



State of Wisconsin
2013 - 2014 LEGISLATURE



LRB-0471/1
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2013 SENATE BILL 267

August 21, 2013 – Introduced by Senators LAZICH, LEIBHAM, VUKMIR, DARLING and GROTHMAN, cosponsored by Representatives BERNIER, STRACHOTA, SANFELIPPO, TITTL, KNOIDL and PRIDEMORE. Referred to Elections and Urban Affairs.

1 **AN ACT to amend** 6.15 (2) (bm), 6.29 (2) (b), 6.36 (1) (a), 6.36 (2) (a), 6.36 (2) (c),
2 6.55 (2) (b), 6.55 (2) (c) 1., 6.79 (2) (d), 6.82 (1) (a) and 6.88 (3) (a) of the statutes;
3 **relating to:** recording the type of identifying document provided by an elector
4 as proof of residence.

Analysis by the Legislative Reference Bureau

With limited exceptions, current law requires each person who is an eligible elector and who wishes to vote in this state to first register. In certain circumstances, an eligible elector must submit proof of residence with his or her registration form or prior to being permitted to vote. For example, a person who registers to vote on election day must present proof of residence at the polls. In addition, a person who registers in the clerk's office of his or her municipality within 20 days of an election must submit proof of residence in order to obtain registration. Finally, a person who is a first-time registrant in this state and who submits a registration form by mail must include proof of residence with that registration form. Current law specifies the types of identifying documents that qualify as proof of residence; these documents must contain the registrant's name and current address and include a real estate tax bill, a utility bill for the period commencing no earlier than 90 days before election day, a bank statement, and a current and valid Wisconsin driver license or identification card.

This bill requires the municipal clerk, clerk's agent, and other individuals authorized to accept receipt of a registration form from an elector to enter on the registration form or poll list, and in some cases both the registration form and poll

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list, the type of identifying document submitted by the elector as proof of residence when proof of residence is required of the elector.

Under current law, the Government Accountability Board (board) must compile and maintain an official registration list. The registration list must contain specific information about each registered elector in the state, including the elector's name, address, date of birth, and an indication of how the elector's registration form was received. This bill requires the board to include on the official registration list an indication of whether an elector was required to provide proof of residence and, if so, the type of identifying document submitted by the elector as proof of residence.

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

1 **SECTION 1.** 6.15 (2) (bm) of the statutes is amended to read:

2 6.15 (2) (bm) Except as authorized in s. 6.79 (7), when making application in
3 person at the office of the municipal clerk, each applicant shall present proof of
4 identification. If any document presented by the applicant is not proof of residence
5 under s. 6.34, the applicant shall also present proof of residence under s. 6.34. The
6 clerk shall verify that the name on the proof of identification presented by the elector
7 conforms to the name on the elector's application ~~and~~, shall verify that any
8 photograph appearing on that document reasonably resembles the elector, and shall
9 enter the type of identifying document submitted by the elector as proof of residence
10 on the application form.

11 **SECTION 2.** 6.29 (2) (b) of the statutes is amended to read:

12 6.29 (2) (b) Upon the filing of the registration form required by this section, the
13 municipal clerk or clerk's agent under s. 6.33 (5) (b) shall enter the type of identifying
14 document submitted by the elector as proof of residence on the registration form and
15 issue a certificate containing the name and address of the elector addressed to the
16 inspectors of the proper ward or election district directing that the elector be
17 permitted to cast his or her vote if the elector complies with all requirements for

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1 voting at the polling place. The certificate shall be numbered serially, prepared in
2 duplicate and one copy preserved in the office of the municipal clerk.

3 **SECTION 3.** 6.36 (1) (a) of the statutes is amended to read:

4 6.36 (1) (a) The board shall compile and maintain electronically an official
5 registration list. The list shall contain the name and address of each registered
6 elector in the state, the date of birth of the elector, the ward and aldermanic district
7 of the elector, if any, and, for each elector, a unique registration identification number
8 assigned by the board, the number of a valid operator's license issued to the elector
9 under ch. 343, if any, or the last 4 digits of the elector's social security account
10 number, if any, any identification serial number issued to the elector under s. 6.47
11 (3), the date of any election in which the elector votes, an indication of whether the
12 elector is an overseas elector, as defined in s. 6.24 (1), any information relating to the
13 elector that appears on the current list transmitted to the board by the department
14 of corrections under s. 301.03 (20m), an indication of any accommodation required
15 under s. 5.25 (4) (a) to permit voting by the elector, an indication of the method by
16 which the elector's registration form was received, an indication of whether the
17 elector was required under s. 6.34 to provide proof of residence and, if so, the type of
18 identifying document submitted as proof of residence, and such other information as
19 may be determined by the board to facilitate administration of elector registration
20 requirements.

21 **SECTION 4.** 6.36 (2) (a) of the statutes is amended to read:

22 6.36 (2) (a) Except as provided in par. (b), each registration list prepared for use
23 as a poll list at a polling place or for purposes of canvassing absentee ballots at an
24 election shall contain the full name and address of each registered elector; a blank
25 column for the entry of the serial number of the electors when they vote or the poll

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1 list number used by the municipal board of absentee ballot canvassers in canvassing
2 absentee ballots; an indication next to the name of each elector for whom proof of
3 residence under s. 6.34 is required; a space for entry of the type of identifying
4 document submitted by the elector as proof of residence when proof of residence
5 under s. 6.34 is required; a space for entry of the elector’s signature, or if another
6 person signed the elector’s registration form for the elector by reason of the elector’s
7 physical disability, the word “exempt”; and a form of certificate bearing the
8 certification of the administrator of the elections division of the board stating that
9 the list is a true and complete registration list of the municipality or the ward or
10 wards for which the list is prepared. The board shall, by rule, prescribe the space and
11 location for entry of each elector’s signature on the poll list which shall provide for
12 entry of the signature without changing the orientation of the poll list from the
13 orientation used by the election officials.

14 **SECTION 5.** 6.36 (2) (c) of the statutes is amended to read:

15 6.36 (2) (c) The list shall contain, next to the name of each elector, an indication
16 of whether proof of residence under s. 6.34 is required for the elector to be permitted
17 to vote. If proof of residence is provided, the type of identifying document submitted
18 by the elector shall be entered on the list in the space provided. Proof of residence
19 is required if the elector is not a military elector or an overseas elector and the elector
20 registers by mail and has not previously voted in an election in this state.

21 **SECTION 6.** 6.55 (2) (b) of the statutes is amended to read:

22 6.55 (2) (b) Upon executing the registration form under par. (a), the elector
23 shall provide proof of residence under s. 6.34. The signing by the elector executing
24 the registration form shall be in the presence of the special registration deputy or
25 inspector ~~who~~. Upon receipt of the registration form, the deputy or inspector shall

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1 enter the type of identifying document submitted by the elector as proof of residence
2 in the space provided on the form. The deputy or inspector shall then print his or her
3 name on and sign the form, indicating that the deputy or inspector has accepted the
4 form. Upon compliance with this procedure, the elector shall be permitted to cast his
5 or her vote, if the elector complies with all other requirements for voting at the polling
6 place.

7 **SECTION 7.** 6.55 (2) (c) 1. of the statutes is amended to read:

8 6.55 (2) (c) 1. As an alternative to registration at the polling place under pars.
9 (a) and (b), the board of election commissioners, or the governing body of any
10 municipality, may by resolution require a person who qualifies as an elector and who
11 is not registered and desires to register on the day of an election to do so at another
12 readily accessible location in the same building as the polling place serving the
13 elector's residence or at an alternate polling place assigned under s. 5.25 (5) (b),
14 instead of at the polling place serving the elector's residence. In such case, the
15 municipal clerk shall prominently post a notice of the registration location at the
16 polling place. An eligible elector who desires to register shall execute a registration
17 form as prescribed under par. (a) and provide proof of residence as provided under
18 s. 6.34. The signing by the person executing the registration form shall be in the
19 presence of the municipal clerk, deputy clerk, or special registration deputy. Upon
20 receipt of the registration form, the municipal clerk, deputy clerk, or special
21 registration deputy shall enter the type of identifying document submitted by the
22 elector as proof of residence in the space provided on the form. The municipal clerk,
23 the deputy clerk, or the special registration deputy shall then print his or her name
24 and sign the form, indicating that the clerk, deputy clerk, or deputy has accepted the
25 form. Upon proper completion of registration, the municipal clerk, deputy clerk, or

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1 special registration deputy shall serially number the registration and give one copy
2 to the person for presentation at the polling place serving the person's residence or
3 an alternate polling place assigned under s. 5.25 (5) (b).

4 **SECTION 8.** 6.79 (2) (d) of the statutes is amended to read:

5 6.79 (2) (d) If the poll list indicates that proof of residence under s. 6.34 is
6 required and the document provided by the elector under par. (a) does not constitute
7 proof of residence under s. 6.34, the officials shall require the elector to provide proof
8 of residence. If proof of residence is provided, the officials shall enter the type of
9 identifying document submitted as proof of residence in the space provided on the
10 registration form and shall verify that the name and address on the ~~identification~~
11 ~~identifying~~ document ~~submitted as proof of residence provided~~ is the same as the
12 name and address shown on the registration list. If proof of residence is required and
13 not provided, or if the elector does not present proof of identification under par. (a),
14 whenever required, the officials shall offer the opportunity for the elector to vote
15 under s. 6.97.

16 **SECTION 9.** 6.82 (1) (a) of the statutes is amended to read:

17 6.82 (1) (a) When any inspectors are informed that an eligible elector is at the
18 entrance to the polling place who as a result of disability is unable to enter the polling
19 place, they shall permit the elector to be assisted in marking a ballot by any
20 individual selected by the elector, except the elector's employer or an agent of that
21 employer or an officer or agent of a labor organization which represents the elector.
22 Except as authorized in s. 6.79 (6) and (7), the individual selected by the elector shall
23 present to the inspectors proof of identification and, if the proof of identification does
24 not constitute proof of residence under s. 6.34, shall also provide proof of residence
25 under s. 6.34 for the assisted elector, whenever required, and all other information

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1 necessary for the elector to obtain a ballot under s. 6.79 (2). The inspectors shall
2 verify that the name on the proof of identification presented by the person assisting
3 the elector conforms to the elector’s name on the poll list or separate list ~~and~~, shall
4 verify that any photograph appearing on that document reasonably resembles the
5 elector, and shall enter the type of identifying document submitted by the assisted
6 elector as proof of residence in the space provided on the poll list or separate list. The
7 inspectors shall then issue a ballot to the individual selected by the elector and shall
8 accompany the individual to the polling place entrance where the assistance is to be
9 given. If the ballot is a paper ballot, the assisting individual shall fold the ballot after
10 the ballot is marked by the assisting individual. The assisting individual shall then
11 immediately take the ballot into the polling place and give the ballot to an inspector.
12 The inspector shall distinctly announce that he or she has “a ballot offered by
13 (stating person’s name), an elector who, as a result of disability, is unable to enter the
14 polling place without assistance”. The inspector shall then ask, “Does anyone object
15 to the reception of this ballot?” If no objection is made, the inspectors shall record
16 the elector’s name under s. 6.79 and deposit the ballot in the ballot box, and shall
17 make a notation on the poll list: “Ballot received at poll entrance”.

18 **SECTION 10.** 6.88 (3) (a) of the statutes is amended to read:

19 6.88 (3) (a) Except in municipalities where absentee ballots are canvassed
20 under s. 7.52, at any time between the opening and closing of the polls on election day,
21 the inspectors shall, in the same room where votes are being cast, in such a manner
22 that members of the public can hear and see the procedures, open the carrier
23 envelope only, and announce the name of the absent elector or the identification
24 serial number of the absent elector if the elector has a confidential listing under s.
25 6.47 (2). When the inspectors find that the certification has been properly executed,

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1 the applicant is a qualified elector of the ward or election district, and the applicant
2 has not voted in the election, they shall enter an indication on the poll list next to the
3 applicant's name indicating an absentee ballot is cast by the elector. They shall then
4 open the envelope containing the ballot in a manner so as not to deface or destroy the
5 certification thereon. The inspectors shall take out the ballot without unfolding it
6 or permitting it to be unfolded or examined. Unless the ballot is cast under s. 6.95,
7 the inspectors shall verify that the ballot has been endorsed by the issuing clerk. If
8 the poll list indicates that proof of residence under s. 6.34 is required and proof of
9 residence is enclosed, the inspectors shall enter the type of identifying document
10 submitted by the absent elector on the poll list in the space provided. If the poll list
11 indicates that proof of residence under s. 6.34 is required and no proof of residence
12 is enclosed or the name or address on the document that is provided is not the same
13 as the name and address shown on the poll list, the inspectors shall proceed as
14 provided under s. 6.97 (2). The inspectors shall then deposit the ballot into the proper
15 ballot box and enter the absent elector's name or voting number after his or her name
16 on the poll list in the same manner as if the elector had been present and voted in
17 person.

18 (END)