

2015 DRAFTING REQUEST

Bill

Received: **9/24/2015** Received By: **jkreye**
For: **Dave Hansen (608) 266-5670** Same as LRB: **-0179**
May Contact: By/Representing: **john**
Subject: **Elections - miscellaneous** Drafter: **jkreye**
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Extra Copies:

Submit via email: **YES**
Requester's email: **Sen.Hansen@legis.wisconsin.gov**
Carbon copy (CC) to: **joseph.kreye@legis.wisconsin.gov**
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Pre Topic:

No specific pre topic given

Topic:

Automatic voter registration

Instructions:

See 2013 AB 869

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/1	jkreye 9/24/2015	kmochal 9/24/2015	_____	sbasford 9/24/2015	mbarman 9/24/2015	State S&L

FE Sent For:

*at intro
9/30/15*

<END>

Kreye, Joseph

From: Wagnitz, John
Sent: Thursday, September 24, 2015 11:39 AM
To: Kreye, Joseph; Gary, Aaron
Subject: lrb 0179/4, relating to voter registration

Hi Joe & Aaron,

Senator Hansen would like to introduce a Senate companion to LRB-0179. Could you please draft a copy for our office?

Thank you,

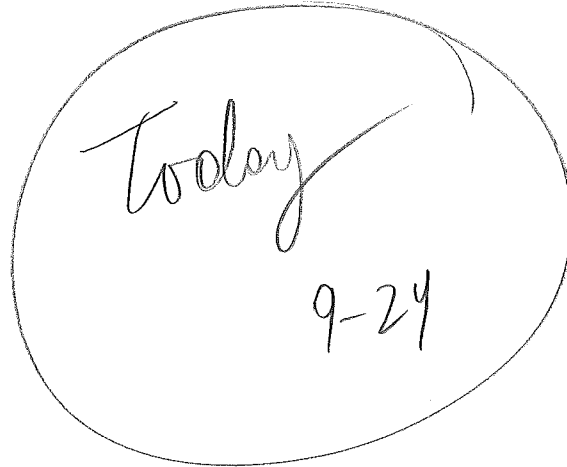
John Wagnitz
Office of State Senator Dave Hansen
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15-0179_4.pdf



2015 BILL



1 **AN ACT to amend** 5.056, 6.24 (3), 6.275 (1) (b), 6.28 (1), 6.30 (1), 6.32, 6.33 (1),
2 6.33 (2) (a), 6.33 (5) (b), 6.34 (2), 6.35 (1) (intro.), 6.35 (3), 6.36 (2) (c), 6.40 (1)
3 (a) 1., 6.40 (1) (c), 6.50 (10), 6.55 (2) (d), 6.86 (3) (c), 6.87 (4) (b) 1., 7.08 (1) (c),
4 85.61 (1) and 343.027; and **to create** 6.256, 6.29 (2) (e), 6.30 (5), 6.34 (2m), 6.34
5 (4), 6.35 (2), 7.08 (1) (cm) and 343.14 (2p) of the statutes; **relating to:** voter
6 registration; proving residence for registration and voting purposes; reviewing
7 certain expenditures of the Government Accountability Board by the Joint
8 Committee on Finance; and granting rule-making authority.

Analysis by the Legislative Reference Bureau

This bill makes various changes in laws relating to voter registration and proof of residence for voting. Currently, with the exception of individuals who are defined as “military electors” under state law and new or former residents voting for president and vice president, all eligible electors of this state must register in order to vote in an election in this state. The registration period for each election ends on the 20th day before that election, but an eligible elector may register to vote in an election after that date at the office of the municipal clerk or board of election commissioners of the municipality where he or she resides or at the polling place serving his or her residence by providing specified proof of residence. In order to

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register, an individual must provide his or her name, residence location, citizenship, date of birth, age, and the number of a valid Wisconsin driver's license or the last four digits of his or her social security number. An individual must also affirm that he or she: 1) has resided in his or her ward (or municipality if not divided into wards) for at least 28 consecutive days; 2) has not been convicted of a felony for which he or she has not been pardoned and has not completed his or her sentence; 3) is not disqualified on any other ground from voting; and 4) is not registered to vote at any other location. The burden is on the elector to initiate registration and, if the elector's name, address, or eligibility changes, to initiate any change in registration required to maintain a valid registration.

This bill makes it the responsibility of the Government Accountability Board (GAB) to use all feasible means to facilitate the registration of all eligible electors of this state who are subject to a registration requirement and to maintain the registration of all eligible electors for so long as they remain eligible, except as the law specifically requires electors to take some action to continue their registrations. Under the bill, GAB must attempt to facilitate the initial registration of all eligible electors in accordance with the bill's requirements and procedures no later than July 1, 2021. To assist with its responsibility, the bill directs GAB and the Department of Transportation (DOT) to enter into an agreement for the purpose of transferring specified personally identifiable information in DOT's records to GAB. The bill requires GAB to maintain the confidentiality of any information that GAB obtains under the agreement and allows a driver's license or identification card applicant to "opt out" of DOT's transfer of this information to GAB. Under the bill, once GAB obtains all the information required under current law to complete an elector's registration, GAB adds the elector's name to the statewide registration list. The information then becomes accessible on the Internet. The bill also permits an individual whose name is added to the registration list by GAB or who wishes to permanently exclude his or her name from the list to file a request to have his or her name deleted or excluded from the list or to revoke a deletion or exclusion request previously made. A deletion or exclusion request or revocation of a deletion or exclusion request may be made in the manner prescribed by GAB. In addition, the bill directs GAB to notify an individual by first class postcard whenever GAB removes his or her name from the registration list or changes his or her status on the list from eligible to ineligible, other than by request of the elector, except when GAB removes a duplicate entry from the list or changes the name of a deceased person from eligible to ineligible status.

In addition, the bill permits a qualified elector who has a current and valid driver's license or identification card issued by DOT to register to vote at an election electronically on a secure Internet site maintained by GAB. The bill requires an electronic registration to be completed no later than the 20th day before an election in order to be valid for that election. Under the bill, a qualified elector enters the same information that appears on the current registration form and authorizes DOT to forward a copy of his or her electronic signature to GAB. The authorization affirms that all information provided by the elector is correct and has the same effect as if the elector signed the form personally. The bill also permits an elector who is

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currently registered to vote and who has a current and valid driver's license or identification card to electronically enter a change of name or address using a similar procedure. In accordance with the existing procedure for verifying registrations that are not received at the office of the municipal clerk or board of election commissioners, the bill provides that when an electronic registration is received, GAB or the clerk or board of election commissioners of the elector's municipality of residence must verify each electronic registration by sending a first class letter or postcard to the registrant at the registrant's address. Except as otherwise permitted under the bill, if the registrant is voting for the first time in an election in this state, the registrant must provide proof of residence before voting in the election. The bill creates one exception which provides that, if an elector who registers electronically provides his or her Wisconsin driver's license number, together with his or her name and date of birth, and GAB is able to verify the information electronically at the time of registration by electronically accessing DOT's records, the elector need not provide proof of residence prior to voting. The bill directs GAB and DOT to enter into an agreement that permits GAB to verify the necessary information instantly by accessing DOT's electronic files.

Currently, each municipal clerk and board of election commissioners must maintain a file of voter registration forms for the electors of the municipality. This bill provides that the clerk or board must maintain registrations that are entered electronically in the manner prescribed by GAB, by rule.

The changes with respect to electronic registration first apply with respect to registration for voting at the first spring or partisan primary election that follows the day on which the bill becomes law by at least six months.

Currently, with certain exceptions, if an elector registers to vote by mail and has not voted in an election in this state, the elector must provide proof of residence prior to voting. This bill extends this requirement to apply to an elector whose registration is initiated by GAB but who has not voted in an election in this state. The bill also provides that if such an elector provides his or her Wisconsin driver's license number or the last four digits of his or her social security number, together with his or her name and date of birth, and GAB is able to instantly verify the information electronically by electronically accessing records of DOT, the elector need not provide proof of residence before voting.

The bill directs GAB to report to the appropriate standing committees of the legislature, no later than July 1, 2017, concerning its progress in initially implementing the registration system created by the bill. The report must contain an assessment of the feasibility and desirability or integration of registration information with information maintained by the departments of health services, children and families, workforce development, revenue, regulation and licensing, and natural resources, the University of Wisconsin System, and the State Technical College System Board, as well as with the technical colleges in each technical college district.

Currently, the legislature has made appropriations to GAB for the operation of GAB in the current fiscal biennium. This bill does not change these appropriations. However, the bill provides that before GAB may encumber or expend any amount of

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money to implement or administer any provision of the act resulting from enactment of this bill, GAB's legal counsel must first notify the cochairpersons of the Joint Committee on Finance of the proposed encumbrance or expenditure. The proposed encumbrance or expenditure is then subject to approval of or modification by the committee, but the committee may waive its right to review any proposed encumbrance or expenditure.

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

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

1 **SECTION 1.** 5.056 of the statutes is amended to read:

2 **5.056 Matching program with secretary of transportation.** The
3 administrator of the elections division of the board shall enter into the agreement
4 with the secretary of transportation specified under s. 85.61 (1) to match personally
5 identifiable information on the official registration list maintained by the board
6 under s. 6.36 (1) and the information specified in s. 6.34 (2m) and other information
7 specified in s. 6.256 (2) with personally identifiable information maintained by the
8 department of transportation. Subject to s. 343.14 (2p) (b), the agreement shall
9 provide for the electronic transfer of information under s. 6.256 (2) to the board on
10 a continuous basis, no less often than monthly.

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

12 **6.24 (3) REGISTRATION.** The overseas elector shall register in the municipality
13 where he or she was last domiciled or where the overseas elector's parent was last
14 domiciled on a form prescribed by the board designed to ascertain the elector's
15 qualifications under this section. The form shall be substantially similar to the
16 original form under s. 6.33 (1), insofar as applicable. Registration shall be
17 accomplished in accordance with s. 6.30 (4) or (5).

18 **SECTION 3.** 6.256 of the statutes is created to read:

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1 **6.256 Board shall facilitate registration of electors.** (1) Except as
2 provided for electors specified in sub. (7) and as otherwise expressly provided, the
3 board shall use all feasible means to facilitate the registration of all eligible electors
4 of this state who are subject to a registration requirement and the maintenance of
5 the registration of all eligible electors for so long as they remain eligible.

6 (2) Subject to s. 343.14 (2p) (b), for the purpose of carrying out its functions
7 under sub. (1), the board shall obtain the following information from the department
8 of transportation, to the extent that the department has the information:

9 (a) The full name of each individual who holds a current operator's license
10 issued to the individual under ch. 343 or a current identification card issued to the
11 individual under s. 343.50, together with the following information pertaining to
12 that individual:

13 1. The current address of the individual together with any address history and
14 any name history maintained by the department of transportation.

15 2. The date of birth of the individual.

16 3. The number of the license or identification card issued to the individual.

17 4. A copy of the document that the applicant provided as proof of citizenship
18 and a statement from the department of transportation indicating that the
19 department verified the applicant's citizenship. For purposes of this subdivision, the
20 applicant shall provide a document that meets the requirements under 42 USC
21 1320b-7 (d).

22 (b) For each item of information specified in this subsection, the most recent
23 date that the item of information was provided or obtained by the department of
24 transportation.

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1 **(3)** The board shall compare the information obtained under sub. (2) with the
2 information in the registration list under s. 6.36 (1) (a). If the the board finds
3 discrepancies between the information obtained under sub. (2) regarding an elector
4 and the information in the registration list under s. 6.36 (1) (a) regarding that same
5 elector, the board shall contact the elector by mail or telephone or in person to resolve
6 the discrepancies. If the board is able to resolve the discrepancies after contacting
7 the elector, the board shall update the information on the registration list. If the
8 board is unable to contact the elector, the board shall resolve any discrepancies in
9 favor of the information in the registration list.

10 **(4)** Except as provided in this subsection and sub. (7), if the board concludes
11 that an individual appears eligible to vote in this state but is not registered, and the
12 board has obtained from reliable sources all the information required under s. 6.33
13 (1) to complete the individual's registration, the board shall enter the individual's
14 name on the registration list. If the board has not obtained from reliable sources all
15 the information pertaining to an individual that is required under s. 6.33 (1), the
16 board shall attempt to obtain from reliable sources the necessary information under
17 s. 6.33 (1) that is required to complete the individual's registration. If a
18 municipality has changed the status of an elector from eligible to ineligible under s.
19 6.50 (1) and the elector's eligibility, name, or residence have not changed, the board
20 shall not change the individual's name to eligible status unless the board first
21 verifies that the individual is eligible and wishes to change his or her status to
22 eligible.

23 **(5)** The board shall attempt to contact individuals described in sub. (4) if
24 necessary to obtain all the information specified in s. 6.33 (1) pertaining to the
25 individual that is required to complete the individual's registration.

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1 **(6)** If the board is able to obtain all the required information specified in s. 6.33
2 (1) pertaining to an individual, the board shall enter the name of the individual on
3 the registration list maintained under s. 6.36 (1) (a).

4 **(7)** Any individual may file a request with the board to exclude his or her name
5 from the registration list. Any individual whose name is added to the registration
6 list by the board may file a request with the board or a municipal clerk to have his
7 or her name deleted from the list. A request for exclusion or deletion shall be filed
8 in the manner prescribed by the board. An individual who files an exclusion or
9 deletion request under this subsection may revoke his or her request by the same
10 means that an individual may request an exclusion or deletion. The board shall
11 ensure that the name of any individual who has filed an exclusion or deletion request
12 under this subsection is excluded from the registration list or if the individual's name
13 appears on the list, is removed from the registration list and is not added to the list
14 at any subsequent time unless the individual files a revocation of his or her request
15 under this subsection.

16 **(8)** If the board removes from the registration list the name of an elector who
17 does not request that his or her name be deleted, other than to correct an entry that
18 the board positively determines to be a duplication or to change the name of an
19 individual who is verified to be deceased to ineligible status, the board shall mail the
20 individual a notice of the removal or change in status by 1st class postcard at the
21 individual's last-known address. The notice shall provide that the individual may
22 apply to have his or her status changed to eligible if he or she is a qualified elector.

23 **(9)** The board shall attempt to facilitate the initial registration of all eligible
24 electors, except as otherwise provided in this section, no later than July 1, 2021.

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1 (10) The board shall maintain the confidentiality of all information obtained
2 from the department of transportation under sub. (2) and may use this information
3 only for the purpose of carrying out its functions under sub. (1) and s. 6.34 (2m) and
4 in accordance with the agreement under s. 85.61 (1).

5 **SECTION 4.** 6.275 (1) (b) of the statutes is amended to read:

6 6.275 (1) (b) The total number of electors of the municipality residing in that
7 county who were ~~preregistered~~ registered on the deadline specified in s. 6.28 (1),
8 including valid mail registrations which are postmarked by that day and valid
9 electronic registrations entered under s. 6.30 (5).

10 **SECTION 5.** 6.28 (1) of the statutes is amended to read:

11 6.28 (1) REGISTRATION LOCATIONS; DEADLINE. Except as authorized in ss. 6.29,
12 6.55 (2), and 6.86 (3) (a) 2., registration in person for any election shall close at 5 p.m.
13 on the 3rd Wednesday preceding the election. Registrations made by mail under s.
14 6.30 (4) must be delivered to the office of the municipal clerk or postmarked no later
15 than the 3rd Wednesday preceding the election. Electronic registration for an
16 election under s. 6.30 (5) shall close at midnight on the 3rd Wednesday preceding the
17 election. All applications for registration corrections and additions may be made
18 throughout the year at the office of the city board of election commissioners, at the
19 office of the municipal clerk, at the office of the county clerk, or at other locations
20 provided by the board of election commissioners or the common council in cities over
21 500,000 population or by either or both the municipal clerk, or the common council,
22 village or town board in all other municipalities. Other registration locations may
23 include but are not limited to fire houses, police stations, public libraries, institutions
24 of higher education, supermarkets, community centers, plants and factories, banks,
25 savings and loan associations and savings banks. Special registration deputies shall

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1 be appointed for each location unless the location can be sufficiently staffed by the
2 board of election commissioners or the municipal clerk or his or her deputies. An
3 elector who wishes to obtain a confidential listing under s. 6.47 (2) shall register at
4 the office of the municipal clerk of the municipality where the elector resides.

5 **SECTION 6.** 6.29 (2) (e) of the statutes is created to read:

6 6.29 (2) (e) The municipal clerk or clerk's agent shall promptly add the names
7 of qualified electors who register and vote under this section to the registration list.
8 The clerk or clerk's agent shall add the names of qualified electors who vote at their
9 polling places in the manner prescribed in s. 6.33 (5) (a).

10 **SECTION 7.** 6.30 (1) of the statutes is amended to read:

11 6.30 (1) IN PERSON. An elector shall apply for registration in person, except as
12 provided under ~~sub.~~ subs. (4) and (5) and s. 6.86 (3) (a) 2.

13 **SECTION 8.** 6.30 (5) of the statutes is created to read:

14 6.30 (5) BY ELECTRONIC APPLICATION. Any eligible elector who holds a current
15 and valid operator's license issued under ch. 343 or a current and valid identification
16 card issued under s. 343.50 may register electronically in the manner prescribed by
17 the board. The board shall maintain on the Internet a secure registration form that
18 enables the elector to enter the information required under s. 6.33 (1) electronically.
19 The form shall contain an authorization for the board to obtain from the department
20 of transportation an electronic copy of the applicant's signature. For purposes of this
21 subsection, the signature is an affirmation that all information provided by the
22 elector is correct and shall have the same effect as if the applicant had signed the
23 application personally. Upon submittal of the electronic application, the board shall
24 obtain from the department of transportation a copy of the electronic signature of the
25 applicant and shall integrate the signature into the applicant's electronic

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1 application. The board shall maintain the electronically integrated application on
2 file together with nonelectronic applications and shall notify the municipal clerk or
3 board of election commissioners of the municipality where the applicant resides of
4 its receipt of each completed application. The board shall also permit any elector who
5 has a current and valid operator's license issued to the elector under ch. 343 or a
6 current and valid identification card issued under s. 343.50 to make changes in his
7 or her registration authorized under s. 6.40 (1) at the same Internet site that is used
8 by electors for original registration under this subsection. An elector shall attest to
9 the correctness of any changes in the same manner as provided in this subsection for
10 information entered on an application for original registration.

11 **SECTION 9.** 6.32 of the statutes is amended to read:

12 **6.32 Verification of certain registrations.** (1) Upon receipt of a
13 registration form that is submitted by mail under s. 6.30 (4) or by electronic
14 application under s. 6.30 (5) or that is submitted by a special registration deputy
15 appointed under s. 6.26, the board or municipal clerk shall examine the form for
16 sufficiency.

17 (2) If the form is insufficient to accomplish registration or the board or clerk
18 knows or has reliable information that the proposed elector is not qualified, the board
19 or clerk shall notify the proposed elector within 5 days, if possible, and request that
20 the elector appear at the clerk's office or ~~other~~ another registration center location
21 to complete a proper registration or substantiate the information presented.

22 (3) If the form is submitted later than the close of registration, the board or
23 clerk shall make a good faith effort to notify the elector that he or she may register
24 at the clerk's office under s. 6.29 or at the proper polling place or other location
25 designated under s. 6.55 (2).

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1 (4) If the form is sufficient to accomplish registration and the board or clerk has
2 no reliable information to indicate that the proposed elector is not qualified, the
3 board or clerk shall enter the elector's name on the registration list and transmit a
4 1st class letter or postcard to the registrant, specifying the elector's ward ~~or~~ and
5 aldermanic district, ~~or both~~, if any, and polling place. The letter or postcard shall be
6 sent within 10 days of receipt of the form. If the letter or postcard is returned, or if
7 the board or clerk is informed of a different address than the one specified by the
8 elector, the board or clerk shall change the status of the elector on the list from
9 eligible to ineligible. The letter or postcard shall be marked in accordance with postal
10 regulations to ensure that it will be returned to the board or clerk if the elector does
11 not reside at the address given on the letter or postcard.

12 **SECTION 10.** 6.33 (1) of the statutes is amended to read:

13 6.33 (1) The board shall prescribe the format, size, and shape of registration
14 forms. All nonelectronic forms shall be printed on cards and each item of information
15 shall be of uniform font size, as prescribed by the board. Except as otherwise
16 provided in this subsection, electronic forms shall contain the same information as
17 nonelectronic forms. The municipal clerk shall supply sufficient forms to meet voter
18 registration needs. The forms shall be designed to obtain from each applicant
19 information as to name; date; residence location; location of previous residence
20 immediately before moving to current residence location; citizenship; date of birth;
21 age; the number of a current and valid operator's license issued to the elector under
22 ch. 343 or the last 4 digits of the elector's social security account number; whether
23 the applicant has resided within the ward or election district for ~~at least 28~~ the
24 number of consecutive days specified in s. 6.02 (1); whether the applicant has been
25 convicted of a felony for which he or she has not been pardoned, and if so, whether

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1 the applicant is incarcerated, or on parole, probation, or extended supervision;
2 whether the applicant is disqualified on any other ground from voting; and whether
3 the applicant is currently registered to vote at any other location. The Except as
4 provided in s. 6.30 (5), the form shall include a space for the applicant's signature.
5 Below the space for the signature, the form shall state "Falsification of information
6 on this form is punishable under Wisconsin law as a Class I felony.". The form shall
7 include a space to enter the name of any special registration deputy under s. 6.26 or
8 6.55 (6) or inspector, municipal clerk, or deputy clerk under s. 6.55 (2) who obtains
9 the form and a space for the deputy, inspector, clerk, or deputy clerk to sign his or her
10 name, affirming that the deputy, inspector, clerk, or deputy clerk has accepted the
11 form. The form shall include a space for entry of the ward and aldermanic district,
12 if any, where the elector resides and any other information required to determine the
13 offices and referenda for which the elector is certified to vote. The form shall also
14 include a space where the clerk may record an indication of whether the form is
15 received by mail or by electronic application, a space where the clerk shall record an
16 indication of the type of identifying document submitted by the elector as proof of
17 residence under s. 6.34 or an indication that the elector's information in lieu of proof
18 of residence was verified under s. 6.34 (2m), the name of the entity or institution that
19 issued the identifying document, and, if the identifying document includes a number
20 that applies only to the individual holding that document, that number. The form
21 shall also include a space where the clerk, for any applicant who possesses a valid
22 voting identification card issued to the person under s. 6.47 (3), may record the
23 identification serial number appearing on the voting identification card. Each
24 county clerk shall obtain sufficient registration forms for completion by an elector
25 who desires to register to vote at the office of the county clerk under s. 6.28 (4).

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1 **SECTION 11.** 6.33 (2) (a) of the statutes is amended to read:

2 6.33 (2) (a) All information may be recorded by any person, except that the ward
3 and aldermanic district, if any, other geographic information under sub. (1), the
4 indication of whether the registration is received by mail or by electronic application,
5 the type of identifying document submitted by the elector as proof of residence under
6 s. 6.34 or the indication of verification of information in lieu of proof of residence
7 under s. 6.34 (2m), and any information relating to an applicant's voting
8 identification card shall be recorded by the clerk. ~~Each~~ Except as provided in s. 6.30
9 (5), each applicant shall sign his or her own name unless the applicant is unable to
10 sign his or her name due to physical disability. In such case, the applicant may
11 authorize another elector to sign the form on his or her behalf. If the applicant so
12 authorizes, the elector signing the form shall attest to a statement that the
13 application is made upon request and by authorization of a named elector who is
14 unable to sign the form due to physical disability.

15 **SECTION 12.** 6.33 (5) (b) of the statutes is amended to read:

16 6.33 (5) (b) The municipal clerk of any municipality may, by mutual consent,
17 designate any other municipal clerk or any county clerk as the clerk's agent to carry
18 out the functions of the municipal clerk under this section for that municipality. The
19 municipal clerk shall notify the county clerk of each county in which the municipality
20 is located and the board of any such designation in writing. The municipal clerk may,
21 by similar notice to the clerk's agent at least 14 days prior to the effective date of any
22 change, discontinue the designation. If the municipal clerk designates another
23 municipal clerk or a county clerk as his or her agent, the municipal clerk shall
24 immediately forward all registration changes filed with the clerk and voting record
25 information obtained by the clerk to the clerk's agent for electronic entry on the

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1 registration list. The board may collect, process, and approve registration forms for
2 electronic registrations and for all other registrations that the board receives.

3 **SECTION 13.** 6.34 (2) of the statutes is amended to read:

4 6.34 (2) Upon completion of a registration form prescribed under s. 6.33, each
5 eligible elector who is required to register under s. 6.27, who is not a military elector
6 or an overseas elector, shall provide an identifying document that establishes proof
7 of residence under sub. (3). If the elector registered by mail or by electronic
8 application, the identifying document may not be a residential lease.

9 **SECTION 14.** 6.34 (2m) of the statutes is created to read:

10 6.34 (2m) An elector who registers by electronic application under s. 6.30 (5)
11 is not required to provide proof of residence under sub. (2) if, at the time of
12 registration, the elector provides the number of a current and valid operator's license
13 issued under ch. 343 together with the elector's name and date of birth and the board
14 is able to verify the information using the system maintained under sub. (4).

15 **SECTION 15.** 6.34 (4) of the statutes is created to read:

16 6.34 (4) The board shall maintain a system that electronically verifies, on an
17 instant basis, information submitted in lieu of proof of residence under sub. (2m) by
18 an elector who registers electronically using the information maintained by the
19 department of transportation pursuant to the board's agreement with the secretary
20 of transportation under s. 85.61 (1).

21 **SECTION 16.** 6.35 (1) (intro.) of the statutes is amended to read:

22 6.35 (1) (intro.) Under the direction of the municipal clerk or board of election
23 commissioners, the original registration forms shall be filed in one of the following
24 ways, except as provided in ~~sub.~~ subs. (1m) and (2):

25 **SECTION 17.** 6.35 (2) of the statutes is created to read:

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1 6.35 (2) The board shall prescribe, by rule, the procedure and methods by which
2 municipal clerks and boards of election commissioners shall maintain records of
3 registrations that are entered electronically under s. 6.30 (5).

4 **SECTION 18.** 6.35 (3) of the statutes is amended to read:

5 6.35 (3) ~~Original~~ Except for electronic registrations, original registration forms
6 shall be maintained in the office of the municipal clerk or board of election
7 commissioners at all times. The board shall maintain electronic registration forms
8 and make such forms available for inspection by the municipal clerk, the clerk's
9 designated agent, or the board of election commissioners.

10 **SECTION 19.** 6.36 (2) (c) of the statutes is amended to read:

11 6.36 (2) (c) The list shall contain, next to the name of each elector, an indication
12 of whether proof of residence under s. 6.34 is required for the elector to be permitted
13 to vote. If proof of residence is provided, the type of identifying document submitted
14 by the elector and the name of the entity or institution that issued the identifying
15 document shall be entered on the list in the space provided. Proof of residence is
16 required if the elector is not a military elector or an overseas elector and the elector
17 registers by mail or by electronic application and has not previously voted in an
18 election in this state.

19 **SECTION 20.** 6.40 (1) (a) 1. of the statutes is amended to read:

20 6.40 (1) (a) 1. Any registered elector may transfer registration after a change
21 of residence within the state by filing in person with the municipal clerk of the
22 municipality where the elector resides or by mailing to the municipal clerk a signed
23 request stating his or her present address, affirming that this will be his or her
24 residence for 28 the number of consecutive days specified in s. 6.02 (1) prior to the
25 election, and providing the address where he or she was last registered.

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1 Alternatively, the elector may transfer his or her registration at the proper polling
2 place or other registration location under s. 6.02 (2) in accordance with s. 6.55 (2) (a),
3 or, if the elector has a current and valid operator's license issued to the elector under
4 ch. 343 or a current and valid identification card issued to the elector under s. 343.50,
5 the elector may transfer his or her registration electronically under s. 6.30 (5). If an
6 elector is voting in the ward or election district where the elector formerly resided,
7 the change shall be effective for the next election.

8 **SECTION 21.** 6.40 (1) (c) of the statutes is amended to read:

9 6.40 (1) (c) *Name change.* Whenever an elector's name is legally changed,
10 including a change by marriage or divorce, the elector shall transfer his or her
11 registration to his or her legal name by appearing in person or mailing to the
12 municipal clerk a signed request for a transfer of registration to such name.
13 Alternatively, a registered elector may make notification of a name change at his or
14 her polling place under s. 6.55 (2) (d), or, if the elector has a current and valid
15 operator's license issued to the elector under ch. 343 or a current and valid
16 identification card issued under s. 343.50, the elector may make notification of a
17 name change electronically under s. 6.30 (5).

18 **SECTION 22.** 6.50 (10) of the statutes is amended to read:

19 6.50 (10) Any qualified elector whose registration is changed from eligible to
20 ineligible status under this section may reregister as provided under s. 6.28 (1), 6.29
21 (2), or 6.55 (2), or, if the elector has a current and valid operator's license issued to
22 the elector under ch. 343 or a current and valid identification card issued under s.
23 343.50, may reregister under s. 6.30 (5).

24 **SECTION 23.** 6.55 (2) (d) of the statutes is amended to read:

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1 6.55 (2) (d) A registered elector who has changed his or her name but resides
2 at the same address, and has not ~~notified the municipal clerk previously provided~~
3 notice of the change under s. 6.40 (1) (c), shall notify the inspector of the change
4 before voting. The inspector shall then notify the municipal clerk at the time when
5 materials are returned under s. 6.56 (1). If an elector has changed both a name and
6 address, the elector shall register at the polling place or other registration location
7 under pars. (a) and (b).

8 **SECTION 24.** 6.86 (3) (c) of the statutes is amended to read:

9 6.86 (3) (c) An application under par. (a) 1. may be made and a registration form
10 under par. (a) 2. may be filed in person at the office of the municipal clerk not earlier
11 than 7 days before an election and not later than 5 p.m. on the day of the election.
12 A list of hospitalized electors applying for ballots under par. (a) 1. shall be made by
13 the municipal clerk and used to check that the electors vote only once, and by
14 absentee ballot. If Except as provided in s. 6.34 (2m), if the elector is registering for
15 the election after the close of registration or if the elector registered by mail or by
16 electronic application and has not voted in an election in this state, the municipal
17 clerk shall inform the agent that proof of residence under s. 6.34 is required and the
18 elector shall enclose proof of residence under s. 6.34 in the envelope with the ballot.
19 The clerk shall verify that the name on any required proof of identification presented
20 by the agent conforms to the name on the elector's application. The clerk shall then
21 enter his or her initials on the carrier envelope indicating that the agent presented
22 proof of identification to the clerk. The agent is not required to enter a signature on
23 the registration list. The ballot shall be sealed by the elector and returned to the
24 municipal clerk either by mail or by personal delivery of the agent; but if the ballot
25 is returned on the day of the election, the agent shall make personal delivery to the

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1 polling place serving the hospitalized elector's residence before the closing hour or,
2 in municipalities where absentee ballots are canvassed under s. 7.52, to the
3 municipal clerk no later than 8 p.m. on election day.

4 **SECTION 25.** 6.87 (4) (b) 1. of the statutes is amended to read:

5 6.87 (4) (b) 1. Except as otherwise provided in ~~s. ss. 6.34 (2m) and 6.875~~, the
6 elector voting absentee shall make and subscribe to the certification before one
7 witness who is an adult U.S. citizen. The absent elector, in the presence of the
8 witness, shall mark the ballot in a manner that will not disclose how the elector's vote
9 is cast. The elector shall then, still in the presence of the witness, fold the ballots so
10 each is separate and so that the elector conceals the markings thereon and deposit
11 them in the proper envelope. If a consolidated ballot under s. 5.655 is used, the
12 elector shall fold the ballot so that the elector conceals the markings thereon and
13 deposit the ballot in the proper envelope. If proof of residence under s. 6.34 is
14 required and the document enclosed by the elector under this subdivision does not
15 constitute proof of residence under s. 6.34, the elector shall also enclose proof of
16 residence under s. 6.34 in the envelope. ~~Proof~~ Except as authorized in s. 6.34 (2m),
17 proof of residence is required if the elector is not a military elector or an overseas
18 elector and the elector registered by mail or by electronic application and has not
19 voted in an election in this state. If the elector requested a ballot by means of
20 facsimile transmission or electronic mail under s. 6.86 (1) (ac), the elector shall
21 enclose in the envelope a copy of the request which bears an original signature of the
22 elector. The elector may receive assistance under sub. (5). The return envelope shall
23 then be sealed. The witness may not be a candidate. The envelope shall be mailed
24 by the elector, or delivered in person, to the municipal clerk issuing the ballot or
25 ballots. If the envelope is mailed from a location outside the United States, the

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1 elector shall affix sufficient postage unless the ballot qualifies for delivery free of
2 postage under federal law. Failure to return an unused ballot in a primary does not
3 invalidate the ballot on which the elector's votes are cast. Return of more than one
4 marked ballot in a primary or return of a ballot prepared under s. 5.655 or a ballot
5 used with an electronic voting system in a primary which is marked for candidates
6 of more than one party invalidates all votes cast by the elector for candidates in the
7 primary.

8 **SECTION 26.** 7.08 (1) (c) of the statutes is amended to read:

9 7.08 (1) (c) Prescribe forms required by ss. 6.24 (3) and (4), 6.30 (4) and (5), 6.33
10 (1), 6.40 (1) (a), 6.47 (1) (am) 2. and (3), 6.55 (2), and 6.86 (2) to (3). All such forms
11 shall contain a statement of the penalty applicable to false or fraudulent registration
12 or voting through use of the form. Forms are not required to be furnished by the
13 board.

14 **SECTION 27.** 7.08 (1) (cm) of the statutes is created to read:

15 7.08 (1) (cm) Prescribe the form required by s. 6.30 (5). The form shall contain
16 a statement of the penalty applicable to false or fraudulent registration or voting
17 through use of the form.

18 **SECTION 28.** 85.61 (1) of the statutes is amended to read:

19 85.61 (1) The secretary of transportation and the administrator of the elections
20 division of the government accountability board shall enter into an agreement to
21 match personally identifiable information on the official registration list maintained
22 by the government accountability board under s. 6.36 (1) and the information
23 specified in s. 6.34 (2m) and other information specified in s. 6.256 (2) with personally
24 identifiable information in the operating record file database under ch. 343 and
25 vehicle registration records under ch. 341, notwithstanding ss. 110.09 (2), 342.06 (1)

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1 (eg), and 343.14 (2j), to the extent required to enable the secretary of transportation
2 and the administrator of the elections division of the government accountability
3 board to verify the accuracy of the information provided for the purpose of voter
4 registration. Notwithstanding ss. 110.09 (2), 342.06 (1) (eg), and 343.14 (2j), but
5 subject to s. 343.14 (2p) (b), the agreement shall provide for the transfer of electronic
6 information under s. 6.256 (2) to the board on a continuous basis, no less often than
7 monthly.

8 **SECTION 29.** 343.027 of the statutes is amended to read:

9 **343.027 Confidentiality of signatures.** Any signature collected under this
10 chapter may be maintained by the department and shall be kept confidential, except
11 that the department shall release a signature or a facsimile of a signature to the
12 department of revenue for the purposes of administering state taxes and collecting
13 debt, to the government accountability board, in electronic or digital format, for the
14 purposes specified in s. 6.30 (5), to the person to whom the signature relates, to a
15 court, district attorney, county corporation counsel, city, village, or town attorney,
16 law enforcement agency, or to the driver licensing agency of another jurisdiction.

17 **SECTION 30.** 343.14 (2p) of the statutes is created to read:

18 343.14 **(2p)** (a) The forms for application for a license or identification card or
19 for renewal thereof shall inform the applicant of the department's duty to make
20 available to the government accountability board the information described in s.
21 6.256 (2) for the purposes specified in s. 6.256 (1) and (3) and shall provide the
22 applicant an opportunity to elect not to have this information made available for
23 these purposes.

24 (b) If the applicant elects not to have the information described in s. 6.256 (2)
25 made available for the purposes specified in s. 6.256 (1) and (3), the department shall

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1 not make this information available for these purposes. This paragraph does not
2 preclude the department from making available to the government accountability
3 board information for the purposes specified in s. 6.34 (2m) or for any purpose other
4 than those specified in s. 6.256 (1) and (3).

SECTION 31. Nonstatutory provisions.

5
6 (1) PROGRESS REPORTS ON IMPLEMENTATION. No later than the 20th day following
7 the end of each calendar quarter, the government accountability board and the
8 department of transportation shall each report to the appropriate standing
9 committees of the legislature in the manner provided in section 13.172 (3) of the
10 statutes concerning its progress in implementing an electronic voter registration
11 system. The board and department shall continue to file reports under this
12 subsection until the board determines that implementation is complete and the
13 performance of the system is satisfactory.

14 (2) INITIAL SHARING OF REGISTRATION INFORMATION. Notwithstanding section
15 85.61 (1) of the statutes, as affected by this act, and sections 110.09 (2), 342.06 (1) (eg),
16 and 343.14 (2j) of the statutes, the department of transportation shall enter into and
17 begin transferring information under a revised agreement with the administrator of
18 the elections division of the government accountability board pursuant to section
19 85.61 (1) of the statutes, as affected by this act, no later than the first day of the 4th
20 month beginning after the effective date of this subsection.

21 (3) REPORT ON VOTER REGISTRATION INFORMATION INTEGRATION. No later than July
22 1, 2017, the government accountability board shall report to the appropriate
23 standing committees of the legislature, in the manner specified in section 13.172 (3)
24 of the statutes, concerning its progress in initially implementing a system to ensure
25 the complete and continuous registration of all eligible electors in this state,

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1 specifically including the operability and utility of information integration with the
2 department of transportation and the feasibility and desirability of integrating
3 public information maintained by other state agencies and by technical colleges with
4 the board's registration information to enhance the completeness and accuracy of the
5 information. At a minimum, the report shall contain an assessment of the feasibility
6 and desirability of the integration of registration information with information
7 maintained by the departments of health services, children and families, workforce
8 development, revenue, regulation and licensing, and natural resources, the
9 University of Wisconsin System, and the technical college system board, as well as
10 the technical colleges within each technical college district.

11 (4) REVIEW OF EXPENDITURES MADE TO IMPLEMENT THIS ACT.

12 (a) Notwithstanding section 20.511 of the statutes and all provisions of this act,
13 the government accountability board shall not encumber or expend any amount of
14 money to implement or administer this act unless the legal counsel to the board first
15 notifies the cochairpersons of the joint committee on finance in writing of the
16 proposed encumbrance or expenditure. If the cochairpersons do not notify the legal
17 counsel that the committee has scheduled a meeting for the purpose of reviewing the
18 proposed expenditure within 14 working days after the date of the legal counsel's
19 notification, the board may encumber or expend the money as proposed. If, within
20 14 working days after the date of the legal counsel's notification, the cochairpersons
21 notify the legal counsel that the committee has scheduled a meeting for the purpose
22 of reviewing the proposed encumbrance or expenditure, the board shall not make the
23 proposed encumbrance or expenditure unless the committee approves the proposed
24 encumbrance or expenditure or modifies and approves the proposed encumbrance or
25 expenditure. If the committee modifies and approves the proposed encumbrance or

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1 expenditure, the board may make the proposed encumbrance or expenditure only as
2 modified by the committee.

3 (b) Paragraph (a) does not apply after June 30, 2017.

4 (5) REQUIRED GENERAL FUND BALANCE. Section 20.003 (4) of the statutes does not
5 apply to the action of the legislature in enacting this act.

6 (END)

Parisi, Lori

From: Wagnitz, John
Sent: Thursday, September 24, 2015 12:26 PM
To: LRB.Legal
Subject: Draft Review: LRB -3354/1

Please Jacket LRB -3354/1 for the SENATE.