



State of Wisconsin
2011 - 2012 LEGISLATURE

TODAY



LRBs0208/3

JTK:nwn&kjf:rs

in
10/20

stays
RMR

10/20 - add in a/1553, per JTK - today

ASSEMBLY SUBSTITUTE AMENDMENT,

TO 2011 SENATE BILL 116

only changes - p. 2, 4, 62, 63

Regen

1 **AN ACT to repeal** 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 (4) (a), 5.15 (6) (b),
6 5.25 (3), 5.62 (title), 5.62 (1) (a), 5.62 (1) (b), 5.62 (2), 5.62 (3), 6.22 (4) (a), 6.22
7 (4) (c), 6.22 (4) (e), 6.22 (4) (f), 6.22 (5), 6.22 (6), 6.24 (1), 6.24 (2), 6.24 (4) (c), 6.36
8 (1) (a), 6.50 (8), 6.86 (1) (a) (intro.), 6.86 (1) (a) 3., 6.86 (1) (ac), 6.86 (1) (b), 6.865
9 (title), 6.869, 6.87 (3) (d), 6.87 (6), 6.875 (3), 6.88 (1), 6.88 (3) (b), 7.08 (2) (b), 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 8.10 (1), 8.15 (title), 8.15 (1), 8.16 (7), 8.17 (1) (b), 8.17 (4), 8.17 (5) (b), 8.19 (3),
12 8.20 (8) (a), 8.20 (8) (am), 8.37, 8.50 (intro.), 8.50 (1) (d), 8.50 (2), 8.50 (3) (a), 8.50
13 (3) (b), 8.50 (3) (c), 8.50 (4) (b), 8.50 (4) (fm), 9.01 (1) (a) 1., 9.01 (1) (ag) 1., 9.01

1 (1) (ag) 1m., 9.01 (1) (ag) 2., 9.01 (1) (b) (intro.), 10.01 (2) (d), 10.01 (2) (e), 10.06
 2 (1) (f), 10.06 (1) (h), 10.06 (1) (i), 10.06 (2) (gm), 10.06 (2) (h), 10.06 (2) (j), 10.06
 3 (3) (cm), 11.06 (12) (a) 1., 11.26 (17) (d), 11.31 (7) (a), 13.123 (3) (b) 1. a., 38.16
 4 (3) (br) 1., 59.08 (7) (b), 59.10 (3) (cm) 2., 59.605 (3) (a) 1., 60.30 (1e) (b), 62.13
 5 (6) (b), 66.0217 (7) (a) 3., 66.0219 (4) (b), 66.0227 (3), 66.0305 (6) (b), 66.0307 (4)
 6 (e) 2., 66.0602 (4) (a), 66.0619 (2m) (b), 66.0921 (2), 66.1113 (2) (g), 66.1113 (2)
 7 (h), 67.05 (6m) (b), 67.12 (12) (e) 5., 86.21 (2) (a), 92.11 (4) (c), 117.22 (2) (e),
 8 120.02 (1), 120.02 (2) (a), 120.02 (4), 121.91 (3) (a), 125.05 (1) (b) 5., 197.04 (1)
 9 (b), 229.824 (15) and 995.20; and **to create** 5.05 (13) (c) and (d), 6.22 (2) (e), 6.24
 10 (4) (e), 6.25 (1) (b) and 6.25 (1) (c) of the statutes; **relating to:** the dates of the
 11 September primary and certain other election occurrences and absentee voting.

Analysis by the Legislative Reference Bureau

This substitute amendment 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.

2. The 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:

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ANAL-AG

1 **SECTION 1.** 5.02 (18) of the statutes, as affected by 2011 Wisconsin Act 32, is
2 renumbered 5.02 (12s) and amended to read:

3 5.02 (12s) “~~September~~ Partisan primary” means the primary held the 2nd
4 Tuesday in ~~September~~ August to nominate candidates to be voted for at the general
5 election.

6 **SECTION 2.** 5.05 (13) (title) of the statutes is amended to read:

7 5.05 (13) (title) TOLL-FREE ELECTION INFORMATION ~~EXCHANGE~~ AND REQUESTS.

8 **SECTION 3.** 5.05 (13) (c) and (d) of the statutes are created to read:

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

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

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

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

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

1 **SECTION 4.** 5.15 (4) (a) of the statutes, as affected by 2011 Wisconsin Act 39, is
2 amended to read:

3 5.15 (4) (a) Except as provided in par. (c), the division ordinance or resolution
4 shall number all wards in the municipality with unique whole numbers in
5 consecutive order, beginning with the number one, shall designate the polling place
6 for each ward, and shall describe the boundaries of each ward consistent with the
7 conventions set forth in s. 4.003. The ordinance or resolution shall be accompanied
8 by a list of the block numbers used by the U.S. bureau of the census that are wholly
9 or partly contained within each ward, with any block numbers partly contained
10 within a ward identified, and a map of the municipality which illustrates the revised
11 ward boundaries. If the legislature, in an act redistricting legislative districts under
12 article IV, section 3, of the constitution, or in redistricting congressional districts,
13 establishes a district boundary within a municipality that does not coincide with the
14 boundary of a ward established under the ordinance or resolution of the
15 municipality, the municipal governing body shall, no later than ~~May 15~~ April 10 of
16 the 2nd year following the year of the federal decennial census on which the act is
17 based, amend the ordinance or resolution to the extent required to effect the act. The
18 amended ordinance or resolution shall designate the polling place for any ward that
19 is created to effect the legislative act. Nothing in this paragraph shall be construed
20 to compel a county or city to alter or redraw supervisory or aldermanic districts.

21 **SECTION 5.** 5.15 (6) (b) of the statutes is amended to read:

22 5.15 (6) (b) No later than ~~60 days before each September primary and general~~
23 ~~election, and no later than 30 days before each other election,~~ the governing body of
24 any municipality may by resolution combine 2 or more wards for voting purposes to
25 facilitate using a common polling place. Whenever wards are so combined, the

1 original ward numbers shall continue to be utilized for all official purposes. Except
2 as otherwise authorized under this paragraph, every municipality having a
3 population of 35,000 or more shall maintain separate returns for each ward so
4 combined. In municipalities having a population of less than 35,000, the governing
5 body may provide in the resolution that returns shall be maintained only for each
6 group of combined wards at any election. Whenever a governing body provides for
7 common ballot boxes and ballots or voting machines, separate returns shall be
8 maintained for each separate ballot required under ss. 5.62 and 5.64 at the
9 September partisan primary and general election. The municipal clerk shall
10 transmit a copy of the resolution to the county clerk of each county in which the
11 municipality is contained. In municipalities having a population of less than 35,000,
12 the resolution shall remain in effect for each election until modified or rescinded, or
13 until a new division is made under this section.

14 **SECTION 6.** 5.25 (3) of the statutes is amended to read:

15 5.25 (3) Polling places shall be established for each ~~September primary and~~
16 ~~general election at least 60 days before the election, and for each other election at~~
17 least 30 days before the election.

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

19 **5.62 (title) September Partisan primary ballots.**

20 **SECTION 8.** 5.62 (1) (a) of the statutes, as affected by 2011 Wisconsin Act 32, is
21 amended to read:

22 5.62 (1) (a) At ~~September primaries~~ the partisan primary, the following ballot
23 shall be provided for the nomination of candidates of recognized political parties for
24 national, state and county offices and independent candidates for state office in each
25 ward, in the same form as prescribed by the board under s. 7.08 (1) (a), except as

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

14 **SECTION 9.** 5.62 (1) (b) of the statutes is amended to read:

15 5.62 (1) (b) 1. Except as provided in subd. 2. and s. 5.64 (1) (e) 2., every
16 recognized political party listed on the official ballot at the last gubernatorial election
17 whose candidate for any statewide office received at least 1% of the total votes cast
18 for that office and, if the last general election was also a presidential election, every
19 recognized political party listed on the ballot at that election whose candidate for
20 president received at least 1% of the total vote cast for that office shall have a
21 separate primary ballot or one or more separate columns or rows on the primary
22 ballot as prescribed in par. (a) and a separate column on the general election ballot
23 in every ward and election district. An organization which was listed as
24 "independent" at the last general election and whose candidate meets the same
25 qualification shall receive the same ballot status upon petition of the chairperson

1 and secretary of the organization to the board requesting such status and specifying
2 their party name, which may not duplicate the name of an existing party. A petition
3 under this subdivision may be filed no later than 5 p.m. on ~~June~~ April 1 in the year
4 of each general election.

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

19 **SECTION 10.** 5.62 (2) of the statutes is amended to read:

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

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

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

23 **SECTION 11.** 5.62 (3) of the statutes, as affected by 2011 Wisconsin Act 32, is
24 amended to read:

1 5.62 (3) The board shall designate the official primary ballot arrangement for
2 statewide offices and district attorney within each prosecutorial district by using the
3 same procedure as provided in s. 5.60 (1) (b). On each ballot and on each separate
4 column or row on the ballot, the candidates for office shall be listed together with the
5 offices which they seek in the following order whenever these offices appear on the
6 ~~September~~ partisan primary ballot: governor, lieutenant governor, attorney general,
7 secretary of state, state treasurer, U.S. senator, U.S. representative in congress,
8 state senator, representative to the assembly, district attorney and the county offices.

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

10 6.22 (2) (e) A military elector may file an application for an absentee ballot by
11 means of electronic mail or facsimile transmission in the manner prescribed in s. 6.86
12 (1) (ac). Upon receipt of a valid application, the municipal clerk shall send the elector
13 an absentee ballot or, if the elector is a military elector, as defined in s. 6.34 (1) (a),
14 and the elector so requests, shall transmit an absentee ballot to the elector by means
15 of electronic mail or facsimile transmission in the manner prescribed in s. 6.87 (3)
16 (d).

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

18 6.22 (4) (a) ~~A request for an absentee ballot by an individual who qualifies as~~
19 ~~a military elector shall be treated as a request for an absentee ballot for all elections.~~
20 Upon receiving a timely request for an absentee ballot under par. (b) by an individual
21 who qualifies as a military elector, the municipal clerk shall send or, if the individual
22 is a military elector as defined in s. 6.34 (1) (a), shall transmit to the elector upon the
23 elector's request an absentee ballot for all elections that occur in the municipality or
24 portion thereof where the elector resides ~~beginning on the date that the clerk receives~~

1 ~~the request in the same calendar year in which the request is received, unless the~~
2 ~~individual otherwise requests.~~

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

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

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

11 6.22 (4) (e) Whenever the material is mailed, the material shall be prepared
12 and mailed to make use of the federal free postage laws. If the material does not
13 qualify for mailing without postage under federal free postage laws, the municipal
14 clerk shall pay the postage required for mailing to the military elector. If the return
15 envelope qualifies for mailing free of postage under federal free postage laws, the
16 clerk shall affix the appropriate legend required by U.S. postal regulations.
17 Otherwise the municipal clerk shall pay the postage required for return when the
18 ballot is mailed from within the United States. If the ballot is not mailed by the
19 military elector from within the United States the military elector shall provide
20 return postage. ~~The mailing list established under this subsection shall be kept~~
21 ~~current in the same manner as provided in s. 6.86 (2) (b).~~

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

23 6.22 (4) (f) ~~If there occur 2 successive general elections at which a military~~
24 ~~elector fails to return an absentee ballot sent or transmitted to the elector under par.~~
25 ~~(a) and the elector has not cast an absentee ballot at any intervening election, if the~~

1 municipal clerk is reliably informed that ~~the elector~~ an individual who requests an
2 absentee ballot under this section is no longer a military elector or no longer resides
3 in the municipality, or if the elector so requests, the clerk shall discontinue sending
4 or transmitting absentee ballots to the elector under this subsection. If a military
5 elector who has requested an absentee ballot changes his or her residence from the
6 municipality where a request is filed to another municipality in this state, the
7 municipal clerk of the municipality who received the request shall notify the clerk
8 of the municipality to which the elector's residence is changed of the date of the
9 request ~~or the latest renewal under par. (g) and the date of the most recent absentee~~
10 ~~ballot received by the clerk.~~ The municipal clerk who is so notified shall treat the
11 request as having been made to him or her.

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

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

14 6.22 (5) VOTING PROCEDURE. Except as provided in s. ~~6.221~~ 7.515 and as
15 authorized in s. 6.25, the ballot shall be marked and returned, deposited and
16 recorded in the same manner as other absentee ballots. In addition, the certification
17 under s. 6.87 (2) shall have a statement of the elector's birth date. Failure to return
18 any unused ballots in a primary election does not invalidate the ballot on which the
19 elector casts his or her votes.

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

21 6.22 (6) MILITARY ELECTOR LIST. Each municipal clerk shall keep an up-to-date
22 list of all eligible military electors who reside in the municipality; ~~city clerks shall~~
23 ~~keep the lists by wards~~ in the format prescribed by the board. The list shall contain
24 the name, latest-known military residence and military mailing address of each
25 military elector. The list shall indicate whether each elector whose name appears on

1 the list is a military elector, as defined in s. ~~6.36 (2) (e)~~ 6.34 (1), and has so certified
2 under s. 6.865 (3m). All persons over 18 years of age or who will be 18 years old prior
3 to an election shall be listed and remain on the list for the duration of their tour of
4 duty. The list shall be kept current through all possible means. Each clerk shall
5 exercise reasonable care to avoid duplication of names or listing anyone who is not
6 eligible to vote. Each clerk shall distribute ~~2 copies of~~ one copy of the list to the
7 ~~appropriate ward~~ each polling place in the municipality for use on election day.

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

10 **7.515 (title) Counting of certain absentee ballots for ~~certain military~~**
11 **~~electors; September primary and general election received after election~~**
12 **day.**

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

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

16 7.515 (2) Each certificate envelope that is mailed ~~or transmitted to a military~~
17 an absentee elector and each certificate envelope that is transmitted to a military or
18 overseas elector under s. 6.87 (3) (d) under this section shall be clearly labeled as
19 “Cast by ~~a military~~ an absentee elector under s. ~~6.221~~ 7.515, Wis. Stats., and may
20 be eligible to be counted after election day.”

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

23 7.515 (3) ~~At the September primary, a~~ A ballot that is cast under s. ~~6.22~~
24 absentee elector ~~who is a military elector~~, that is received by mail from the U. S.
25 postal service, and that is postmarked no later than election day shall be counted as

1 provided in this section if it is received by a municipal clerk no later than 5 4 p.m.
2 on the ~~7th day~~ Friday after the election.

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

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

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

7 7.515 (5) No later than the closing hour of the polls on the day of ~~the September~~
8 ~~primary and the day of the general~~ each election, the municipal clerk of each
9 municipality shall post at his or her office and on the Internet at a site announced
10 by the clerk before the polls open, and shall make available to any person upon
11 request, a statement of the number of absentee ballots that the clerk has mailed or
12 transmitted to ~~military~~ absentee electors under this section and that have not been
13 returned to the polling places where the electors reside by the closing hour on election
14 day. The posting shall not include the names or addresses of any ~~military~~ absentee
15 electors.

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

18 7.515 (6) (a) Whenever the municipal clerk of any municipality receives an
19 absentee ballot cast by an absentee elector ~~who is a military elector~~ under this section
20 and the ballot is not received in sufficient time for delivery to the polling place serving
21 the residence of the elector on election day but is received within the time specified
22 in sub. (3), the clerk shall promptly provide written notice to the board of canvassers
23 of each municipality, special purpose district, and county that is responsible for
24 canvassing the election of the number of such ballots that have been east received
25 by the clerk in each ward or election district.

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

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

13 6.24 (1) DEFINITION. In this section, except as otherwise provided, “overseas
14 elector” means a U.S. citizen who is not disqualified from voting under s. 6.03, who
15 has attained or will attain the age of 18 by the date of an election at which the citizen
16 proposes to vote and who does not qualify as a resident of this state under s. 6.10, but
17 who was last domiciled in this state or whose parent was last domiciled in this state
18 immediately prior to the parent’s departure from the United States, and who is not
19 registered to vote or voting in any other state, territory or possession.

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

21 6.24 (2) ELIGIBILITY. An overseas elector under sub. (1) may vote in any election
22 for national office, including the ~~September~~ partisan primary and presidential
23 preference primary and any special primary or election. Such elector may not vote
24 in an election for state or local office. An overseas elector shall vote in the ward or

1 election district in which the elector was last domiciled or in which the elector's
2 parent was last domiciled prior to departure from the United States.

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

5 6.24 (4) (c) Upon receipt of a timely application from an individual who
6 qualifies as an overseas elector and who has registered to vote in a municipality
7 under sub. (3), the municipal clerk of the municipality shall send ~~or transmit, or if~~
8 the individual is an overseas elector, as defined in s. 6.34 (1) (b), shall transmit an
9 absentee ballot to the individual upon the individual's request for all subsequent
10 elections for national office to be held during the year in which the ballot is requested,
11 except as otherwise provided in this paragraph, unless the individual otherwise
12 requests or until the individual no longer qualifies as an overseas elector. of the
13 municipality. The clerk shall not send an absentee ballot for an election if the
14 overseas elector's name appeared on the registration list in eligible status for a
15 previous election following the date of the application but no longer appears on the
16 list in eligible status. The municipal clerk shall ensure that the envelope containing
17 the absentee ballot is clearly marked as not forwardable. If an overseas elector who
18 files an application under this subsection no longer resides at the same address that
19 is indicated on the application form, the elector shall so notify the municipal clerk.

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

21 6.24 (4) (e) An overseas elector may file an application for an absentee ballot
22 by means of electronic mail or facsimile transmission in the manner prescribed in s.
23 6.86 (1) (ac). Upon receipt of a valid application, the municipal clerk shall send the
24 elector an absentee ballot or, if the elector is an overseas elector, as defined in s. 6.34
25 (1) (b) and the elector so requests, shall transmit an absentee ballot to the elector by

1 means of electronic mail or facsimile transmission in the manner prescribed in s. 6.87

2 (3) (d).

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

5 6.25 (1) (a) Any individual who qualifies as a military elector under s. 6.22 (1)
6 (b) ~~or an overseas elector under s. 6.24 (1)~~ and who transmits an application for an
7 official absentee ballot for ~~a general election~~ any election, including a primary
8 election, no later than ~~30 days before election day~~ the latest time specified for the
9 elector in s. 6.86 (1) (b) may, in lieu of the official ballot, cast a federal write-in
10 absentee ballot prescribed under 42 USC 1973ff-2 for any candidate for an office
11 listed on the official ballot or for all of the candidates of any recognized political party
12 for ~~national office~~ the offices listed on the official ballot at ~~the general~~ that election
13 if the federal write-in absentee ballot is received by the appropriate municipal clerk
14 no later than the applicable time prescribed in s. 6.221 (3) or 6.87 (6).

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

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

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

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

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

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

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

8 6.25 (4) A write-in absentee ballot issued under sub. (1), ~~(2) or (3)~~ is valid only
9 if all of the following apply: ~~(a) The ballot is submitted from a location outside the~~
10 ~~United States. (b) The~~ the elector submitting the ballot does not submit an official
11 ballot within the time prescribed in s. 6.87 (6) and, if the elector is an overseas elector,
12 the elector resides outside the United States.

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

14 6.36 (1) (a) The board shall compile and maintain electronically an official
15 registration list. The list shall contain the name and address of each registered
16 elector in the state, the date of birth of the elector, the ward and aldermanic district
17 of the elector, if any, and, for each elector, a unique registration identification number
18 assigned by the board, the number of a valid operator's license issued to the elector
19 under ch. 343, if any, or the last 4 digits of the elector's social security account
20 number, if any, any identification serial number issued to the elector under s. 6.47
21 (3), the date of any election in which the elector votes, ~~an indication of whether the~~
22 ~~elector is a military elector, as defined in sub. (2) (c) who has so certified under s.~~
23 ~~6.865 (3m),~~ an indication of whether the elector is an overseas elector, as defined in
24 s. 6.24 (1), any information relating to the elector that appears on the current list
25 transmitted to the board by the department of corrections under s. 301.03 (20m), an

1 indication of any accommodation required under s. 5.25 (4) (a) to permit voting by
2 the elector, an indication of the method by which the elector's registration form was
3 received, and such other information as may be determined by the board to facilitate
4 administration of elector registration requirements.

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

6 6.50 (8) Any municipal governing body may direct the municipal clerk or board
7 of election commissioners to arrange with the U.S. postal service pursuant to
8 applicable federal regulations, to receive change of address information with respect
9 to individuals residing within the municipality for revision of the elector registration
10 list. If required by the U.S. postal service, the governing body may create a
11 registration commission consisting of the municipal clerk or executive director of the
12 board of election commissioners and 2 other electors of the municipality appointed
13 by the clerk or executive director for the purpose of making application for address
14 changes and processing the information received. The municipal clerk or executive
15 director shall act as chairperson of the commission. Any authorization under this
16 subsection shall be for a definite period or until the municipal governing body
17 otherwise determines. The procedure shall apply uniformly to the entire
18 municipality whenever used. The procedure shall provide for receipt of complete
19 change of address information on an automatic basis, or not less often than once
20 every 2 years during the 60 days preceding the close of registration for the September
21 partisan primary. If a municipality adopts the procedure for obtaining address
22 corrections under this subsection, it need not comply with the procedure for mailing
23 address verification cards under subs. (1) and (2).

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

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

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

6 6.86 (1) (a) 3. By signing a statement and filing a request to receive absentee
7 ballots under sub. (2) or (2m) (a) or s. 6.22 (4), 6.24 (4), or 6.25 (1) (c).

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

9 6.86 (1) (ac) Any elector qualifying under par. (a) may make written application
10 to the municipal clerk for an official ballot by means of facsimile transmission or
11 electronic mail. Any application under this paragraph ~~shall~~ need not contain a copy
12 of the applicant's original signature. An elector requesting a ballot under this
13 paragraph shall return with the voted ballot a copy of the request bearing an original
14 signature of the elector as provided in s. 6.87 (4).

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

17 6.86 (1) (b) Except as provided in this section, if application is made by mail,
18 the application shall be received no later than 5 p.m. on the 5th day immediately
19 preceding the election. If application is made in person, the application shall be
20 made no earlier than the opening of business on the 3rd Monday preceding the
21 election and no later than 5 p.m. or the close of business, whichever is later, on the
22 Friday preceding the election. Except as provided in par. (c), if the elector is making
23 written application for an absentee ballot at the September partisan primary or, the
24 general election, the presidential preference primary, or a special election for
25 national office, and the application indicates that the elector is a military elector, as

1 defined in s. 6.34 (1), the application shall be received by the municipal clerk no later
2 than 5 p.m. on election day. If the application indicates that the reason for requesting
3 an absentee ballot is that the elector is a sequestered juror, the application shall be
4 received no later than 5 p.m. on election day. If the application is received after 5 p.m.
5 on the Friday immediately preceding the election, the municipal clerk or the clerk's
6 agent shall immediately take the ballot to the court in which the elector is serving
7 as a juror and deposit it with the judge. The judge shall recess court, as soon as
8 convenient, and give the elector the ballot. The judge shall then witness the voting
9 procedure as provided in s. 6.87 and shall deliver the ballot to the clerk or agent of
10 the clerk who shall deliver it to the polling place or, in municipalities where absentee
11 ballots are canvassed under s. 7.52, to the municipal clerk as required in s. 6.88. If
12 application is made under sub. (2) or (2m), the application may be received no later
13 than 5 p.m. on the Friday immediately preceding the election.

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

15 **6.865 (title) Federal absentee ballot requests ballots.**

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

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

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

20 **6.865 (3m)** A military elector may indicate an alternate address on his or her
21 absentee ballot application. If the elector's ballot is returned as undeliverable prior
22 to the deadline for receipt and return of absentee ballots under ~~sub. (3)~~ s. 6.87 (6) and
23 the elector remains eligible to receive absentee ballots under this subsection, the
24 municipal clerk shall immediately send or transmit an absentee ballot to the elector
25 at the alternate address.

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

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

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

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

17 6.87 (3) (d) A municipal clerk shall, if the clerk is reliably informed by ~~an absent~~
18 ~~elector~~ a military elector, as defined in s. 6.34 (1) (a), or an overseas elector, as defined
19 in s. 6.34 (1) (b), of a facsimile transmission number or electronic mail address where
20 the elector can receive an absentee ballot, transmit a facsimile or electronic copy of
21 the ~~absent~~ elector's ballot to that elector in lieu of mailing under this subsection. An
22 elector may receive an absentee ballot only if the elector is a military elector or an
23 overseas elector under s. 6.34 (1) and has filed a valid application for the ballot under
24 as provided in s. 6.86 (1). If the clerk transmits an absentee ballot to ~~an absentee a~~
25 military or overseas elector electronically, the clerk shall also transmit a facsimile

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

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

15 6.87 (6) Except as provided in s. ~~6.221~~ 7.515 (3), the ballot shall be returned
16 so it is received by the municipal clerk no later than 8 p.m. on election day. Except
17 in municipalities where absentee ballots are canvassed under s. 7.52, if the
18 municipal clerk receives an absentee ballot on election day, the clerk shall secure the
19 ballot and cause the ballot to be delivered to the polling place serving the elector's
20 residence before the closing hour. Except as provided in s. ~~6.221~~ 7.515 (3), any ballot
21 not mailed or delivered as provided in this subsection may not be counted.

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

24 6.875 (3) An occupant of a nursing home or qualified retirement home,
25 qualified community-based residential facility, qualified residential care apartment

1 complex, or qualified adult family who who qualifies as an absent elector and desires
2 to receive an absentee ballot shall make application under s. 6.86 (1), (2), or (2m) with
3 the municipal clerk or board of election commissioners of the municipality in which
4 the elector is a resident. The clerk or board of election commissioners of a
5 municipality receiving an application from an elector who is an occupant of a nursing
6 home or qualified retirement home, qualified community-based residential facility,
7 qualified residential care apartment complex, or qualified adult family home located
8 in a different municipality shall, as soon as possible, notify and ~~transmit~~ send an
9 absentee ballot for the elector to the clerk or board of election commissioners of the
10 municipality in which the home, facility, or complex is located. The clerk or board
11 of election commissioners of a municipality receiving an application from an elector
12 who is an occupant of a nursing home or qualified retirement home, qualified
13 community-based residential facility, qualified residential care apartment complex,
14 or qualified adult family home located in the municipality but who is a resident of
15 a different municipality shall, as soon as possible, notify and request ~~transmission~~
16 ~~of~~ an absentee ballot from the clerk or board of election commissioners of the
17 municipality in which the elector is a resident. The clerk or board of election
18 commissioners shall make a record of all absentee ballots to be ~~transmitted~~ sent,
19 delivered, and voted under this section.

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

21 6.88 (1) When an absentee ballot arrives at the office of the municipal clerk,
22 or at an alternate site under s. 6.855, if applicable, the clerk shall enclose it,
23 unopened, in a carrier envelope which shall be securely sealed and endorsed with the
24 name and official title of the clerk, and the words "This envelope contains the ballot
25 of an absent elector and must be opened in the same room where votes are being cast

1 at the polls during polling hours on election day or, in municipalities where absentee
2 ballots are canvassed under s. 7.52, stats., at a meeting of the municipal board of
3 absentee ballot canvassers under s. 7.52, stats.”. If the elector is a military elector,
4 as defined in s. 6.34 (1) (a), or an overseas elector, as defined in s. 6.34 (1) (b), and the
5 ballot was received by the elector by facsimile transmission or electronic mail and is
6 accompanied by a separate certificate, the clerk shall enclose the ballot in a
7 certificate envelope and securely append the completed certificate to the outside of
8 the envelope before enclosing the ballot in the carrier envelope. The clerk shall keep
9 the ballot in the clerk’s office or at the alternate site, if applicable until delivered, as
10 required in sub. (2).

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

12 6.88 (3) (b) When the inspectors find that a certification is insufficient, that the
13 applicant is not a qualified elector in the ward or election district, that the ballot
14 envelope is open or has been opened and resealed, that the ballot envelope contains
15 more than one ballot of any one kind or, except in municipalities where absentee
16 ballots are canvassed under s. 7.52, that the certificate of ~~an~~ a military or overseas
17 elector who received an absentee ballot by facsimile transmission or electronic mail
18 is missing, or if proof is submitted to the inspectors that an elector voting an absentee
19 ballot has since died, the inspectors shall not count the ballot. The inspectors shall
20 endorse every ballot not counted on the back, “rejected (giving the reason)”. The
21 inspectors shall reinsert each rejected ballot into the certificate envelope in which
22 it was delivered and enclose the certificate envelopes and ballots, and securely seal
23 the ballots and envelopes in an envelope marked for rejected absentee ballots. The
24 inspectors shall endorse the envelope, “rejected ballots” with a statement of the ward
25 or election district and date of the election, signed by the chief inspector and one of

1 the inspectors representing each of the 2 major political parties and returned to the
2 municipal clerk in the same manner as official ballots voted at the election.

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

4 7.08 (2) (b) The certified list of candidates for president and vice president
5 nominated at a national convention by a party entitled to a September partisan
6 primary ballot or for whom electors have been nominated under s. 8.20 shall be sent
7 as soon as possible after the closing date for filing nomination papers, but no later
8 than the deadlines established in s. 10.06.

9 **SECTION 56.** 7.10 (3) (a) of the statutes, as affected by 2011 Wisconsin Act 45,
10 is amended to read:

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

19 **SECTION 57.** 7.15 (1) (cm) of the statutes, as affected by 2011 Wisconsin Acts
20 23 and 45, is amended to read:

21 7.15 (1) (cm) Prepare official absentee ballots for delivery to electors requesting
22 them, and except as provided in this paragraph, send ~~or transmit~~ an official absentee
23 ballot to each elector who has requested a ballot by mail, and to each military elector,
24 as defined in s. 6.34 (1) (a), and overseas elector, as defined in s. 6.34 (1) (b), who has
25 requested a ballot by mail, electronic mail, or facsimile transmission no later than

1 the ~~30th~~ 47th day before each ~~September~~ partisan primary and general election and
2 no later than the 21st day before each other primary and election if the request is
3 made before that day; otherwise, the municipal clerk shall send or transmit an
4 official absentee ballot within one day of the time the elector's request for such a
5 ballot is received. The clerk shall send or transmit an absentee ballot for the
6 presidential preference primary to each elector who has requested that ballot no
7 later than the 47th day before the presidential preference primary if the request is
8 made before that day, or, if the request is not made before that day, within one day
9 of the time the request is received.

10 **SECTION 58.** 7.15 (1) (cs) of the statutes is repealed.

11 **SECTION 59.** 7.15 (1) (j) of the statutes, as affected by 2011 Wisconsin Act 23,
12 is amended to read:

13 7.15 (1) (j) ~~Send or transmit~~ an absentee ballot automatically to each person
14 elector and send or transmit an absentee ballot to each military elector, as defined
15 in s. 6.34 (1) (a), and each overseas elector, as defined in s. 6.34 (1) (b), making an
16 authorized request therefor in accordance with s. 6.22 (4), ~~6.24 (4) (c),~~ or 6.86 (2) or
17 (2m).

18 **SECTION 60.** 7.51 (5) (b) of the statutes is amended to read:

19 7.51 (5) (b) The municipal clerk shall deliver all ballots, statements, tally
20 sheets, lists, and envelopes relating to a school district election to the school district
21 clerk by 4 p.m. on the day following each such election. The municipal clerk shall
22 deliver the ballots, statements, tally sheets, lists, and envelopes for his or her
23 municipality relating to any county, technical college district, state, or national
24 election to the county clerk no later than 4 p.m. on the day following each such
25 election or, in municipalities where absentee ballots are canvassed under s. 7.52, by

1 4 p.m. on the 2nd day following each such election, and no later than 4 p.m. on the
2 day after receiving any corrected returns under s. ~~6.221~~ 7.515 (6) (b). The person
3 delivering the returns shall be paid out of the municipal treasury. Each clerk shall
4 retain ballots, statements, tally sheets, or envelopes received by the clerk until
5 destruction is authorized under s. 7.23 (1).

6 **SECTION 61.** 7.52 (3) (b) of the statutes is amended to read:

7 7.52 (3) (b) When the board of absentee ballot canvassers finds that a
8 certification is insufficient, that the applicant is not a qualified elector in the ward
9 or election district, that the ballot envelope is open or has been opened and resealed,
10 that the ballot envelope contains more than one ballot of any one kind, or that the
11 certificate of ~~an~~ a military or overseas elector who received an absentee ballot by
12 facsimile transmission or electronic mail is missing, or if proof is submitted to the
13 board of absentee ballot canvassers that an elector voting an absentee ballot has
14 since died, the board of absentee ballot canvassers shall not count the ballot. Each
15 member of the board of absentee ballot canvassers shall endorse every ballot not
16 counted on the back as "rejected (giving the reason)." The board of absentee ballot
17 canvassers shall reinsert each rejected ballot into the certificate envelope in which
18 it was delivered and enclose the certificate envelopes and ballots, and securely seal
19 the ballots and envelopes in an envelope marked for rejected absentee ballots. The
20 board of absentee ballot canvassers shall endorse the envelope as "rejected ballots,"
21 with a statement of the ward or election district and date of the election, and each
22 member of the board of absentee ballot canvassers shall sign the statement. The
23 board of absentee ballot canvassers shall then return the envelope containing the
24 ballots to the municipal clerk.

25 **SECTION 62.** 7.60 (5) (a) of the statutes is amended to read:

1 7.60 (5) (a) Immediately following the canvass, the county clerk shall deliver
2 or send to the government accountability board, by 1st class mail, a certified copy of
3 each statement of the county board of canvassers for president and vice president,
4 state officials, senators and representatives in congress, state legislators, justice,
5 court of appeals judge, circuit judge, district attorney, and metropolitan sewerage
6 commissioners, if the commissioners are elected under s. 200.09 (11) (am). The
7 statement shall record the returns for each office or referendum by ward, unless
8 combined returns are authorized under s. 5.15 (6) (b) in which case the statement
9 shall record the returns for each group of combined wards. Following primaries the
10 county clerk shall enclose on forms prescribed by the government accountability
11 board the names, party or principle designation, if any, and number of votes received
12 by each candidate recorded in the same manner. The county clerk shall deliver or
13 transmit the certified statement to the government accountability board no later
14 than 7 days after each primary except the ~~September~~ partisan primary, no later than
15 10 days after the ~~September~~ partisan primary and any other election except the
16 general election, and no later than 14 days after the general election. The board of
17 canvassers shall deliver or transmit a certified copy of each statement for any
18 technical college district referendum to the secretary of the technical college district
19 board.

20 **SECTION 63.** 7.70 (3) (a) of the statutes is amended to read:

21 7.70 (3) (a) The chairperson of the board or a designee of the chairperson
22 appointed by the chairperson to canvass a specific election shall publicly canvass the
23 returns and make his or her certifications and determinations on or before the 2nd
24 Tuesday following a spring primary, the 15th day of May following a spring election,
25 the 3rd Wednesday following a ~~September~~ partisan primary, the first day of

1 December following a general election, the 2nd Thursday following a special primary,
2 or within 18 days after any special election.

3 **SECTION 64.** 8.10 (1) of the statutes is amended to read:

4 8.10 (1) Candidates for office to be filled at the spring election shall be
5 nominated by nomination papers, or by nomination papers and selection at the
6 primary if a primary is held, except as provided for towns and villages under s. 8.05.
7 Unless designated in this section or s. 8.05, the general provisions pertaining to
8 nomination at the ~~September~~ partisan primary apply.

9 **SECTION 65.** 8.15 (title) of the statutes is amended to read:

10 **8.15 (title) Nominations for ~~September~~ partisan primary.**

11 **SECTION 66.** 8.15 (1) of the statutes is amended to read:

12 8.15 (1) Nomination papers may be circulated no sooner than ~~June 1~~ April 15
13 preceding the general election and may be filed no later than 5 p.m. on ~~the 2nd~~
14 ~~Tuesday of July~~ June 1 preceding the ~~September~~ partisan primary, except as
15 authorized in this subsection. 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 subsection. 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 subsection 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 subsection. Only

1 those candidates for whom nomination papers containing the necessary signatures
2 acquired within the allotted time and filed before the deadline may have their names
3 appear on the official ~~September~~ partisan primary ballot.

4 **SECTION 67.** 8.16 (7) of the statutes is amended to read:

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

12 **SECTION 68.** 8.17 (1) (b) of the statutes is amended to read:

13 8.17 (1) (b) Each political party shall elect one committeeman or
14 committeewoman from each election district. In this section, each village, each town
15 and each city is an "election district"; except that in cities having a population of more
16 than 7,500 which are divided into aldermanic districts, each aldermanic district is
17 an "election district"; and in cities having a population of more than 7,500 which are
18 not divided into aldermanic districts and villages or towns having a population of
19 more than 7,500, each ward or group of combined wards under s. 5.15 (6) (b)
20 constituting a polling place on ~~June 1~~ April 15 of the year in which committeemen
21 or committeewomen are elected is an "election district". To be eligible to serve as its
22 committeeman or committeewoman, an individual shall be, at the time of filing
23 nomination papers or at the time of appointment under this section, a resident of the
24 election district which he or she is chosen to represent and shall be at least 18 years
25 of age.