

2011 DRAFTING REQUEST

Assembly Substitute Amendment (ASA-SB116)

Received: 10/12/2011

Received By: **jkuesel**

Wanted: **Soon**

Companion to LRB:

For: **Gary Tauchen (608) 266-3097**

By/Representing: **Craig Arrowood**

May Contact:

Drafter: **jkuesel**

Subject: **Elections - miscellaneous**

Addl. Drafters:

Extra Copies:

Submit via email: **YES**

Requester's email: **Rep.Tauchen@legis.wisconsin.gov**

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Partisan primary date; absentee voting changes; polling place locations

Instructions:

Update for sections affected by 2011 acts. Incorporate date changes in attached E mail of 8/17/11.

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 10/12/2011	kfollett 10/12/2011		_____			
/1			phenry 10/13/2011	_____	mbarman 10/13/2011	mbarman 10/13/2011	
/2	jkuesel 10/18/2011	kfollett 10/18/2011	rschluet 10/18/2011	_____	sbasford 10/18/2011	sbasford 10/18/2011	
/3	agary 10/20/2011	kfollett 10/20/2011	jfrantze 10/20/2011	_____	sbasford 10/20/2011	sbasford 10/20/2011	

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/4	jkuesel 10/21/2011	kfollett 10/21/2011	rschluet 10/21/2011	_____	sbasford 10/21/2011	sbasford 10/21/2011	

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/1	<i>JK</i> jkuesel 10/18/11	<i>JKF</i> 12/5/11 10/18	<i>JK</i> Henry 10/13/2011	_____	mbarman 10/13/2011	mbarman 10/13/2011	

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1/1	jkuesel 10/12/11	11/5/11 10/12	ph ph	10/14 ph/11			

FE Sent For:

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Kuesel, Jeffery

From: Kuesel, Jeffery
Sent: Wednesday, August 17, 2011 11:32 AM
To: Arrowood, Craig; Hanus, Andrew
Subject: AB-161 and SB-116 (Partisan primary date change and absentee voting)

Craig and Andrew,

As you know, there remains one substantive disagreement between the houses on these bills.

These bills amend a number of statutes relating to public financing that have been repealed or amended by Act 32 (the biennial budget act). The bills should be updated to reflect Act 32.

In addition, I have noted some coordinating dates that should be reviewed in light of other changes in the latest substitute amendments and one new date created by Act 39 that should be reviewed. These dates are:

Statute	Subject	Date in bill	Suggested change
5.15 (4) (a)	Ward updates to reflect state redistricting (Act 39)	none (current law May 15)	April 1
5.62 (1) (b) 1.	Request for separate party ballot	May 1	April 1
5.62 (2)	Petition for separate party ballot	May 1	April 1
8.17 (1) (b)	Districts for election of party committeemen/women	May 1	April 15
8.50 (intro.)	Last date for scheduling concurrent special election	August 1	April 10
8.50 (4) (fm)	Deadline for filling municipal judge vacancy	May 1	April 15
10.06 (1) (f)	GAB sends out type A notice	2nd Tuesday in April	3rd Tuesday in March
10.06 (2) (gm)	County clerks send out type A notice	last Tuesday in April	1st Tuesday in April
10.06 (2) (h)	County clerks publish type A notice	last Tuesday in April	2nd Tuesday in April

Jeffery T. Kuesel
Wisconsin Legislative Reference Bureau
P.O. Box 2037
Madison, WI 53701-2037
(608) 266-6778
Jeffery.Kuesel@legis.wisconsin.gov



State of Wisconsin
2011 - 2012 LEGISLATURE

S0208/1
LRB0137/2
JTK:nwn:ph

THU 10/13 - AM

Assembly
SENATE SUBSTITUTE AMENDMENT 1,
TO 2011 SENATE BILL 116

e.lgf

Sec eff'd ✓

June 8, 2011 - Offered by Senator LAZICH.

(regenerate)

1 AN ACT *to repeat* 6.22 (4) (g), 6.221 (1), 6.221 (3) (b), 6.25 (2), 6.25 (3), 6.865 (3),
2 6.865 (3m) (a), 6.865 (3m) (c) and 7.15 (1) (cs); *to renumber* 6.221 (4); *to*
3 *renumber and amend* 5.02 (18), 6.221 (title), 6.221 (2), 6.221 (3) (a), 6.221 (5),
4 6.221 (6), 6.25 (1) and 6.865 (3m) (b); *to consolidate, renumber and amend*
5 6.25 (4) (intro.), (a) and (b); *to amend* 5.05 (13) (title), 5.15 (6) (b), 5.25 (3), 5.37
6 (4), 5.62 (title), 5.62 (1), 5.62 (2), 5.62 (3), 5.62 (5), 6.22 (4) (a), 6.22 (4) (c), 6.22
7 (4) (e), 6.22 (4) (f), 6.22 (5), 6.22 (6), 6.24 (1), 6.24 (2), 6.24 (4) (c), 6.36 (1) (a), 6.50
8 (8), 6.86 (1) (a) (intro.), 6.86 (1) (a) 3., 6.86 (1) (ac), 6.86 (1) (b), 6.865 (title), 6.869,
9 6.87 (3) (d), 6.87 (6), 6.875 (3), 6.88 (1), 6.88 (3) (b), 7.08 (2) (b), 7.08 (2) (c), 7.10
10 (3) (a), 7.15 (1) (cm), 7.15 (1) (j), 7.51 (5) (b), 7.52 (3) (b), 7.60 (5) (a), 7.70 (3) (a),
11 7.70 (3) (e) 1., 8.10 (1), 8.15 (title), 8.15 (1), 8.16 (1), 8.16 (7), 8.17 (1) (b), 8.17
12 (4), 8.17 (5) (b), 8.19 (3), 8.20 (8) (a), 8.20 (8) (am), 8.20 (9), 8.37, 8.50 (intro.),
13 8.50 (1) (d), 8.50 (2), 8.50 (3) (a), 8.50 (3) (b), 8.50 (3) (c), 8.50 (4) (b), 8.50 (4) (fm),

1 9.01 (1) (a) 1., 9.01 (1) (ag) 1., 9.01 (1) (ag) 1m., 9.01 (1) (ag) 2., 9.01 (1) (b) (intro.),
 2 10.01 (2) (d), 10.01 (2) (e), 10.02 (3) (b) 2m., 10.06 (1) (f), 10.06 (1) (h), 10.06 (1)
 3 (i), 10.06 (2) (gm), 10.06 (2) (h), 10.06 (2) (j), 10.06 (3) (cm), 11.06 (12) (a) 1., 11.26
 4 (17) (d), 11.31 (3m), 11.31 (7) (a), 11.50 (1) (a) 1., 11.50 (2) (b) 4., 11.50 (2) (b) 5.,
 5 11.50 (2) (c), 11.50 (2) (f), 11.50 (2) (i), 13.123 (3) (b) 1. a., 59.08 (7) (b), 59.10 (3)
 6 (cm) 2., 59.605 (3) (a) 1., 60.30 (1e) (b), 62.13 (6) (b), 66.0217 (7) (a) 3., 66.0219
 7 (4) (b), 66.0227 (3), 66.0305 (6) (b), 66.0307 (4) (e) 2., 66.0602 (4) (a), 66.0619
 8 (2m) (b), 66.0921 (2), 66.1113 (2) (g), 66.1113 (2) (h), 67.05 (6m) (b), 67.12 (12)
 9 (e) 5., 86.21 (2) (a), 92.11 (4) (c), 117.22 (2) (e), 120.02 (1), 120.02 (2) (a), 120.02
 10 (4), 121.91 (3) (a), 125.05 (1) (b) 5., 197.04 (1) (b), 229.824 (15) and 995.20; and
 11 ~~to create 5.05 (13) (e) and (d), 6.22 (2) (e), 6.24 (4) (e), 6.25 (1) (b) and 6.25 (1)~~
 12 (c) of the statutes; **relating to:** the dates of the September primary and certain
 13 other election occurrences and absentee voting.

substitute amendment
Analysis by the Legislative Reference Bureau

This changes the date of the September primary from the 2nd Tuesday in September to the 2nd Tuesday in August and renames it to be the "Partisan Primary". The substitute amendment also changes the dates of related election events to accommodate the change in the date of the primary. In elections for national office or special elections that are held concurrently with the general election, the substitute amendment provides for absentee ballots to be available to electors for at least a 47-day period before the election. Currently, the length of this period varies but it is generally a shorter period.

The substitute amendment also makes various changes in the laws pertaining to absentee voting. Most of the changes relate to absentee voting by military and overseas electors of this state. State law contains different definitions of the terms "military elector" and "overseas elector." One set of definitions mirrors the definitions found in federal law. Under federal law, a "military elector" includes: 1) a member of a uniformed service on active duty who, by reason of that duty, is absent from the residence where the member is otherwise qualified to vote; 2) a member of the merchant marine who, by reason of service in the merchant marine, is absent from the residence where the member is otherwise qualified to vote; and 3) the spouse or dependent of any such member who, by reason of the duty or service of the member, is absent from the residence where the person is otherwise qualified to vote. The

federal definition of “overseas elector” includes an elector who resides outside the United States and who is qualified under federal law to vote in elections for national office in this state because the elector last resided in this state immediately prior to the elector’s departure from the United States. The other set of definitions applies for certain state purposes and includes all the persons who are included in the federal definitions but also includes other persons. The state definition of the term “military elector” includes: 1) members of a uniformed service who are not on active duty or who are not absent from their residences by reason of their service or both; 2) members of the merchant marine who are not absent from their residences; 3) civilian employees of the United States and civilians officially attached to a uniformed service who are serving outside the United States; 4) Peace Corps volunteers; and 5) spouses and dependents of these persons who are residing with or accompanying them. The state definition of “overseas elector” includes children of persons who qualify as overseas electors under federal law who are U.S. citizens at least 18 years of age, who are not disqualified from voting in this state, and who are not residents of this state. Significant provisions of the substitute amendment include:

1. Current law permits a military or overseas elector, as defined in state law, to cast a vote in any general election in which a federal office is to be filled by writing in the name of a candidate on a blank absentee ballot form prescribed by the U.S. government and returning the ballot to the appropriate municipal clerk or board of election commissioners. This substitute amendment permits a military elector, as defined by state law, to cast such a ballot at any election, including any primary election, at which a federal, state, or local office is to be filled and permits an overseas elector, as defined by state law, to cast such a ballot at any election, including any primary election, at which a federal office is to be filled. The substitute amendment also provides that a completed and signed federal write-in absentee ballot serves as an application for an absentee ballot and need not be accompanied by a separate application, as required currently.

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

3. Currently, an absentee ballot cast by an elector is void unless it is received at the polling place for the elector's residence by 8 p.m. on election night. However, state law provides that if an elector is a military elector, as defined by federal law, the elector has an additional ten days after the general election and seven days after the September primary for the elector's ballot to be received by his or her municipality if the ballot is postmarked by election day. This substitute amendment provides instead that all absentee electors except those voting in person have until 4 p.m. on the Friday after an election for their ballots to be received if the ballots are postmarked by election day.

4. Currently, the municipal clerk or board of election commissioners of each municipality must, upon request of any absentee elector, transmit an absentee ballot to the elector by electronic mail or facsimile transmission. This bill authorizes and requires a municipal clerk or board to transmit an absentee ballot electronically only to a military or overseas elector, as defined in federal law, upon request of such an elector.

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

6. Currently, a military or overseas elector, as defined in state law, may cast a blank write-in absentee ballot under state law. In the case of military electors, the ballot may be used to vote for any candidate for state or local office. In the case of overseas electors, the ballot may only be used to vote for candidates for national office. This substitute amendment discontinues the state write-in absentee ballot for both groups of electors.

7. Currently, with certain exceptions, a military elector who requests an absentee ballot receives absentee ballots automatically for all elections unless the elector fails to return any absentee ballot during the entire period encompassed by two successive general elections. Under this substitute amendment, with certain exceptions, a military elector who requests an absentee ballot receives absentee ballots automatically for all elections held in the same calendar year in which the request is made.

8. Currently, GAB must prescribe uniform instructions for absentee voters. This substitute amendment provides that the instructions must include the specific means of electronic communication that absentee voters may use to file an

application for an absentee ballot, to request a voter registration form, or to change their registrations.

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

*JWS
5-1*

1 ~~SECTION 1. 5.02 (18) of the statutes is renumbered 5.02 (12c) and amended to~~
 2 read:
 3 5.02 (12s) "September Partisan primary" means the primary held on the 2nd
 4 Tuesday in ~~September~~ August to nominate candidates to be voted for at the general
 5 election, and to determine which candidates for state offices other than district
 6 attorney may participate in the ~~Wisconsin~~ election campaign fund.

7 SECTION 2. 5.05 (13) (title) of the statutes is amended to read:
 8 5.05 (13) (title) TOLL-FREE ELECTION INFORMATION ~~EXCHANGE AND REQUESTS~~.

9 SECTION 3. 5.05 (13) (c) and (d) of the statutes are created to read:
 10 5.05 (13) (c) The board shall maintain a freely accessible system under which
 11 a military elector, as defined in s. 6.34 (1) (a), or an overseas elector, as defined in s.
 12 6.34 (1) (b), who casts an absentee ballot may ascertain whether the ballot has been
 13 received by the appropriate municipal clerk.

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

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

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

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

SECTION 4. 5.15 (6) (b) of the statutes is amended to read:

8
9
10 5.15 (6) (b) No later than ~~60 days before each September primary and general~~
11 election, and no later than 30 days before each other election, the governing body of
12 any municipality may by resolution combine 2 or more wards for voting purposes to
13 facilitate using a common polling place. Whenever wards are so combined, the
14 original ward numbers shall continue to be utilized for all official purposes. Except
15 as otherwise authorized under this paragraph, every municipality having a
16 population of 35,000 or more shall maintain separate returns for each ward so
17 combined. In municipalities having a population of less than 35,000, the governing
18 body may provide in the resolution that returns shall be maintained only for each
19 group of combined wards at any election. Whenever a governing body provides for
20 common ballot boxes and ballots or voting machines, separate returns shall be
21 maintained for each separate ballot required under ss. 5.62 and 5.64 at the
22 ~~September~~ partisan primary and general election. The municipal clerk shall
23 transmit a copy of the resolution to the county clerk of each county in which the
24 municipality is contained. In municipalities having a population of less than 35,000,
25 the resolution shall remain in effect for each election until modified or rescinded, or
until a new division is made under this section.

Handwritten notes: "W8" and "6-9" with a bracket and arrow pointing to the section header.

1 SECTION 5. 5.25 (3) of the statutes is amended to read:

2 5.25 (3) Polling places shall be established for each ~~September primary and~~
3 ~~general election at least 60 days before the election, and for each other election at~~
4 least 30 days before the election.

as affected by Wisconsin Act 32

5 ~~SECTION 6. 5.37 (4) of the statutes is amended to read:~~

6 5.37 (4) Voting machines may be used at primary elections when they comply
7 with subs. (1) and (2) and the following provisions: All candidates' names entitled to
8 appear on the ballots at the primary shall appear on the machine; the elector cannot
9 vote for candidates of more than one party, whenever the restriction applies, and an
10 elector who votes for candidates of any party may not vote for independent
11 candidates at the ~~September partisan~~ primary; the elector may secretly select the
12 party for which he or she wishes to vote, or the independent candidates in the case
13 of the ~~September partisan~~ primary; the elector may vote for as many candidates for
14 each office as he or she is lawfully entitled to vote for, but no more

15 SECTION 7. 5.62 (title) of the statutes is amended to read:

16 5.62 (title) ~~September~~ **Partisan primary ballots.**

*dms
7-77*

17 ~~SECTION 8. 5.62 (1) of the statutes is amended to read:~~

18 5.62 (1) (a) At ~~September primaries~~ the partisan primary, the following ballot
19 shall be provided for the nomination of candidates of recognized political parties for
20 national, state and county offices and independent candidates for state office in each
21 ward, in the same form as prescribed by the board under s. 7.08 (1) (a), except as
22 authorized in s. 5.655. The ballots shall be made up of the several party tickets with
23 each party entitled to participate in the primary under ~~par. (b) or sub. (2)~~ having its
24 own ballot, except as authorized in ~~s. 5.655~~. The independent candidates for state
25 office other than district attorney shall have a separate ballot for all such candidates

1 as under s. 5.64 (1) (e), except as authorized in s. 5.655. The ballots shall be secured
 2 together at the bottom. The party ballot of the party receiving the most votes for
 3 president or governor at the last general election shall be on top with the other
 4 parties arranged in descending order based on their vote for president or governor
 5 at the last general election. The ballots of parties qualifying under sub. (2) shall be
 6 placed after the parties qualifying under par. (b), in the same order in which the
 7 parties filed petitions with the board. Any ballot required under par. (b) 2. shall be
 8 placed next in order. The ballot listing the independent candidates shall be placed
 9 at the bottom. At polling places where voting machines are used, each party and the
 10 independent candidates shall be represented in one or more separate columns or
 11 rows on the ballot. At polling places where an electronic voting system is used other
 12 than an electronic voting machine, each party and the independent candidates may
 13 be represented in separate columns or rows on the ballot.

14 ^(b) (b) 1. Except as provided in subd. 2. and s. 5.64 (1) (e) 2., every recognized
 15.62 ^{(1) 2} political party listed on the official ballot at the last gubernatorial election whose
 16 candidate for any statewide office received at least 1% of the total votes cast for that
 17 office and, if the last general election was also a presidential election, every
 18 recognized political party listed on the ballot at that election whose candidate for
 19 president received at least 1% of the total vote cast for that office shall have a
 20 separate primary ballot or one or more separate columns or rows on the primary
 21 ballot as prescribed in par. (a) and a separate column on the general election ballot
 22 in every ward and election district. An organization which was listed as
 23 "independent" at the last general election and whose candidate meets the same
 24 qualification shall receive the same ballot status upon petition of the chairperson
 25 and secretary of the organization to the board requesting such status and specifying

1 their party name, which may not duplicate the name of an existing party. A petition
2 under this subdivision may be filed no later than 5 p.m. on ~~June~~ ^{April} 1 in the year
3 of each general election.

4 2. Subdivision 1. applies to a party within any assembly district or county at
5 any ~~September~~ partisan primary election only if at least one candidate of the party
6 for any national, state or county office qualifies to have his or her name appear on
7 the ballot under the name of that party within that assembly district or county. The
8 county clerk or county board of election commissioners shall provide a combined
9 separate ballot or one or more separate columns or rows on the ballot that will permit
10 an elector to cast a vote for a write-in candidate for the nomination of any such party
11 for each national, state and county office whenever that party qualifies to be
12 represented on a separate primary ballot or in one or more separate columns or rows
13 under subd. 1. but does not qualify under this subdivision. The ballot shall include
14 the name of each party qualifying for a separate ballot or one or more separate
15 columns or rows on the ballot under each office, with the names of the candidates for
16 each such party appearing in the same order in which the ballots of the parties would
17 appear under par. (a).

18 **SECTION 9.** 5.62 (2) of the statutes is amended to read:

19 5.62 (2) (a) Except as provided in par. (b) and s. 5.64 (1) (e) 2., any political
20 organization may be represented on a separate primary ballot or in one or more
21 separate columns or rows on the primary ballot as prescribed in sub. (1) (a) and in
22 a separate column on the general election ballot in every ward and election district.
23 To qualify for a separate ballot under this paragraph, the political organization shall,
24 not later than 5 p.m. on ~~June~~ ^{April} 1 in the year of the ~~September~~ partisan primary,
25 file with the board a petition requesting separate ballot status. The petition shall

1 be signed by at least 10,000 electors, including at least 1,000 electors residing in each
2 of at least 3 separate congressional districts. The petition shall conform to the
3 requirements of s. 8.40. No signature obtained before January 1 in the year of filing
4 is valid. When the candidates of a political organization filing a valid petition fulfill
5 the requirements prescribed by law, they shall appear on a separate ballot or one or
6 more separate columns or rows on the ballot for the period ending with the following
7 general election.

8 (b) Paragraph (a) applies to a party within any assembly district or county at
9 any ~~September~~ partisan primary election only if at least one candidate of the party
10 for any national, state or county office qualifies to have his or her name appear on
11 the ballot under the name of that party within that assembly district or county. The
12 county clerk or county board of election commissioners shall provide a combined
13 separate ballot or one or more separate columns or rows on the ballot that will permit
14 an elector to cast a vote for a write-in candidate for the nomination of any such party
15 for each national, state and county office whenever that party qualifies to be
16 represented on a separate primary ballot or in one or more separate columns or rows
17 under par. (a) but does not qualify under this paragraph. The ballot shall include the
18 name of each party qualifying for a separate ballot or one or more separate columns
19 or rows on the ballot under each office, with the names of the candidates for each such
20 party appearing in the same order in which the ballots of the parties would appear
21 under sub. (1) (a).

22 ~~SECTION 10. 5.62 (3) of the statutes is amended to read:~~

23 5.62 (3) The board shall designate the official primary ballot arrangement for
24 statewide offices and district attorney within each prosecutorial district by using the
25 same procedure as provided in s. 5.60 (1) (b). On each ballot and on each separate

1 column or row on the ballot, the candidates for office shall be listed together with the
2 offices which they seek in the following order whenever these offices appear on the
3 ~~September partisan~~ primary ballot: governor, lieutenant governor, attorney general,
4 secretary of state, state treasurer, U.S. senator, U.S. representative in congress,
5 state senator, representative to the assembly, district attorney and the county offices.
6 Below the names of the independent candidates shall appear the party or principle
7 of the candidates, if any, in 5 words or less, as shown on their nomination papers.

8 ~~SECTION 11. 5.62 (5) of the statutes is amended to read:~~

9 5.62 (5) At the ~~September partisan~~ primary, an elector may vote for the
10 candidates of only one party, or the elector may vote for any of the independent
11 candidates for state office listed; but the elector may not vote for more than one
12 candidate for a single office. A space shall be provided on the ballot for an elector to
13 write in the name of his or her choice as a party candidate for any office, including
14 a party candidate of a party whose name appears on the ballot, column or row
15 designated for independent candidates, as provided in sub. (1) (b) or (2) (b), but no
16 space shall be provided to write in the names of independent candidates.

17 **SECTION 12.** 6.22 (2) (e) of the statutes is created to read:

18 6.22 (2) (e) A military elector may file an application for an absentee ballot by
19 means of electronic mail or facsimile transmission in the manner prescribed in s. 6.86
20 (1) (ac). Upon receipt of a valid application, the municipal clerk shall send the elector
21 an absentee ballot or, if the elector is a military elector, as defined in s. 6.34 (1) (a),
22 and the elector so requests, shall transmit an absentee ballot to the elector by means
23 of electronic mail or facsimile transmission in the manner prescribed in s. 6.87 (3)
24 (d).

25 **SECTION 13.** 6.22 (4) (a) of the statutes is amended to read:

1 6.22 (4) (a) ~~A request for an absentee ballot by an individual who qualifies as~~
2 ~~a military elector shall be treated as a request for an absentee ballot for all elections.~~
3 Upon receiving a timely request for an absentee ballot under par. (b) by an individual
4 who qualifies as a military elector, the municipal clerk shall send or, if the individual
5 is a military elector as defined in s. 6.34 (1) (a), shall transmit to the elector upon the
6 elector's request an absentee ballot for all elections that occur in the municipality or
7 portion thereof where the elector resides ~~beginning on the date that the clerk receives~~
8 ~~the request in the same calendar year in which the request is received, unless the~~
9 individual otherwise requests.

10 **SECTION 14.** 6.22 (4) (c) of the statutes is amended to read:

11 6.22 (4) (c) A military elector may indicate an alternate address on his or her
12 absentee ballot application. If the elector's ballot is returned as undeliverable prior
13 to the deadline for return of absentee ballots under s. 6.87 (6), and the elector remains
14 eligible to receive absentee ballots under this section, the municipal clerk shall
15 immediately send or, if the elector is a military elector as defined in s. 6.34 (1) (a),
16 transmit an absentee ballot to the elector at the alternate address.

17 **SECTION 15.** 6.22 (4) (e) of the statutes is amended to read:

18 6.22 (4) (e) Whenever the material is mailed, the material shall be prepared
19 and mailed to make use of the federal free postage laws. If the material does not
20 qualify for mailing without postage under federal free postage laws, the municipal
21 clerk shall pay the postage required for mailing to the military elector. If the return
22 envelope qualifies for mailing free of postage under federal free postage laws, the
23 clerk shall affix the appropriate legend required by U.S. postal regulations.
24 Otherwise the municipal clerk shall pay the postage required for return when the
25 ballot is mailed from within the United States. If the ballot is not mailed by the

1 military elector from within the United States the military elector shall provide
2 return postage. ~~The mailing list established under this subsection shall be kept~~
3 ~~current in the same manner as provided in s. 6.86 (2) (b).~~

4 **SECTION 16.** 6.22 (4) (f) of the statutes is amended to read:

5 6.22 **(4)** (f) ~~If there occur 2 successive general elections at which a military~~
6 ~~elector fails to return an absentee ballot sent or transmitted to the elector under par.~~
7 ~~(a) and the elector has not cast an absentee ballot at any intervening election, if the~~
8 municipal clerk is reliably informed that ~~the elector~~ an individual who requests an
9 absentee ballot under this section is no longer a military elector or no longer resides
10 in the municipality, or if the elector so requests, the clerk shall discontinue sending
11 or transmitting absentee ballots to the elector under this subsection. If a military
12 elector who has requested an absentee ballot changes his or her residence from the
13 municipality where a request is filed to another municipality in this state, the
14 municipal clerk of the municipality who received the request shall notify the clerk
15 of the municipality to which the elector's residence is changed of the date of the
16 request ~~or the latest renewal under par. (g) and the date of the most recent absentee~~
17 ~~ballot received by the clerk.~~ The municipal clerk who is so notified shall treat the
18 request as having been made to him or her.

19 **SECTION 17.** 6.22 (4) (g) of the statutes is repealed.

20 **SECTION 18.** 6.22 (5) of the statutes is amended to read:

21 6.22 **(5)** VOTING PROCEDURE. Except as provided in s. ~~6.221~~ 7.515 and as
22 authorized in s. 6.25, the ballot shall be marked and returned, deposited and
23 recorded in the same manner as other absentee ballots. In addition, the certification
24 under s. 6.87 (2) shall have a statement of the elector's birth date. Failure to return

1 any unused ballots in a primary election does not invalidate the ballot on which the
2 elector casts his or her votes.

3 **SECTION 19.** 6.22 (6) of the statutes is amended to read:

4 **6.22 (6) MILITARY ELECTOR LIST.** Each municipal clerk shall keep an up-to-date
5 list of all eligible military electors who reside in the municipality; ~~city clerks shall~~
6 ~~keep the lists by wards in the format prescribed by the board.~~ The list shall contain
7 the name, latest-known military residence and military mailing address of each
8 military elector. The list shall indicate whether each elector whose name appears on
9 the list is a military elector, as defined in s. ~~6.36 (2) (c)~~ 6.34 (1), and has so certified
10 under s. 6.865 (3m). All persons over 18 years of age or who will be 18 years old prior
11 to an election shall be listed and remain on the list for the duration of their tour of
12 duty. The list shall be kept current through all possible means. Each clerk shall
13 exercise reasonable care to avoid duplication of names or listing anyone who is not
14 eligible to vote. Each clerk shall distribute ~~2 copies of~~ one copy of the list to the
15 ~~appropriate ward~~ each polling place in the municipality for use on election day.

16 **SECTION 20.** 6.221 (title) of the statutes is renumbered 7.515 (title) and
17 amended to read:

18 **7.515 (title) Counting of certain absentee ballots for ~~certain military~~**
19 **~~electors; September primary and general election received after election~~**
20 **day.**

21 **SECTION 21.** 6.221 (1) of the statutes is repealed.

22 **SECTION 22.** 6.221 (2) of the statutes is renumbered 7.515 (2) and amended to
23 read:

24 **7.515 (2)** Each certificate envelope that is mailed ~~or transmitted to a military~~
25 an absentee elector and each certificate envelope that is transmitted to a military or

1 overseas elector under s. 6.87 (3) (d) under this section shall be clearly labeled as
2 “Cast by ~~a military~~ an absentee elector under s. ~~6.221~~ 7.515, Wis. Stats., and may
3 be eligible to be counted after election day.”

4 **SECTION 23.** 6.221 (3) (a) of the statutes is renumbered 7.515 (3) and amended
5 to read:

6 7.515 (3) ~~At the September primary, a~~ A ballot that is cast ~~under s. 6.22~~ by an
7 absentee elector ~~who is a military elector~~, that is received by mail from the U. S.
8 postal service, and that is postmarked no later than election day shall be counted as
9 provided in this section if it is received by a municipal clerk no later than ~~5~~ 4 p.m.
10 on the ~~7th day~~ Friday after the election.

11 **SECTION 24.** 6.221 (3) (b) of the statutes is repealed.

12 **SECTION 25.** 6.221 (4) of the statutes is renumbered 7.515 (4).

13 **SECTION 26.** 6.221 (5) of the statutes is renumbered 7.515 (5) and amended to
14 read:

15 7.515 (5) No later than the closing hour of the polls on the day of ~~the September~~
16 ~~primary and the day of the general~~ each election, the municipal clerk of each
17 municipality shall post at his or her office and on the Internet at a site announced
18 by the clerk before the polls open, and shall make available to any person upon
19 request, a statement of the number of absentee ballots that the clerk has mailed or
20 transmitted to ~~military~~ absentee electors under this section and that have not been
21 returned to the polling places where the electors reside by the closing hour on election
22 day. The posting shall not include the names or addresses of any ~~military~~ absentee
23 electors.

24 **SECTION 27.** 6.221 (6) of the statutes is renumbered 7.515 (6) and amended to
25 read:

1 7.515 (6) (a) Whenever the municipal clerk of any municipality receives an
2 absentee ballot cast by an absentee elector ~~who is a military elector~~ under this section
3 and the ballot is not received in sufficient time for delivery to the polling place serving
4 the residence of the elector on election day but is received within the time specified
5 in sub. (3), the clerk shall promptly provide written notice to the board of canvassers
6 of each municipality, special purpose district, and county that is responsible for
7 canvassing the election of the number of such ballots that have been ~~cast~~ received
8 by the clerk in each ward or election district.

9 (b) Whenever a board of canvassers receives notification from a municipal clerk
10 under par. (a), the board of canvassers shall reconvene no later than 9 a.m. on the
11 day after the last day permitted for acceptance of absentee ballots under sub. (3) and
12 shall proceed to open and record the names of the ~~military~~ absentee electors whose
13 ballots have been received. If the ballot cast by ~~a military~~ an absentee elector is
14 otherwise valid, the board of canvassers shall count the ballot and adjust the
15 statements, certifications, and determinations accordingly. If the municipal clerk
16 transmits returns of the election to the county clerk, the municipal clerk shall
17 transmit to the county clerk a copy of the amended returns together with all
18 additional ballots and envelopes reviewed by the board of canvassers and with
19 amended tally sheets.

20 **SECTION 28.** 6.24 (1) of the statutes is amended to read:

21 6.24 (1) DEFINITION. In this section, except as otherwise provided, “overseas
22 elector” means a U.S. citizen who is not disqualified from voting under s. 6.03, who
23 has attained or will attain the age of 18 by the date of an election at which the citizen
24 proposes to vote and who does not qualify as a resident of this state under s. 6.10, but
25 who was last domiciled in this state or whose parent was last domiciled in this state

1 immediately prior to the parent's departure from the United States, and who is not
2 registered to vote or voting in any other state, territory or possession.

3 **SECTION 29.** 6.24 (2) of the statutes is amended to read:

4 6.24 (2) ELIGIBILITY. An overseas elector under sub. (1) may vote in any election
5 for national office, including the ~~September~~ partisan primary and presidential
6 preference primary and any special primary or election. Such elector may not vote
7 in an election for state or local office. An overseas elector shall vote in the ward or
8 election district in which the elector was last domiciled or in which the elector's
9 parent was last domiciled prior to departure from the United States.

10 **SECTION 30.** 6.24 (4) (c) of the statutes, as affected by 2011 Wisconsin Act 23,
11 is amended to read:

12 6.24 (4) (c) Upon receipt of a timely application from an individual who
13 qualifies as an overseas elector and who has registered to vote in a municipality
14 under sub. (3), the municipal clerk of the municipality shall send ~~or transmit, or if~~
15 the individual is an overseas elector, as defined in s. 6.34 (1) (b), shall transmit an
16 absentee ballot to the individual upon the individual's request for all subsequent
17 elections for national office to be held during the year in which the ballot is requested,
18 except as otherwise provided in this paragraph, unless the individual otherwise
19 requests or until the individual no longer qualifies as an overseas elector. of the
20 municipality. The clerk shall not send an absentee ballot for an election if the
21 overseas elector's name appeared on the registration list in eligible status for a
22 previous election following the date of the application but no longer appears on the
23 list in eligible status. The municipal clerk shall ensure that the envelope containing
24 the absentee ballot is clearly marked as not forwardable. If an overseas elector who

1 files an application under this subsection no longer resides at the same address that
2 is indicated on the application form, the elector shall so notify the municipal clerk.

3 **SECTION 31.** 6.24 (4) (e) of the statutes is created to read:

4 6.24 **(4)** (e) An overseas elector may file an application for an absentee ballot
5 by means of electronic mail or facsimile transmission in the manner prescribed in s.
6 6.86 (1) (ac). Upon receipt of a valid application, the municipal clerk shall send the
7 elector an absentee ballot or, if the elector is an overseas elector, as defined in s. 6.34
8 (1) (b) and the elector so requests, shall transmit an absentee ballot to the elector by
9 means of electronic mail or facsimile transmission in the manner prescribed in s. 6.87
10 (3) (d).

11 **SECTION 32.** 6.25 (1) of the statutes is renumbered 6.25 (1) (a) and amended to
12 read:

13 6.25 **(1)** (a) Any individual who qualifies as a military elector under s. 6.22 (1)
14 (b) ~~or an overseas elector under s. 6.24 (1)~~ and who transmits an application for an
15 official absentee ballot for ~~a general election~~ any election, including a primary
16 election, no later than ~~30 days before election day~~ the latest time specified for the
17 elector in s. 6.86 (1) (b) may, in lieu of the official ballot, cast a federal write-in
18 absentee ballot prescribed under 42 USC 1973ff-2 for any candidate for an office
19 listed on the official ballot or for all of the candidates of any recognized political party
20 for ~~national office~~ the offices listed on the official ballot at ~~the general~~ that election
21 if the federal write-in absentee ballot is received by the appropriate municipal clerk
22 no later than the applicable time prescribed in s. ~~6.221 (3)~~ 6.87 (6).

23 **SECTION 33.** 6.25 (1) (b) of the statutes is created to read:

24 6.25 **(1)** (b) Any individual who qualifies as an overseas elector under s. 6.24
25 (1) and who transmits an application for an official absentee ballot for an election for

1 national office, including a primary election, no later than the latest time specified
2 for an elector in s. 6.86 (1) (b) may, in lieu of the official ballot, cast a federal write-in
3 absentee ballot prescribed under 42 USC 1973ff-2 for any candidate or for all
4 candidates of any recognized political party for national office listed on the official
5 ballot at that election, if the federal write-in absentee ballot is received by the
6 appropriate municipal clerk no later than the applicable time prescribed in s. 6.221
7 (3) or 6.87 (6).

8 **SECTION 34.** 6.25 (1) (c) of the statutes is created to read:

9 6.25 (1) (c) A completed and signed federal write-in absentee ballot submitted
10 by a qualified elector under par. (a) serves as an application for an absentee ballot
11 and need not be accompanied by a separate application.

12 **SECTION 35.** 6.25 (2) of the statutes is repealed.

13 **SECTION 36.** 6.25 (3) of the statutes is repealed.

14 **SECTION 37.** 6.25 (4) (intro.), (a) and (b) of the statutes are consolidated,
15 renumbered 6.25 (4) and amended to read:

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

21 **SECTION 38.** 6.36 (1) (a) of the statutes is amended to read:

22 6.36 (1) (a) The board shall compile and maintain electronically an official
23 registration list. The list shall contain the name and address of each registered
24 elector in the state, the date of birth of the elector, the ward and aldermanic district
25 of the elector, if any, and, for each elector, a unique registration identification number

1 assigned by the board, the number of a valid operator's license issued to the elector
2 under ch. 343, if any, or the last 4 digits of the elector's social security account
3 number, if any, any identification serial number issued to the elector under s. 6.47
4 (3), the date of any election in which the elector votes, ~~an indication of whether the~~
5 ~~elector is a military elector, as defined in sub. (2) (c) who has so certified under s.~~
6 ~~6.865 (3m)~~, an indication of whether the elector is an overseas elector, as defined in
7 s. 6.24 (1), any information relating to the elector that appears on the current list
8 transmitted to the board by the department of corrections under s. 301.03 (20m), an
9 indication of any accommodation required under s. 5.25 (4) (a) to permit voting by
10 the elector, an indication of the method by which the elector's registration form was
11 received, and such other information as may be determined by the board to facilitate
12 administration of elector registration requirements.

13 **SECTION 39.** 6.50 (8) of the statutes is amended to read:

14 6.50 (8) Any municipal governing body may direct the municipal clerk or board
15 of election commissioners to arrange with the U.S. postal service pursuant to
16 applicable federal regulations, to receive change of address information with respect
17 to individuals residing within the municipality for revision of the elector registration
18 list. If required by the U.S. postal service, the governing body may create a
19 registration commission consisting of the municipal clerk or executive director of the
20 board of election commissioners and 2 other electors of the municipality appointed
21 by the clerk or executive director for the purpose of making application for address
22 changes and processing the information received. The municipal clerk or executive
23 director shall act as chairperson of the commission. Any authorization under this
24 subsection shall be for a definite period or until the municipal governing body
25 otherwise determines. The procedure shall apply uniformly to the entire

1 municipality whenever used. The procedure shall provide for receipt of complete
2 change of address information on an automatic basis, or not less often than once
3 every 2 years during the 60 days preceding the close of registration for the ~~September~~
4 partisan primary. If a municipality adopts the procedure for obtaining address
5 corrections under this subsection, it need not comply with the procedure for mailing
6 address verification cards under subs. (1) and (2).

7 **SECTION 40.** 6.86 (1) (a) (intro.) of the statutes is amended to read:

8 6.86 (1) (a) (intro.) Any elector of a municipality who is registered to vote
9 whenever required and who qualifies under ss. 6.20 and 6.85 as an absent elector
10 may make written application to the municipal clerk of that municipality for an
11 official ballot by one of the following methods:

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

13 6.86 (1) (a) 3. By signing a statement and filing a request to receive absentee
14 ballots under sub. (2) or (2m) (a) or s. 6.22 (4), 6.24 (4), or 6.25 (1) (c).

15 **SECTION 42.** 6.86 (1) (ac) of the statutes is amended to read:

16 6.86 (1) (ac) Any elector qualifying under par. (a) may make written application
17 to the municipal clerk for an official ballot by means of facsimile transmission or
18 electronic mail. Any application under this paragraph shall need not contain a copy
19 of the applicant's original signature. An elector requesting a ballot under this
20 paragraph shall return with the voted ballot a copy of the request bearing an original
21 signature of the elector as provided in s. 6.87 (4).

22 **SECTION 43.** 6.86 (1) (b) of the statutes, as affected by 2011 Wisconsin Act 23,
23 is amended to read:

24 6.86 (1) (b) Except as provided in this section, if application is made by mail,
25 the application shall be received no later than 5 p.m. on the 5th day immediately

1 preceding the election. If application is made in person, the application shall be
2 made no earlier than the opening of business on the 3rd Monday preceding the
3 election and no later than 5 p.m. or the close of business, whichever is later, on the
4 Friday preceding the election. Except as provided in par. (c), if the elector is making
5 written application for an absentee ballot at the ~~September partisan primary or the~~
6 general election, the presidential preference primary, or a special election for
7 national office, and the application indicates that the elector is a military elector, as
8 defined in s. 6.34 (1), the application shall be received by the municipal clerk no later
9 than 5 p.m. on election day. If the application indicates that the reason for requesting
10 an absentee ballot is that the elector is a sequestered juror, the application shall be
11 received no later than 5 p.m. on election day. If the application is received after 5 p.m.
12 on the Friday immediately preceding the election, the municipal clerk or the clerk's
13 agent shall immediately take the ballot to the court in which the elector is serving
14 as a juror and deposit it with the judge. The judge shall recess court, as soon as
15 convenient, and give the elector the ballot. The judge shall then witness the voting
16 procedure as provided in s. 6.87 and shall deliver the ballot to the clerk or agent of
17 the clerk who shall deliver it to the polling place or, in municipalities where absentee
18 ballots are canvassed under s. 7.52, to the municipal clerk as required in s. 6.88. If
19 application is made under sub. (2) or (2m), the application may be received no later
20 than 5 p.m. on the Friday immediately preceding the election.

21 **SECTION 44.** 6.865 (title) of the statutes is amended to read:

22 **6.865** (title) **Federal absentee ballot requests ballots.**

23 **SECTION 45.** 6.865 (3) of the statutes is repealed.

24 **SECTION 46.** 6.865 (3m) (a) of the statutes is repealed.

1 **SECTION 47.** 6.865 (3m) (b) of the statutes is renumbered 6.865 (3m) and
2 amended to read:

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

9 **SECTION 48.** 6.865 (3m) (c) of the statutes is repealed.

10 **SECTION 49.** 6.869 of the statutes, as affected by 2011 Wisconsin Act 23, is
11 amended to read:

12 **6.869 Uniform instructions.** The board shall prescribe uniform instructions
13 for municipalities to provide to absentee electors. The instructions shall include the
14 specific means of electronic communication that an absentee elector may use to file
15 an application for an absentee ballot and, if the absentee elector is required to
16 register, to request a registration form or change his or her registration. The
17 instructions shall include information concerning whether proof of identification is
18 required to be presented or enclosed under s. 6.86 (1) (ar) or 6.87 (4) (b) 1. The
19 instructions shall also include information concerning the procedure for correcting
20 errors in marking a ballot and obtaining a replacement for a spoiled ballot. The
21 procedure shall, to the extent possible, respect the privacy of each elector and
22 preserve the confidentiality of each elector's vote.

23 **SECTION 50.** 6.87 (3) (d) of the statutes, as affected by 2011 Wisconsin Act 23,
24 is amended to read:

1 6.87 (3) (d) A municipal clerk shall, if the clerk is reliably informed by ~~an absent~~
2 ~~elector~~ a military elector, as defined in s. 6.34 (1) (a), or an overseas elector, as defined
3 in s. 6.34 (1) (b), of a facsimile transmission number or electronic mail address where
4 the elector can receive an absentee ballot, transmit a facsimile or electronic copy of
5 the ~~absent~~ elector's ballot to that elector in lieu of mailing under this subsection. An
6 elector may receive an absentee ballot only if the elector is a military elector or an
7 overseas elector under s. 6.34 (1) and has filed a valid application for the ballot ~~under~~
8 as provided in s. 6.86 (1). If the clerk transmits an absentee ballot to ~~an absentee a~~
9 military or overseas elector electronically, the clerk shall also transmit a facsimile
10 or electronic copy of the text of the material that appears on the certificate envelope
11 prescribed in sub. (2), together with instructions prescribed by the board. The
12 instructions shall require the ~~absent~~ military or overseas elector to make and
13 subscribe to the certification as required under sub. (4) (b) and to enclose the
14 absentee ballot in a separate envelope contained within a larger envelope, that shall
15 include the completed certificate. The elector shall then affix sufficient postage
16 unless the absentee ballot qualifies for mailing free of postage under federal free
17 postage laws and shall mail the absentee ballot to the municipal clerk. Except as
18 authorized in s. 6.97 (2), an absentee ballot received from ~~an~~ a military or overseas
19 elector who receives the ballot electronically shall not be counted unless it is cast in
20 the manner prescribed in this paragraph and in accordance with the instructions
21 provided by the board.

22 **SECTION 51.** 6.87 (6) of the statutes, as affected by 2011 Wisconsin Act 23, is
23 amended to read:

24 6.87 (6) Except as provided in s. ~~6.221~~ 7.515 (3), the ballot shall be returned
25 so it is received by the municipal clerk no later than 8 p.m. on election day. Except

1 in municipalities where absentee ballots are canvassed under s. 7.52, if the
2 municipal clerk receives an absentee ballot on election day, the clerk shall secure the
3 ballot and cause the ballot to be delivered to the polling place serving the elector's
4 residence before the closing hour. Except as provided in s. ~~6.224~~ 7.515 (3), any ballot
5 not mailed or delivered as provided in this subsection may not be counted.

6 **SECTION 52.** 6.875 (3) of the statutes, as affected by 2011 Wisconsin Act 23, is
7 amended to read:

8 6.875 (3) An occupant of a nursing home or qualified retirement home,
9 qualified community-based residential facility, qualified residential care apartment
10 complex, or qualified adult family who who qualifies as an absent elector and desires
11 to receive an absentee ballot shall make application under s. 6.86 (1), (2), or (2m) with
12 the municipal clerk or board of election commissioners of the municipality in which
13 the elector is a resident. The clerk or board of election commissioners of a
14 municipality receiving an application from an elector who is an occupant of a nursing
15 home or qualified retirement home, qualified community-based residential facility,
16 qualified residential care apartment complex, or qualified adult family home located
17 in a different municipality shall, as soon as possible, notify and ~~transmit~~ send an
18 absentee ballot for the elector to the clerk or board of election commissioners of the
19 municipality in which the home, facility, or complex is located. The clerk or board
20 of election commissioners of a municipality receiving an application from an elector
21 who is an occupant of a nursing home or qualified retirement home, qualified
22 community-based residential facility, qualified residential care apartment complex,
23 or qualified adult family home located in the municipality but who is a resident of
24 a different municipality shall, as soon as possible, notify and request ~~transmission~~
25 of an absentee ballot from the clerk or board of election commissioners of the

1 municipality in which the elector is a resident. The clerk or board of election
2 commissioners shall make a record of all absentee ballots to be transmitted sent,
3 delivered, and voted under this section.

4 **SECTION 53.** 6.88 (1) of the statutes is amended to read:

5 6.88 (1) When an absentee ballot arrives at the office of the municipal clerk,
6 or at an alternate site under s. 6.855, if applicable, the clerk shall enclose it,
7 unopened, in a carrier envelope which shall be securely sealed and endorsed with the
8 name and official title of the clerk, and the words “This envelope contains the ballot
9 of an absent elector and must be opened in the same room where votes are being cast
10 at the polls during polling hours on election day or, in municipalities where absentee
11 ballots are canvassed under s. 7.52, stats., at a meeting of the municipal board of
12 absentee ballot canvassers under s. 7.52, stats.”. If the elector is a military elector,
13 as defined in s. 6.34 (1) (a), or an overseas elector, as defined in s. 6.34 (1) (b), and the
14 ballot was received by the elector by facsimile transmission or electronic mail and is
15 accompanied by a separate certificate, the clerk shall enclose the ballot in a
16 certificate envelope and securely append the completed certificate to the outside of
17 the envelope before enclosing the ballot in the carrier envelope. The clerk shall keep
18 the ballot in the clerk’s office or at the alternate site, if applicable until delivered, as
19 required in sub. (2).

20 **SECTION 54.** 6.88 (3) (b) of the statutes is amended to read:

21 6.88 (3) (b) When the inspectors find that a certification is insufficient, that the
22 applicant is not a qualified elector in the ward or election district, that the ballot
23 envelope is open or has been opened and resealed, that the ballot envelope contains
24 more than one ballot of any one kind or, except in municipalities where absentee
25 ballots are canvassed under s. 7.52, that the certificate of ~~an~~ a military or overseas

1 elector who received an absentee ballot by facsimile transmission or electronic mail
2 is missing, or if proof is submitted to the inspectors that an elector voting an absentee
3 ballot has since died, the inspectors shall not count the ballot. The inspectors shall
4 endorse every ballot not counted on the back, “rejected (giving the reason)”. The
5 inspectors shall reinsert each rejected ballot into the certificate envelope in which
6 it was delivered and enclose the certificate envelopes and ballots, and securely seal
7 the ballots and envelopes in an envelope marked for rejected absentee ballots. The
8 inspectors shall endorse the envelope, “rejected ballots” with a statement of the ward
9 or election district and date of the election, signed by the chief inspector and one of
10 the inspectors representing each of the 2 major political parties and returned to the
11 municipal clerk in the same manner as official ballots voted at the election.

12 **SECTION 55.** 7.08 (2) (b) of the statutes is amended to read:

13 7.08 (2) (b) The certified list of candidates for president and vice president
14 nominated at a national convention by a party entitled to a ~~September~~ partisan
15 primary ballot or for whom electors have been nominated under s. 8.20 shall be sent
16 as soon as possible after the closing date for filing nomination papers, but no later
17 than the deadlines established in s. 10.06.

18 ~~**SECTION 56.** 7.08 (2) (c) of the statutes is amended to read:~~

19 7.08 (2) (c) As soon as possible after the canvass of the spring and ~~September~~
20 partisan primary votes, but no later than the first Tuesday in March and the 4th
21 Tuesday in ~~September~~ August, transmit to the state treasurer a certified list of all
22 eligible candidates for state office who have filed applications under s. 11.50 (2) and
23 ~~whom the board determines to be eligible to receive payments from the Wisconsin~~
24 ~~election campaign fund.~~ The list shall contain each candidate’s name, the mailing

1 address indicated upon the candidate's registration form, the office for which the
2 individual is a candidate and the party or principle which he or she represents, if any.

3 ~~SECTION 57.~~ 7.10 (3) (a) of the statutes is amended to read:

4 7.10 (3) (a) The county clerk shall distribute the ballots to the municipal clerks
5 no later than ~~31~~ 48 days before each ~~September~~ partisan primary and general
6 election and no later than 22 days before each other primary and election. Election
7 forms prepared by the board shall be distributed at the same time. If the board
8 transmits an amended certification under s. 7.08 (2) (a) or if the board or a court
9 orders a ballot error to be corrected under s. 5.06 (6) or 5.72 (3) after ballots have been
10 distributed, the county clerk shall distribute corrected ballots to the municipal clerks
11 as soon as possible.

12 ~~SECTION 58.~~ 7.15 (1) (cm) of the statutes, as affected by 2011 Wisconsin Act 23,
13 is amended to read:

14 7.15 (1) (cm) Prepare official absentee ballots for delivery to electors requesting
15 them, and send or transmit an official absentee ballot to each elector who has
16 requested a ballot by mail, and to each military elector, as defined in s. 6.34 (1) (a),
17 and overseas elector, as defined in s. 6.34 (1) (b), who has requested a ballot by mail,
18 electronic mail, or facsimile transmission no later than the ~~30th~~ 47th day before each
19 ~~September~~ partisan primary and general election and no later than the 21st day
20 before each other primary and election if the request is made before that day;
21 otherwise, the municipal clerk shall send or transmit an official absentee ballot
22 within one day of the time the elector's request for such a ballot is received.

23 SECTION 59. 7.15 (1) (cs) of the statutes is repealed.

24 SECTION 60. 7.15 (1) (j) of the statutes, as affected by 2011 Wisconsin Act 23,
25 is amended to read:

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1 7.15 (1) (j) ~~Send or transmit~~ an absentee ballot automatically to each ~~person~~
2 elector and send or transmit an absentee ballot to each military elector, as defined
3 in s. 6.34 (1) (a), and each overseas elector, as defined in s. 6.34 (1) (b), making an
4 authorized request therefor in accordance with s. 6.22 (4), 6.24 (4) (c), or 6.86 (2) or
5 (2m).

6 **SECTION 61.** 7.51 (5) (b) of the statutes is amended to read:

7 7.51 (5) (b) The municipal clerk shall deliver all ballots, statements, tally
8 sheets, lists, and envelopes relating to a school district election to the school district
9 clerk by 4 p.m. on the day following each such election. The municipal clerk shall
10 deliver the ballots, statements, tally sheets, lists, and envelopes for his or her
11 municipality relating to any county, technical college district, state, or national
12 election to the county clerk no later than 4 p.m. on the day following each such
13 election or, in municipalities where absentee ballots are canvassed under s. 7.52, by
14 4 p.m. on the 2nd day following each such election, and no later than 4 p.m. on the
15 day after receiving any corrected returns under s. ~~6.224~~ 7.515 (6) (b). The person
16 delivering the returns shall be paid out of the municipal treasury. Each clerk shall
17 retain ballots, statements, tally sheets, or envelopes received by the clerk until
18 destruction is authorized under s. 7.23 (1).

19 **SECTION 62.** 7.52 (3) (b) of the statutes is amended to read:

20 7.52 (3) (b) When the board of absentee ballot canvassers finds that a
21 certification is insufficient, that the applicant is not a qualified elector in the ward
22 or election district, that the ballot envelope is open or has been opened and resealed,
23 that the ballot envelope contains more than one ballot of any one kind, or that the
24 certificate of ~~an~~ a military or overseas elector who received an absentee ballot by
25 facsimile transmission or electronic mail is missing, or if proof is submitted to the

1 board of absentee ballot canvassers that an elector voting an absentee ballot has
2 since died, the board of absentee ballot canvassers shall not count the ballot. Each
3 member of the board of absentee ballot canvassers shall endorse every ballot not
4 counted on the back as “rejected (giving the reason).” The board of absentee ballot
5 canvassers shall reinsert each rejected ballot into the certificate envelope in which
6 it was delivered and enclose the certificate envelopes and ballots, and securely seal
7 the ballots and envelopes in an envelope marked for rejected absentee ballots. The
8 board of absentee ballot canvassers shall endorse the envelope as “rejected ballots,”
9 with a statement of the ward or election district and date of the election, and each
10 member of the board of absentee ballot canvassers shall sign the statement. The
11 board of absentee ballot canvassers shall then return the envelope containing the
12 ballots to the municipal clerk.

13 **SECTION 63.** 7.60 (5) (a) of the statutes is amended to read:

14 7.60 (5) (a) Immediately following the canvass, the county clerk shall deliver
15 or send to the government accountability board, by 1st class mail, a certified copy of
16 each statement of the county board of canvassers for president and vice president,
17 state officials, senators and representatives in congress, state legislators, justice,
18 court of appeals judge, circuit judge, district attorney, and metropolitan sewerage
19 commissioners, if the commissioners are elected under s. 200.09 (11) (am). The
20 statement shall record the returns for each office or referendum by ward, unless
21 combined returns are authorized under s. 5.15 (6) (b) in which case the statement
22 shall record the returns for each group of combined wards. Following primaries the
23 county clerk shall enclose on forms prescribed by the government accountability
24 board the names, party or principle designation, if any, and number of votes received
25 by each candidate recorded in the same manner. The county clerk shall deliver or

1 transmit the certified statement to the government accountability board no later
2 than 7 days after each primary except the ~~September~~ partisan primary, no later than
3 10 days after the ~~September~~ partisan primary and any other election except the
4 general election, and no later than 14 days after the general election. The board of
5 canvassers shall deliver or transmit a certified copy of each statement for any
6 technical college district referendum to the secretary of the technical college district
7 board.

8 **SECTION 64.** 7.70 (3) (a) of the statutes is amended to read:

9 7.70 (3) (a) The chairperson of the board or a designee of the chairperson
10 appointed by the chairperson to canvass a specific election shall publicly canvass the
11 returns and make his or her certifications and determinations on or before the 2nd
12 Tuesday following a spring primary, the 15th day of May following a spring election,
13 the 3rd Wednesday following a ~~September~~ partisan primary, the first day of
14 December following a general election, the 2nd Thursday following a special primary,
15 or within 18 days after any special election.

16 ~~**SECTION 65.** 7.70 (3) (e) 1. of the statutes is amended to read:~~

17 ~~7.70 (3) (e) 1. After each ~~September~~ partisan primary, the name of each~~
18 ~~candidate not defeated in the primary who receives at least 6% of the total vote cast~~
19 ~~for all candidates on all ballots at the primary for each separate state office except~~
20 ~~district attorney, and the percentage of the total vote received by that candidate.~~
21 ~~Such percentage shall be calculated within each district in the case of legislative~~
22 ~~candidates.~~

23 **SECTION 66.** 8.10 (1) of the statutes is amended to read:

24 8.10 (1) Candidates for office to be filled at the spring election shall be
25 nominated by nomination papers, or by nomination papers and selection at the

1 primary if a primary is held, except as provided for towns and villages under s. 8.05.
2 Unless designated in this section or s. 8.05, the general provisions pertaining to
3 nomination at the September partisan primary apply.

4 **SECTION 67.** 8.15 (title) of the statutes is amended to read:

5 **8.15 (title) Nominations for September partisan primary.**

6 **SECTION 68.** 8.15 (1) of the statutes is amended to read:

7 8.15 (1) Nomination papers may be circulated no sooner than ~~June 1~~ April 15
8 preceding the general election and may be filed no later than 5 p.m. on ~~the 2nd~~
9 ~~Tuesday of July~~ June 1 preceding the September partisan primary, except as
10 authorized in this subsection. If an incumbent fails to file nomination papers and
11 a declaration of candidacy by 5 p.m. on ~~the 2nd Tuesday of July~~ June 1 preceding the
12 September partisan primary, all candidates for the office held by the incumbent,
13 other than the incumbent, may file nomination papers no later than 72 hours after
14 the latest time prescribed in this subsection. No extension of the time for filing
15 nomination papers applies if the incumbent files written notification with the filing
16 officer or agency with whom nomination papers are filed for the office which the
17 incumbent holds, no later than 5 p.m. on the 2nd Friday preceding the latest time
18 prescribed in this subsection for filing nomination papers, that the incumbent is not
19 a candidate for reelection to his or her office, and the incumbent does not file
20 nomination papers for that office within the time prescribed in this subsection. Only
21 those candidates for whom nomination papers containing the necessary signatures
22 acquired within the allotted time and filed before the deadline may have their names
23 appear on the official September partisan primary ballot.

24 ~~SECTION 69. 8.16 (1) of the statutes is amended to read:~~ ✓

1 8.16 (1) Except as provided in sub. (2), the person who receives the greatest
 2 number of votes for an office on a party ballot at any partisan primary, regardless of
 3 whether the person's name appears on the ballot, shall be the party's candidate for
 4 the office, and the person's name shall so appear on the official ballot at the next
 5 election. All independent candidates shall appear on the general election ballot
 6 regardless of the number of votes received by such candidates at the ~~September~~
 7 ~~partisan primary.~~

8 SECTION 70. 8.16 (7) of the statutes is amended to read:

9 8.16 (7) Nominees chosen at a national convention and under s. 8.18 (2) by each
 10 party entitled to a ~~September~~ partisan primary ballot shall be the party's candidates
 11 for president, vice president and presidential electors. The state or national
 12 chairperson of each such party shall certify the names of the party's nominees for
 13 president and vice president to the board no later than 5 p.m. on the first Tuesday
 14 in September preceding a presidential election. Each name shall be in one of the
 15 formats authorized in s. 7.08 (2) (a).

16 SECTION 71. 8.17 (1) (b) of the statutes is amended to read:

17 8.17 (1) (b) Each political party shall elect one committeeman or
 18 committeewoman from each election district. In this section, each village, each town
 19 and each city is an "election district"; except that in cities having a population of more
 20 than 7,500 which are divided into aldermanic districts, each aldermanic district is
 21 an "election district"; and in cities having a population of more than 7,500 which are
 22 not divided into aldermanic districts and villages or towns having a population of
 23 more than 7,500, each ward or group of combined wards under s. 5.15 (6) (b)
 24 constituting a polling place on June ~~May~~ ^{April 15} of the year in which committeemen or
 25 committeewomen are elected is an "election district". To be eligible to serve as its

1 committeeman or committeewoman, an individual shall be, at the time of filing
2 nomination papers or at the time of appointment under this section, a resident of the
3 election district which he or she is chosen to represent and shall be at least 18 years
4 of age.

5 **SECTION 72.** 8.17 (4) of the statutes is amended to read:

6 8.17 (4) The term of office of each committeeman or committeewoman shall end
7 on the date of the meeting held under sub. (5) (b) following each ~~September~~ partisan
8 primary.

9 **SECTION 73.** 8.17 (5) (b) of the statutes is amended to read:

10 8.17 (5) (b) A combined meeting of the county committee and members in good
11 standing of the party in the county shall be held no sooner than 15 days after the
12 ~~September~~ partisan primary and no later than April 1 of the following year. At this
13 meeting, the party committeemen or committeewomen and the county committee
14 offices of chairperson, vice chairperson, secretary and treasurer shall be filled by
15 election by the incumbent committeemen, committeewomen and other party
16 members present and voting, each of whom is entitled to one vote. At this meeting,
17 the county committee shall elect the members of the congressional district committee
18 as provided in sub. (6) (b), (c) and (d). The secretary of the county committee shall
19 give at least 7 days' written notice of the meeting to party and committee members.
20 Individuals elected as county committee officers or as congressional district
21 committee members may be, but are not required to be, committeemen or
22 committeewomen. They are required to be party members in good standing. The
23 terms of committeemen and committeewomen, county committee officers and
24 congressional district committee members begin during the meeting immediately
25 upon completion and verification of the voting for each office.

1 **SECTION 74.** 8.19 (3) of the statutes is amended to read:

2 8.19 (3) Every political party entitled, under s. 5.62, to have its candidates on
3 the ~~September~~ partisan primary and general election ballots has exclusive right to
4 the use of the name designating it at any election involving political parties. The
5 board shall not certify nor the county clerk print the name of any person whose
6 nomination papers indicate a party name comprising a combination of existing party
7 names, qualifying words, phrases, prefixes or suffixes in connection with any
8 existing party name.

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9 **SECTION 75.** 8.20 (8) (a) of the statutes is amended to read:

10 8.20 (8) (a) Nomination papers for independent candidates for any office to be
11 voted upon at a general election or ~~September~~ partisan primary and general election,
12 except president, vice president and presidential elector, may be circulated no sooner
13 than ~~June 1~~ April 15 preceding the election and may be filed no later than 5 p.m. on
14 ~~the 2nd Tuesday of July~~ June 1 preceding the ~~September~~ partisan primary, except
15 as authorized in this paragraph. If an incumbent fails to file nomination papers and
16 a declaration of candidacy by 5 p.m. on ~~the 2nd Tuesday of July~~ June 1 preceding the
17 ~~September~~ partisan primary, all candidates for the office held by the incumbent,
18 other than the incumbent, may file nomination papers no later than 72 hours after
19 the latest time prescribed in this paragraph. No extension of the time for filing
20 nomination papers applies if the incumbent files written notification with the filing
21 officer or agency with whom nomination papers are filed for the office which the
22 incumbent holds, no later than 5 p.m. on the 2nd Friday preceding the latest time
23 prescribed in this paragraph for filing nomination papers, that the incumbent is not
24 a candidate for reelection to his or her office, and the incumbent does not file
25 nomination papers for that office within the time prescribed in this paragraph.