



WISCONSIN LEGISLATIVE COUNCIL AMENDMENT MEMO

2013 Senate Bill 377

Senate Substitute Amendment 1

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Senate Bill 377 relates to the reporting of statistics regarding postcard audits of same-day voter registrations.

Current Law

Current law requires municipal clerks and boards of election commissioners (“local clerks”) to conduct a postcard audit of all electors who registered to vote at the polling place (“same-day voter registration”), unless GAB notifies the clerk that the agency will conduct the audit. As part of the audit, the local clerk or GAB verifies the addresses given by electors during same-day voter registration by mailing postcards to those addresses. If a postcard is returned undelivered, or if the clerk or GAB is informed that an address provided by an elector was improper, then the elector’s status is changed from eligible to ineligible on the registration list and the elector’s name is given to the local district attorney.

Current law also requires local clerks to submit certain election-related statistics to the county clerk within 30 days after each election at which a state or national office is filled or a statewide referendum is held. The county clerk must then provide a copy of the information to the Government Accountability Board (GAB). Municipal clerks are not currently required to report statistics regarding the audit of same-day voter registrations.

Senate Bill 377

Senate Bill 377 requires local clerks to report information regarding same-day voter registration postcard audits to the county clerk no later than 60 days after an election at which a state or national office is filled or a statewide referendum is held, in addition to the election-related statistics that local clerks are currently required to submit. The local clerks must report the total number of postcards sent to electors, the total number of postcards returned because

the elector did not reside at the address given, and the number of electors whose status was changed from eligible to ineligible on the registration list as a result of the audit.

The bill also requires the GAB to publish information regarding same-day voter registration audit postcards it receives from county clerks on its website. Further, the bill directs that if GAB conducts the postcard audit itself, the agency must post on its website the total number of audit postcards sent, the number of postcards returned because the elector did not reside at the address given, and the number of electors whose status was changed from eligible to ineligible as a result of the audit.

Senate Substitute Amendment 1

Senate Substitute Amendment 1 requires local clerks to report information regarding same-day voter registration audit postcards to the county clerk and to GAB at the earliest practicable time after, but no later than **90** days after, an election at which a state or national office is filled or a statewide referendum is held. Clerks must report this information in addition to the election-related statistics that they are currently required to submit. Under the substitute amendment, local clerks must report the number of audit postcards mailed, the number returned because the elector did not reside at the address given, the number of electors whose status was changed from eligible to ineligible on the registration list as a result of the audit, and the number of individuals referred to the district attorney. The substitute amendment also requires local clerks to update the information on a monthly basis and submit the updated information to the county clerk and GAB.

Additionally, the substitute amendment requires municipal clerks to report election-related statistics via an electronic report to the county clerk and directly to the GAB, rather than having the county clerk forward a written statement to the agency. The substitute amendment also directs GAB to report all such information on its website and to update the information on a monthly basis.

Further, the substitute amendment requires GAB to submit an annual report to the Legislature regarding election fraud, irregularities, or violations reported to it by the local clerks.

Finally, the substitute amendment requires local clerks to provide information to GAB regarding same-day registration postcard audits no later than 90 days after the 2014 general election and require GAB to publish the information on its website. The amendment provides that the remaining provisions of the legislation take effect on January 1, 2016.

Bill History

Senate Substitute Amendment 1 was offered by Senator Lazich on January 30, 2014. The Senate Committee on Elections and Urban Affairs recommended adoption of the amendment on February 12, 2014, on a vote of Ayes, 5; Noes, 0. The committee then recommended passage of the bill, as amended, on a vote of Ayes, 5; Noes, 0.

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