GAB)

or by a technical college

or g) An unexpired identification card issued by a state agency, a local governmental unit in this state, or by the federal government.

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provide proof of identification or a copy thereof unless: 1) the person has already provided a copy of his or her proof of identification 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; 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; or 5) the person is an occupant of such a home, facility, or complex where a municipality does not send special voting deputies, in which case the person may submit a statement signed by the same person who witnesses his or her absentee ballot that contains the certification of an authorized representative of the home, facility, or complex verifying that the person resides at that home, facility, or complex.

The substitute amendment continues current requirements for certain electors to verify residence in order to register or to vote ~~but discontinues the use of corroborating electors to verify residency.~~

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 driver'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 driver's license in lieu of his or her driver'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 driver's license. In this case, the substitute amendment 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. Under the substitute amendment, if a person who votes at a polling place fails to provide proof of identification, the person may vote provisionally. If a person votes by absentee ballot and fails to provide proof of identification or a copy thereof, 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 proof of 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 Friday following the election, the person's vote is not counted.

The substitute amendment also directs GAB, in conjunction with the first regularly scheduled primary and election at which the voter identification requirements created by the substitute amendment initially apply, to conduct a public informational campaign for the purpose of informing prospective voters of the voter identification requirements created by the substitute amendment. In addition, the substitute amendment directs the board to conduct an ongoing outreach effort to identify and contact groups of electors who may need assistance in obtaining or

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person identifies himself or herself on the application as a qualified

renewing documents that constitute proof of identification for voting purposes and to provide assistance in obtaining or renewing those documents.

The voting identification requirement under the substitute amendment initially applies to voting at the 2012 spring primary. The substitute amendment also provides that an elector who votes at a polling place at an election held after the substitute amendment becomes law but before the date of the 2012 spring primary shall be requested to present proof of identification but if the elector fails to do so, his or her ballot will still be counted if the elector is otherwise qualified. The substitute amendment directs election officials to provide information to electors who do not present proof of identification at elections held prior to the date of the 2012 spring primary so that the electors will be prepared to provide proof of identification at future elections.

Issuance of operator's licenses and identification cards

a person

This substitute amendment also permits ~~an elector~~ ^{a person} who is eligible to obtain a Wisconsin identification card to obtain the card from DOT free of charge if the elector ~~is a U.S. citizen who will be at least 18 years of age on the date of the next election and the elector requests that the card be provided without charge for purposes of voting~~

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*
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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 DOT follow certain procedures in processing applications for driver's licenses and identification cards and that each driver's license and identification card include a photograph.

This substitute amendment allows DOT, upon the implementation of the federal REAL ID Act in Wisconsin, to process applications for driver's licenses and identification cards in a manner other than that required by REAL ID if the driver's licenses and identification cards are marked to indicate that they are not REAL ID compliant and DOT processes the applications in compliance with DOT practices and procedures applicable immediately prior to implementation of REAL ID. An applicant for a REAL ID noncompliant driver's license or identification card will still be required to provide to DOT: 1) an identification document that includes either the applicant's photograph or both the applicant's full legal name and date of birth; 2) documentation showing the applicant's date of birth, which may be the same as item 1); 3) proof of the applicant's social security number or verification that the applicant is not eligible for a social security number; 4) documentation showing the applicant's name and address of principal residence; and 5) documentary proof that the applicant is a U.S. citizen or is otherwise lawfully present in the United States. However, in processing an application for a REAL ID noncompliant driver's license or identification card, DOT is not required to meet the standards for document retention and verification that are imposed for REAL ID compliant products.

Current law provides for limited exceptions allowing DOT to issue a driver's license that does not contain a photograph of the license holder, including, by DOT rule, a religious belief exception. There are no similar photograph exceptions under current law for identification cards. Under current law, after the implementation of

no fee

The application must include a statement that there is no fee for an identification card for a qualified elector.

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REAL ID, all REAL ID compliant driver's licenses and identification cards must contain a photograph.

Under this substitute amendment, until the implementation of the federal REAL ID Act, the photograph exception for driver's licenses continues and a new religious belief photograph exception is created for identification cards. After the implementation of REAL ID, this substitute amendment creates a religious belief photograph exception for REAL ID noncompliant driver's licenses and identification cards.

Signature requirement for electors voting in person

This substitute amendment provides, with limited exceptions, that an elector must also enter his or her signature on the poll list or other separate list when voting in person at a polling place at an election. Under the substitute amendment, the election officials must require each elector to enter his or her signature on the poll list or other separate list before being permitted to vote. If an elector registers at a polling place on election day, the officials must require the elector to enter the elector's signature on a separate list. The substitute amendment also provides that if an elector, due to physical disability, authorized another elector to sign his or her registration form on his or her behalf, the elector is exempt from the signature requirement. In addition, if an elector signed his or her registration form but claims to be unable, due to physical disability, to enter his or her signature on the poll list or other separate list when voting at a particular election, the substitute amendment permits the election officials to waive the signature requirement if they find that, due to physical disability, the elector is unable to enter his or her signature.

Durational residency requirement for voting

~~Under current law, with certain limited exceptions, an individual must be a resident of this state and of the municipality and ward, if any, where the elector is voting for ten days before an election to be eligible to vote in the election. This substitute amendment increases this durational residency requirement to 28 consecutive days. Under the substitute amendment, if an elector who does not meet this residency requirement formerly resided at another location in this state within the 27-day period preceding an election, the elector may vote at that location if the elector is otherwise qualified to vote at that location.~~

Voting a straight party ticket

Under current law, at the general election, an elector may vote a straight party ticket for the candidates of any political party that has a separate ballot or column on the ballot.

This substitute amendment eliminates the authority for any elector, other than an overseas or military elector, to vote a straight party ticket. Under federal law, an overseas or military elector may vote a straight party ticket on a write-in absentee ballot for national offices. The substitute amendment first applies with respect to the 2012 general election.

Late registration and absentee voting in person

Currently, the deadline for late registration for an election in person at the office of a municipal clerk or board of election commissioners is 5 p.m. or the close of

④ This substitute amendment also requires DOT's driver's license examining stations (DMV service centers) to be open for business until at least 8 p.m. on the day before and ^{the} day of an election.

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business, whichever is later, on the day before the election. The deadline for absentee voting in person at the office of a municipal clerk or board of election commissioners is 5 p.m. on the day before the election. This substitute amendment changes the deadline for late registration in person to 5 p.m. or the close of business, whichever is later, on the Friday before the election. The substitute amendment also provides that an elector may vote an absentee ballot in person only during the period beginning with opening of business on the 3rd Monday preceding an election and ending at 5 p.m. or the close of business, whichever is later, on the Friday preceding an election. The changes are effective for elections held on or after the first day of the 2nd month beginning after publication.

Absentee voting in residential care apartment complexes and adult family homes

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 substitute amendment 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.

Appointment of special registration deputies

Currently, GAB or the municipal clerk or board of election commissioners of any municipality may appoint special registration deputies to assist qualified electors in completing their voter registration forms prior to the close of registration at locations other than the office of GAB, the office of a municipal clerk or board of election commissioners, or a polling place. Registration forms that are obtained by a special registration deputy are treated in the same manner as registration forms that are received by mail. Any qualified elector of this state may qualify to serve as a special registration deputy. A deputy who is appointed by a municipality may register any qualified elector of the municipality and a deputy who is appointed by the board may register any qualified elector of this state. GAB or a municipal clerk or board of election commissioners may revoke the appointment of an individual for cause, and no individual whose appointment is revoked is eligible for reappointment. This substitute amendment discontinues appointment and revocation of special registration deputies by GAB.

Voter registration information

This substitute amendment requires an elector who registers to vote on or after the day the substitute amendment becomes law to provide, in addition to his or her current residence location as presently required, the location of his or her previous residence immediately before moving to his or her current residence location. The substitute amendment also requires the registration form to include the following statement below the space for the elector's signature: "Falsification of information on this form is punishable under Wisconsin law as a Class I felony."

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Access to voter registration list

Currently, the statewide voter registration list is open to public inspection. However, only authorized election officials may view certain personal information in the list. This substitute amendment permits a municipal clerk or board of election commissioners to provide a law enforcement agency of the federal government or any state or local government with access to this personal information to be used for law enforcement purposes. The substitute amendment also permits GAB to provide this personal information to a subunit of the state government of another state to be used for official purposes.

Revision of registration list

Currently, municipal clerks and boards of election commissioners must enter registration changes received on the date of an election in the statewide voter registration system within 30 days after the date of that election. This substitute amendment permits these updates to be entered within 45 days after a general (November) election and also permits the legal counsel of GAB, upon request of a clerk or board, to permit the clerk or board to enter changes received on the date of the general election within 60 days after the date of that election.

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

SECTION 1. 5.02 (6m) of the statutes is created to read:

5.02 (6m) "Identification" means any of the following documents issued to an individual:

(a) One of the following documents that is unexpired or if expired has expired after the date of the most recent general election:

1. An operator's license issued under ch. 343.
2. An identification card issued under s. 343.50.
3. An identification card issued by a U.S. uniformed service.
4. A U.S. passport.

(b) A certificate of U.S. naturalization that was issued not earlier than 2 years before the date of an election at which it is presented.

(c) An unexpired driving receipt under s. 343.11.

(d) An unexpired identification card receipt issued under s. 343.50.

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A person who states that he or she is at least 65 years of age and has resided at his or her current residence for a period that includes at least the two most recent presidential elections is exempt from the requirement. In addition, the substitute amendment provides that ~~an~~ individual is not able to present any of the above documents, the individual may present as proof of identification an affidavit in the form prescribed by GAB specifying the individual's name and address and stating that this is the address of the individual's residence.