State of Wisconsin
2015 – 2016 LEGISLATURE

LRB-3535/P1
JK:all

PRELIMINARY DRAFT – NOT READY FOR INTRODUCTION

AN ACT ***to repeal*** 6.26 and 7.515; ***to renumber and amend*** 6.28 (1); ***to amend*** 5.056, 5.85 (2) (b) 1., 5.85 (2) (b) 2., 5.90 (1), 5.91 (intro.), 6.22 (5), 6.24 (3), 6.25 (1) (a), 6.25 (1) (b), 6.275 (1) (b), 6.30 (1), 6.32, 6.33 (1), 6.33 (2) (a), 6.33 (2) (b), 6.34 (2), 6.34 (3) (a) 7. b., 6.35 (1) (intro.), 6.36 (1) (b) 1. a., 6.36 (2) (c), 6.40 (1) (a) 1., 6.40 (1) (c), 6.50 (10), 6.55 (2) (b), 6.55 (2) (c) 1., 6.55 (2) (cs), 6.55 (2) (d), 6.55 (6), 6.79 (1m), 6.79 (2) (d), 6.86 (3) (b), 6.86 (3) (c), 6.87 (4) (b) 1., 6.87 (6), 7.03 (1) (d), 7.08 (1) (c), 7.30 (2) (a), 7.31 (1), 7.315 (1) (a), 7.315 (1) (b) 1., 7.315 (1) (b) 2., 7.315 (3), 7.37 (13), 7.51 (5) (b), 7.53 (1) (a), 7.53 (3) (a), 9.01 (1) (a) 1., 17.29, 85.61 (1) and 343.027; and ***to create*** 5.02 (4g), 5.05 (16), 6.30 (5), 6.34 (2m), 6.34 (3) (a) 12., 6.34 (4), 6.35 (2), 6.36 (1) (ac), 6.36 (1) (ae), 6.87 (6d), 7.315 (4) and 7.315 (5) of the statutes; **relating to:** electronic voter registration, verification of certain registrations, proof of residence for voting in an election, authorizing Wisconsin to enter into agreements to share information related to the registration and voting of electors; election registration officials; testing election officials after training; electronic poll lists; election equipment

approval; overvoted ballots; voter registration proof of residency for an individual in a residential care facility; counting of absentee ballots; witness address required for valid absentee ballot; and granting rule–making authority.

Analysis by the Legislative Reference Bureau

This bill makes the following changes to the election laws:

ELECTRONIC VOTER REGISTRATION

This bill permits a qualified elector to register to vote electronically, eliminates the position and responsibilities of special registration deputies, and requires the Government Accountability Board (GAB) to enter into agreements with other state election administrators to share information related to the registration and voting of qualified electors.

Currently, a qualified elector may register to vote at any election by mail, in person at the office of the municipal or county clerk or board of election commissioners for the municipality or county where the elector resides, or by completing a registration form with a special registration deputy no later than the 20th day before the election. A qualified elector may also register to vote at an election in person at the office of the municipal clerk or board of election commissioners for the municipality where the elector resides no later than 5 p.m. on the Friday before the election. In order to register, an elector must provide his or her name and address and certain other information required to ascertain his or her eligibility and must sign the form. With certain exceptions, an elector who registers after the 20th day before an election or an elector who registers by mail and who has not voted before in an election in this state must provide proof of residence prior to voting. Currently, the clerk or board of election commissioners must verify each registration received by mail or submitted by a special registration deputy by sending a first–class letter or postcard to the registrant at the registrant's address.

This bill permits a qualified elector who has a current and valid driver's license or identification card issued by the Department of Transportation (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 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 to elector 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.

Current law permits municipal clerks to appoint qualified electors to serve as special registration deputies in a municipality for the purpose of registering electors of that municipality prior to the close of registration. The municipal clerk may authorize a special registration deputy to register electors at a polling place if the registration process would be facilitated by that authorization. Individuals must generally complete training provided by GAB prior to serving as a special registration deputy. This bill eliminates the authority to appoint and use special registration deputies.

This bill requires the chief election officer to enter into the following agreements for the purpose of maintaining this state's statewide voter registration list:

1. The Interstate Voter Registration Data Crosscheck Program, an agreement with a group of states to share data and information related to the registration and voting of electors in this state and the other participating states.

2. The Electronic Registration Information Center, an agreement with a group of states to share data and information related to the registration and voting of electors in this state and the other participating states for the purpose of maintaining this state's statewide voter registration list.

ELECTION REGISTRATION OFFICIALS

This bill allows the municipal clerk or board of election commissioners to appoint election registration officials to register voters at the polling place on election day. The bill also requires election registration officials to receive the same training

as inspectors. Under the bill, the term "election registration official" refers to an individual who is appointed to register electors at the polling place.

KNOWLEDGE–BASED TESTING

Under current law, GAB must, by rule, prescribe requirements for certifying individuals to serve as chief inspectors for an election. The board must include training as part of those requirements, but the board may not require an individual who receives the training to take an examination. Current law also requires the board to prescribe training requirements for other election officials.

Under this bill, the board must establish a knowledge–based test to administer to individuals who receive training to become chief inspectors and other election officials to ensure that they understand election laws. Under the bill, the board does not have to promulgate rules to establish the knowledge–based test or to establish requirements for certifying chief inspectors.

ELECTRONIC POLL LISTS

This bill requires GAB to facilitate the creation and maintenance of electronic poll lists.

ELECTRONIC VOTING SYSTEMS

This bill allows GAB to certify any voting device, automatic tabulating equipment, or related equipment and materials for use in an electronic voting system, regardless of whether any such items are approved by the federal Election Assistance Commission.

Under current law, for the purpose of counting the votes cast using an electronic voting system, when an elector votes for more candidates for an office than are allowed to hold that office, an election official must create a duplicate ballot to record all the other votes that the elector cast and to eliminate the overvote. The official then marks the original and the duplicate and secures them both in the ballot container with the other ballots.

Under the bill, an election official may, instead, use the override function of the electronic voting system in order to record all votes of the elector on the original ballot other than the votes for the overvoted office. The official then marks the original ballot as an overvoted ballot and secures that ballot with the other ballots in the ballot container.

PROOF OF RESIDENCY; RESIDENTIAL CARE FACILITY

Under current law, an individual who wants to register to vote must present proof of residency. An individual may present any of number of different documents to prove where the individual lives, including a valid and current driver's license or identification card, a property tax bill, an utility bill, a bank statement, or a check or other document issued by a governmental unit. Under current law, the proof of residency must specify the individual's name and his or her complete and current residential address, including the numbered street address and the municipality.

Under this bill, for purposes of registering to vote with election registration officials, an occupant of a residential care facility may use a contract or intake document prepared by the residential care facility that specifies that the occupant

currently resides in the facility. The bill does not apply to occupants of a retirement home.

RECEIVING ABSENTEE BALLOTS BY MAIL

This bill changes the date by which an elector must return and a municipal clerk must receive an absentee ballot by mail. Under current law, an elector may vote by absentee ballot either in person or by returning a completed ballot by U.S. mail. Current law requires a municipal clerk to accept and count the votes on absentee ballots received by mail as long as the ballot is postmarked no later than election day and received in the office of the municipal clerk by 4 p.m. on the Friday following election day.

This bill retains the right of an elector to vote by absentee ballot by mail, but requires the elector to return the ballot so that it is received no later than 8 p.m. on election day. Under current law, the polls close at 8 p.m. on election day.

ABSENTEE BALLOTS; WITNESS CERTIFICATE

Under current law, in order to vote using an absentee ballot, an individual must complete a certificate, which certifies that the individual is a qualified elector. The individual must sign the certificate in the presence of a witness who must also sign the certificate and provide his or her name and address. Under this bill, an absentee ballot may not be counted if the certificate is missing the address of a witness.

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:

SECTION 1. 5.02 (4g) of the statutes is created to read:

5.02 **(4g)** "Election registration official" means an individual appointed to register electors at the polling place.

SECTION 2. 5.05 (16) of the statutes is created to read:

5.05 **(16)** ELECTRONIC POLL LISTS. The board shall facilitate the creation and maintenance of electronic poll lists for purposes of s. 6.79 including entering into contracts with vendors and establishing programs for development and testing.

SECTION 3. 5.056 of the statutes is amended to read:

5.056 Matching program with secretary of transportation. The administrator of the elections division of the board shall enter into the agreement

with the secretary of transportation specified under s. 85.61 (1) to match personally identifiable information on the official registration list maintained by the board under s. 6.36 (1) and the information specified in s. 6.34 (2m) with personally identifiable information maintained by the department of transportation.

SECTION 4. 5.85 (2) (b) 1. of the statutes is amended to read:

5.85 **(2)** (b) 1. In case of an overvote for any office, the election officials ~~shall~~ may either use the override function of the electronic voting system in order to eliminate the votes for the overvoted office or make a true duplicate ballot of all votes on the ballot except for the office that is overvoted in the manner described in this subdivision. ~~The~~ If the election officials make a true duplicate ballot, they shall use an official ballot of that kind used by the elector who voted the original ballot, and one of the marking devices, so as to transfer all votes of the elector except for the office overvoted to an official ballot of that kind used in the ward at that election. Unless election officials are selected under s. 7.30 (4) (c) without regard to party affiliation, whenever election officials of both of the 2 major political parties are present, the election officials acting under this subdivision shall consist in each case of at least one election official of each of the parties.

SECTION 5. 5.85 (2) (b) 2. of the statutes is amended to read:

5.85 **(2)** (b) 2. On any original ballot upon which there is an overvote, the election officials shall, in the space on the ballot for official endorsement, identify the ballot as an "Overvoted Ballot" and write a serial number. On ~~the~~ any duplicate ballot produced under subd. 1., the election officials shall, in the space on the ballot for official endorsement, identify the ballot as a "Duplicate Overvoted Ballot" and write a serial number. The election officials shall place the same serial number on each "Overvoted Ballot" and its corresponding "Duplicate Overvoted Ballot,"

commencing with number "1" and continuing consecutively for each of the ballots for which a "Duplicate Overvoted Ballot" is produced in that ward or election district. The election officials shall initial the "Duplicate Overvoted Ballot" ballots and shall place them in the container for return of the ballots. The "Overvoted Ballot" ballots and their envelopes shall be placed in the "Original Ballots" envelope.

SECTION 6. 5.90 (1) of the statutes is amended to read:

5.90 **(1)** Except as otherwise provided in this subchapter, recounts of votes cast on an electronic voting system shall be conducted in the manner prescribed in s. 9.01. Except as provided in this subsection, sub. (2), and s. 9.01 (1) (b) 8s., if the ballots are distributed to the electors, the board of canvassers shall recount the ballots with automatic tabulating equipment. The board of canvassers shall test the automatic tabulating equipment to be used prior to the recount as provided in s. 5.84, and then the official ballots or the record of the votes cast shall be recounted on the automatic tabulating equipment. In addition, the board of canvassers shall check the ballots for the presence or absence of the initials and other distinguishing marks, shall examine the ballots marked "Rejected", "Defective", <u>"Overvoted",</u> and "Objected to" to determine the propriety of such labels, and shall compare the "Duplicate Overvoted Ballots" and "Duplicate Damaged Ballots" with their respective originals to determine the correctness of the duplicates. Unless a court orders a recount to be conducted by another method under sub. (2), the board of canvassers may determine to conduct the recount of a specific election by hand and may determine to conduct the recount by hand for only certain wards or election districts. If electronic voting machines are used, the board of canvassers shall perform the recount using the permanent paper record of the votes cast by each elector, as generated by the machines.

SECTION 7. 5.91 (intro.) of the statutes is amended to read:

5.91 Requisites for approval of ballots, devices and equipment. (intro.) No ballot, voting device, automatic tabulating equipment, or related equipment and materials to be used in an electronic voting system may be utilized in this state unless it is ~~approved~~ certified by the board. The board may revoke its ~~approval~~ certification of any ballot, device, equipment or materials at any time for cause. ~~No such ballot, voting device, automatic tabulating equipment or related equipment or material may be approved~~ The board may certify any such voting device, automatic tabulating equipment, or related equipment or materials regardless of whether any such item is approved by the federal election assistance commission, but the board may not certify any ballot, device, equipment, or material to be used in an electronic voting system unless it fulfills the following requirements:

SECTION 8. 6.22 (5) of the statutes is amended to read:

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

SECTION 9. 6.24 (3) of the statutes is amended to read:

6.24 **(3)** REGISTRATION. The overseas elector shall register in the municipality where he or she was last domiciled or where the overseas elector's parent was last domiciled on a form prescribed by the board designed to ascertain the elector's qualifications under this section. The ~~form~~ board shall ~~be~~ ensure that the form is

substantially similar to the original form under s. 6.33 (1), insofar as applicable. Registration shall be accomplished in accordance with s. 6.30 (4) or (5).

SECTION 10. 6.25 (1) (a) of the statutes is amended to read:

6.25 **(1)** (a) Any individual who qualifies as a military elector under s. 6.22 (1) (b) and who transmits an application for an official absentee ballot for any election, including a primary election, no later than the latest time specified for the elector in s. 6.86 (1) (b) may, in lieu of the official ballot, cast a federal write–in absentee ballot prescribed under 42 USC 1973ff–2 for any candidate for an office listed on the official ballot or for all of the candidates of any recognized political party for the offices listed on the official ballot at that election if the federal write–in absentee ballot is received by the appropriate municipal clerk no later than the applicable time prescribed in s. 6.87 (6) ~~or 7.515 (3)~~.

SECTION 11. 6.25 (1) (b) of the statutes is amended to read:

6.25 **(1)** (b) Any individual who qualifies as an overseas elector under s. 6.24 (1) and who transmits an application for an official absentee ballot for an election for national office, including a primary election, no later than the latest time specified for an elector in s. 6.86 (1) (b) may, in lieu of the official ballot, cast a federal write–in absentee ballot prescribed under 42 USC 1973ff–2 for any candidate or for all candidates of any recognized political party for national office listed on the official ballot at that election, if the federal write–in absentee ballot is received by the appropriate municipal clerk no later than the applicable time prescribed in s. 6.87 (6) ~~or 7.515 (3)~~.

SECTION 12. 6.26 of the statutes, as affected by 2015 Wisconsin Act 39, is repealed.

SECTION 13. 6.275 (1) (b) of the statutes is amended to read:

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

SECTION 14. 6.28 (1) of the statutes is renumbered 6.28 (1) (a) and amended to read:

6.28 **(1)** REGISTRATION ~~LOCATIONS;~~ DEADLINE; LOCATIONS. (a) Except as authorized in ss. 6.29, 6.55 (2), and 6.86 (3) (a) 2., registration in person for ~~any~~ an election ~~shall close~~ closes at 5 p.m. on the 3rd Wednesday preceding the election. Registrations made by mail under s. 6.30 (4) must be delivered to the office of the municipal clerk or postmarked no later than the 3rd Wednesday preceding the election. Electronic registration under s. 6.30 (5) for an election closes at midnight on the 3rd Wednesday preceding the election.

(b) All applications for registration corrections and additions may be made throughout the year at the office of the city board of election commissioners, at the office of the municipal clerk, at the office of the county clerk, or at other locations provided by the board of election commissioners or the common council in cities over 500,000 population or by either or both the municipal clerk, or the common council, village or town board in all other municipalities. Other registration locations may include but are not limited to fire houses, police stations, public libraries, institutions of higher education, supermarkets, community centers, plants and factories, banks, savings and loan associations and savings banks. ~~Special registration deputies shall be appointed for each location unless the location can be sufficiently staffed by the board of election commissioners or the municipal clerk or his or her deputies.~~ An

elector who wishes to obtain a confidential listing under s. 6.47 (2) shall register at the office of the municipal clerk of the municipality where the elector resides.

SECTION 15. 6.30 (1) of the statutes is amended to read:

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

SECTION 16. 6.30 (5) of the statutes is created to read:

6.30 **(5)** BY ELECTRONIC APPLICATION. An eligible elector who holds a current and valid operator's license issued under ch. 343 or a current and valid identification card issued under s. 343.50 may register electronically in the manner prescribed by the board. The board shall maintain on the Internet a secure registration form that enables the elector to enter the information required under s. 6.33 (1) electronically. An elector who registers electronically under this subsection must authorize the board to obtain from the department of transportation an electronic copy of the elector's signature, which signature shall constitute an affirmance that all information provided by the elector is correct and shall have the same effect as if the elector had signed the application personally. The board shall include on the registration form a place for the elector to give this authorization. Upon submittal of the electronic application, the board shall obtain from the department of transportation a copy of the electronic signature of the elector and shall integrate the signature into the elector's electronic application. The board shall maintain the electronically integrated application on file together with nonelectronic applications and shall notify the municipal clerk or board of election commissioners of the municipality where the elector resides of its receipt of each completed application. The board shall also permit any elector who has a current and valid operator's license issued to the elector under ch. 343 or a current and valid identification card issued

under s. 343.50 to make changes in his or her registration authorized under s. 6.40 (1) at the same Internet site that is used by electors for original registration under this subsection. An elector shall attest to the correctness of any changes in the same manner as provided in this subsection for information entered on an application for original registration.

SECTION 17. 6.32 of the statutes is amended to read:

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

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

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

(4) If the form is sufficient to accomplish registration and the board or clerk has no reliable information to indicate that the proposed elector is not qualified, the board or clerk shall enter the elector's name on the registration list and transmit a 1st class letter or postcard to the registrant, specifying the elector's ward ~~or~~ and aldermanic district, or both, if any, and polling place. The letter or postcard shall be sent within 10 days of receipt of the form. If the letter or postcard is returned, or if

the board or clerk is informed of a different address than the one specified by the elector, the board or clerk shall change the status of the elector on the list from eligible to ineligible. The letter or postcard shall be marked in accordance with postal regulations to ensure that it will be returned to the board or clerk if the elector does not reside at the address given on the letter or postcard.

SECTION 18. 6.33 (1) of the statutes is amended to read:

6.33 **(1)** The board shall prescribe the format, size, and shape of registration forms. All nonelectronic forms shall be printed on cards and each item of information shall be of uniform font size, as prescribed by the board. Except as otherwise provided in this subsection, electronic forms shall contain the same information as nonelectronic forms. The municipal clerk shall supply sufficient forms to meet voter registration needs. The ~~forms~~ board shall ~~be designed~~ design the form to obtain from each ~~applicant~~ elector information as to name; date; residence location; location of previous residence immediately before moving to current residence location; citizenship; date of birth; age; the number of a current and valid operator's license issued to the elector under ch. 343 or the last 4 digits of the elector's social security account number; whether the ~~applicant~~ elector has resided within the ward or election district for ~~at least 28~~ the number of consecutive days specified in s. 6.02 (1); whether the ~~applicant~~ elector has been convicted of a felony for which he or she has not been pardoned, and if so, whether the ~~applicant~~ elector is incarcerated, or on parole, probation, or extended supervision; whether the ~~applicant~~ elector is disqualified on any other ground from voting; and whether the ~~applicant~~ elector is currently registered to vote at any other location. The ~~form~~ board shall include on the nonelectronic form a space for the ~~applicant's~~ elector's signature and on the electronic form the authorization specified under s. 6.30 (5). Below the space for the

signature or authorization, respectively, the ~~form~~ board shall ~~state~~ include the following statement: "Falsification of information on this form is punishable under Wisconsin law as a Class I felony.". The ~~form~~ board shall include on the form a space to enter the name of any ~~special registration deputy under s. 6.26 or 6.55 (6) or~~ inspector, municipal clerk, or deputy clerk under s. 6.55 (2) who obtains the form and a space for the ~~deputy,~~ inspector, clerk, or deputy clerk to sign his or her name, affirming that the ~~deputy,~~ inspector, clerk, or deputy clerk has accepted the form. The ~~form~~ board shall include on the form a space for entry of the ward and aldermanic district, if any, where the elector resides and any other information required to determine the offices and referenda for which the elector is certified to vote. The ~~form~~ board shall also include on the form a space where the clerk may record an indication of whether the form is received by mail or by electronic application, a space where the clerk shall record an indication of the type of identifying document submitted by the elector as proof of residence under s. 6.34 or an indication that the elector's information in lieu of proof of residence was verified under s. 6.34 (2m), the name of the entity or institution that issued the identifying document, and, if the identifying document includes a number that applies only to the individual holding that document, that number. The ~~form~~ board shall also include on the form a space where the clerk, for any ~~applicant~~ elector who possesses a valid voting identification card issued to the person under s. 6.47 (3), may record the identification serial number appearing on the voting identification card. Each county clerk shall obtain sufficient registration forms for completion by an elector who desires to register to vote at the office of the county clerk under s. 6.28 (4).

SECTION 19. 6.33 (2) (a) of the statutes is amended to read:

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

SECTION 20. 6.33 (2) (b) of the statutes is amended to read:

6.33 **(2)** (b) Except as provided in s. 6.86 (3) (a) 2., the registration form shall be signed by the registering elector before the clerk, issuing officer or ~~registration deputy~~ election registration official. The form shall contain a certification by the registering elector that all statements are true and correct.

SECTION 21. 6.34 (2) of the statutes is amended to read:

6.34 **(2)** ~~Upon~~ Except as provided in sub. (2m), upon completion of a registration form prescribed under s. 6.33, each eligible elector who is required to register under s. 6.27, who is not a military elector or an overseas elector, shall provide an identifying document that establishes proof of residence under sub. (3). If the elector registered by mail or by electronic application, the identifying document may not be a residential lease.

SECTION 22. 6.34 (2m) of the statutes is created to read:

6.34 **(2m)** An elector who registers by electronic application under s. 6.30 (5) is not required to provide proof of residence under sub. (2) if, at the time of registration, the elector provides the number of a current and valid operator's license issued under ch. 343 together with the elector's name and date of birth and the board is able to verify the information specified under sub. (3) (b) using the system maintained under sub. (4).

SECTION 23. 6.34 (3) (a) 7. b. of the statutes is amended to read:

6.34 **(3)** (a) 7. b. An identification card issued by a university, college or technical college that contains a photograph of the cardholder if the university, college, or technical college that issued the card provides a certified and current list of students who reside in housing sponsored by the university, college, or technical college and who are U.S. citizens to the municipal clerk prior to the election showing the current address of the students and if the municipal clerk, ~~special registration deputy~~ election registration official, or inspector verifies that the student presenting the card is included on the list.

SECTION 24. 6.34 (3) (a) 12. of the statutes is created to read:

6.34 **(3)** (a) 12. For an occupant of a residential care facility, as defined in s. 6.875 (1) (bm), for the purpose of registering at the facility, a contract or intake document prepared by the residential care facility that specifies that the occupant currently resides in the facility. The contract or intake document may also identify the room or unit in which the occupant resides.

SECTION 25. 6.34 (4) of the statutes is created to read:

6.34 **(4)** The board shall maintain a system that electronically verifies, on an instant basis, information specified under sub. (3) (b) from the information

submitted in lieu of proof of residence under sub. (2m), using the information maintained by the department of transportation pursuant to the board's agreement with the secretary of transportation under s. 85.61 (1).

SECTION 26. 6.35 (1) (intro.) of the statutes is amended to read:

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

SECTION 27. 6.35 (2) of the statutes is created to read:

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

SECTION 28. 6.36 (1) (ac) of the statutes is created to read:

6.36 **(1)** (ac) The chief election officer shall annually enter into a memorandum of understanding and agreement with the chief election officers of other states for the purpose of participating in the Interstate Voter Registration Data Crosscheck Program. Under the agreement, the chief election officer shall transfer information and data related to the registration and voting of electors in this state to the other signatories of the memorandum of understanding in order to maintain the official registration list under this section. The chief election officer shall ensure that any agreement entered into under this paragraph safeguards the confidentiality of information or data in the registration list to which access is restricted under par. (b) 1. a. and that is transferred as provided under this paragraph.

SECTION 29. 6.36 (1) (ae) of the statutes is created to read:

6.36 **(1)** (ae) The chief election officer shall enter into a membership agreement with Electronic Registration Information Center, Inc., for the purpose of maintaining

the official registration list under this section. Prior to entering into an agreement under this paragraph, the chief election officer shall ensure that the agreement safeguards the confidentiality of information or data in the registration list that may be subject to transfer under the agreement and to which access is restricted under par. (b) 1. a. If the chief election officer enters into an agreement under this paragraph, the chief election officer shall comply with the terms of the agreement, including the transmission of information and data related to the registration of electors in this state to the Electronic Registration Information Center, Inc., for processing and sharing with other member states and governmental units.

SECTION 30. 6.36 (1) (b) 1. a. of the statutes is amended to read:

6.36 **(1)** (b) 1. a. Except as provided in pars. (ac), (ae), (bm), and (bn), no person other than an employee of the board, a county clerk, a deputy county clerk, an executive director of a county board of election commissioners, a deputy designated by the executive director, a municipal clerk, a deputy municipal clerk, an executive director of a city board of election commissioners, or a deputy designated by the executive director may view the date of birth, operator's license number, or social security account number of an elector, the address of an elector to whom an identification serial number is issued under s. 6.47 (3), or any indication of an accommodation required under s. 5.25 (4) (a) to permit voting by an elector.

SECTION 31. 6.36 (2) (c) of the statutes is amended to read:

6.36 **(2)** (c) The list shall contain, next to the name of each elector, an indication of whether proof of residence under s. 6.34 is required for the elector to be permitted to vote. If proof of residence is provided, the type of identifying document submitted by the elector and the name of the entity or institution that issued the identifying document, or an indication that the information provided by the elector in lieu of

proof of residence was verified under s. 6.34 (2m), shall be entered on the list in the space provided. ~~Proof~~ Except as provided in s. 6.34 (2m), proof of residence is required if the elector is not a military elector or an overseas elector and the elector registers by mail or by electronic application and has not previously voted in an election in this state.

SECTION 32. 6.40 (1) (a) 1. of the statutes is amended to read:

6.40 **(1)** (a) 1. Any registered elector may transfer registration after a change of residence within the state by filing in person with the municipal clerk of the municipality where the elector resides or by mailing to the municipal clerk a signed request stating his or her present address, affirming that this will be his or her residence for ~~28~~ the number of consecutive days specified in s. 6.02 (1) prior to the election, and providing the address where he or she was last registered. Alternatively, the elector may transfer his or her registration at the proper polling place or other registration location under s. 6.02 (2) in accordance with s. 6.55 (2) (a), or, if the elector has a current and valid operator's license issued to the elector under ch. 343 or a current and valid identification card issued to the elector under s. 343.50, the elector may transfer his or her registration electronically under s. 6.30 (5). If an elector is voting in the ward or election district where the elector formerly resided, the change shall be effective for the next election.

SECTION 33. 6.40 (1) (c) of the statutes is amended to read:

6.40 **(1)** (c) *Name change.* Whenever an elector's name is legally changed, including a change by marriage or divorce, the elector shall transfer his or her registration to his or her legal name by appearing in person or mailing to the municipal clerk a signed request for a transfer of registration to such name. Alternatively, a registered elector may make notification of a name change at his or

her polling place under s. 6.55 (2) (d), or, if the elector has a current and valid operator's license issued to the elector under ch. 343 or a current and valid identification card issued under s. 343.50, the elector may make notification of a name change electronically under s. 6.30 (5).

SECTION 34. 6.50 (10) of the statutes is amended to read:

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

SECTION 35. 6.55 (2) (b) of the statutes is amended to read:

6.55 **(2)** (b) Upon executing the registration form under par. (a), the elector shall provide proof of residence under s. 6.34. The signing by the elector executing the registration form shall be in the presence of the ~~special~~ election registration ~~deputy~~ official or inspector. Upon receipt of the registration form, the ~~deputy~~ official or inspector shall enter both the type of identifying document submitted by the elector as proof of residence and the name of the entity or institution that issued the identifying document, and, if the identifying document includes a number that applies only to the individual holding that document, that number in the space provided on the form. The ~~deputy~~ official or inspector shall then print his or her name on and sign the form, indicating that the ~~deputy~~ official or inspector has accepted the form. Upon compliance with this procedure, the elector shall be permitted to cast his or her vote, if the elector complies with all other requirements for voting at the polling place.

SECTION 36. 6.55 (2) (c) 1. of the statutes is amended to read:

6.55 **(2)** (c) 1. As an alternative to registration at the polling place under pars. (a) and (b), the board of election commissioners, or the governing body of any municipality, may by resolution require a person who qualifies as an elector and who is not registered and desires to register on the day of an election to do so at another readily accessible location in the same building as the polling place serving the elector's residence or at an alternate polling place assigned under s. 5.25 (5) (b), instead of at the polling place serving the elector's residence. In such case, the municipal clerk shall prominently post a notice of the registration location at the polling place. An eligible elector who desires to register shall execute a registration form as prescribed under par. (a) and provide proof of residence as provided under s. 6.34. The signing by the person executing the registration form shall be in the presence of the municipal clerk, deputy clerk, or ~~special~~ election registration ~~deputy~~ official. Upon receipt of the registration form, the municipal clerk, deputy clerk, or ~~special~~ election registration ~~deputy~~ official shall enter the type of identifying document submitted by the elector as proof of residence, the name of the entity or institution that issued the identifying document, and, if the identifying document includes a number that applies only to the individual holding that document, the last 4 digits of that number in the space provided on the form. If the number on the identifying document submitted by the elector has 6 or fewer digits, the clerk shall enter only the last 2 digits of that number. The municipal clerk, the deputy clerk, or the ~~special~~ election registration ~~deputy~~ official shall then print his or her name and sign the form, indicating that the clerk, deputy clerk, or ~~deputy~~ official has accepted the form. Upon proper completion of registration, the municipal clerk, deputy clerk, or ~~special~~ election registration ~~deputy~~ official shall serially number the registration and give one copy to the person for presentation at the polling place

serving the person's residence or an alternate polling place assigned under s. 5.25 (5) (b).

SECTION 37. 6.55 (2) (cs) of the statutes is amended to read:

6.55 **(2)** (cs) The board shall provide to each municipal clerk a list prepared for use at each polling place showing the name and address of each person whose name appears on the list provided by the department of corrections under s. 301.03 (20m) as ineligible to vote on the date of the election, whose address is located in the area served by that polling place, and whose name does not appear on the poll list for that polling place. Prior to permitting an elector to register to vote under this subsection or s. 6.86 (3) (a) 2., the inspectors or ~~special~~ election registration ~~deputies~~ officials shall review the list. If the name of an elector who wishes to register to vote appears on the list, the inspectors or ~~special~~ election registration ~~deputies~~ officials shall inform the elector or the elector's agent that the elector is ineligible to register to vote. If the elector or the elector's agent maintains that the elector is eligible to vote in the election, the inspectors or ~~special~~ election registration ~~deputies~~ officials shall permit the elector to register but shall mark the elector's registration form as "ineligible to vote per Department of Corrections." If the elector wishes to vote, the inspectors shall require the elector to vote by ballot and shall challenge the ballot as provided in s. 6.79 (2) (dm).

SECTION 38. 6.55 (2) (d) of the statutes is amended to read:

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

address, the elector shall register at the polling place or other registration location under pars. (a) and (b).

SECTION 39. 6.55 (6) of the statutes, as affected by 2015 Wisconsin Act 39, is amended to read:

6.55 **(6)** Any of the registration duties of inspectors under sub. (2) may be carried out in the municipality by the municipal clerk ~~or by special registration deputies appointed by the municipal clerk or board of election commissioners at any polling place or other registration location whenever the clerk or board of election commissioners determines that the registration process provided for in that subsection will be facilitated thereby~~. The municipal clerk, however, may not carry out the registration duties of the inspectors under sub. (2) if the municipal clerk is a candidate on the ballot for that election day. ~~The deputies shall be specially appointed by the clerk or board of election commissioners for one election only to conduct elector registration only.~~

SECTION 40. 6.79 (1m) of the statutes is amended to read:

6.79 **(1m)** SEPARATE POLL LISTS. ~~Two~~ An election ~~officials~~ official at each election ward shall be in charge of and shall maintain ~~2 separate poll lists~~ a poll list containing information relating to all persons voting. The municipal clerk may elect to maintain the information on the ~~lists~~ list manually or electronically. If the clerk elects to maintain the information manually, 2 election officials at each election ward shall be in charge of and shall maintain 2 separate poll lists. If the lists are maintained electronically, the board ~~shall prescribe~~ may establish a supplemental list that contains the full name, address, and space for the entry of the signature of each elector, or if the elector is exempt from the signature requirement under s. 6.36 (2) (a), the word "exempt". If the ~~lists are~~ poll list is maintained electronically, the

~~officials~~ official in charge of maintaining the list shall enter the information into an electronic data recording system that enables retrieval of printed copies of the ~~lists~~ list at the polling place. The system employed is subject to the approval of the board.

SECTION 41. 6.79 (2) (d) of the statutes is amended to read:

6.79 **(2)** (d) If the poll list indicates that proof of residence under s. 6.34 is required and the proof of identification document provided by the elector under par. (a) does not constitute proof of residence under s. 6.34, the officials shall require the elector to provide proof of residence. If proof of residence is provided, the officials shall enter both the type of identifying document submitted as proof of residence and the name of the entity or institution that issued the identifying document in the space provided on the poll list and shall verify that the name and address on the identifying document is the same as the name and address shown on the registration list. If proof of residence is required and not provided, or if the elector does not present proof of identification under par. (a), whenever required, the officials shall offer the opportunity for the elector to vote under s. 6.97.

SECTION 42. 6.86 (3) (b) of the statutes is amended to read:

6.86 **(3)** (b) When each properly executed form and statement required under par. (a) is presented to the municipal clerk, if the elector who proposes to vote is qualified, an absentee ballot shall be issued and the name of such hospitalized elector shall be recorded by the clerk ~~or special registration deputy~~. An agent who is issued an absentee ballot under this section shall present documentation of his or her identity, provide his or her name and address, and attest to a statement that the ballot is received solely for the benefit of a named elector who is hospitalized, and the agent will promptly transmit the ballot to such person.

SECTION 43. 6.86 (3) (c) of the statutes is amended to read:

6.86 **(3)** (c) An application under par. (a) 1. may be made and a registration form under par. (a) 2. may be filed in person at the office of the municipal clerk not earlier than 7 days before an election and not later than 5 p.m. on the day of the election. A list of hospitalized electors applying for ballots under par. (a) 1. shall be made by the municipal clerk and used to check that the electors vote only once, and by absentee ballot. ~~If~~ Except as provided in s. 6.34 (2m), if the elector is registering for the election after the close of registration or if the elector registered by mail or by electronic application and has not voted in an election in this state, the municipal clerk shall inform the agent that proof of residence under s. 6.34 is required and the elector shall enclose proof of residence under s. 6.34 in the envelope with the ballot. The clerk shall verify that the name on any required proof of identification presented by the agent conforms to the name on the elector's application. The clerk shall then enter his or her initials on the carrier envelope indicating that the agent presented proof of identification to the clerk. The agent is not required to enter a signature on the registration list. The ballot shall be sealed by the elector and returned to the municipal clerk either by mail or by personal delivery of the agent; but if the ballot is returned on the day of the election, the agent shall make personal delivery to the polling place serving the hospitalized elector's residence before the closing hour or, in municipalities where absentee ballots are canvassed under s. 7.52, to the municipal clerk no later than 8 p.m. on election day.

SECTION 44. 6.87 (4) (b) 1. of the statutes is amended to read:

6.87 **(4)** (b) 1. Except as otherwise provided in s. 6.875, the elector voting absentee shall make and subscribe to the certification before one witness who is an adult U.S. citizen. The absent elector, in the presence of the witness, shall mark the ballot in a manner that will not disclose how the elector's vote is cast. The elector

shall then, still in the presence of the witness, fold the ballots so each is separate and so that the elector conceals the markings thereon and deposit them in the proper envelope. If a consolidated ballot under s. 5.655 is used, the elector shall fold the ballot so that the elector conceals the markings thereon and deposit the ballot in the proper envelope. If proof of residence under s. 6.34 is required and the document enclosed by the elector under this subdivision does not constitute proof of residence under s. 6.34, the elector shall also enclose proof of residence under s. 6.34 in the envelope. ~~Proof~~ Except as provided in s. 6.34 (2m), proof of residence is required if the elector is not a military elector or an overseas elector and the elector registered by mail or by electronic application and has not voted in an election in this state. If the elector requested a ballot by means of facsimile transmission or electronic mail under s. 6.86 (1) (ac), the elector shall enclose in the envelope a copy of the request which bears an original signature of the elector. The elector may receive assistance under sub. (5). The return envelope shall then be sealed. The witness may not be a candidate. The envelope shall be mailed by the elector, or delivered in person, to the municipal clerk issuing the ballot or ballots. If the envelope is mailed from a location outside the United States, the elector shall affix sufficient postage unless the ballot qualifies for delivery free of postage under federal law. Failure to return an unused ballot in a primary does not invalidate the ballot on which the elector's votes are cast. Return of more than one marked ballot in a primary or return of a ballot prepared under s. 5.655 or a ballot used with an electronic voting system in a primary which is marked for candidates of more than one party invalidates all votes cast by the elector for candidates in the primary.

SECTION 45. 6.87 (6) of the statutes is amended to read:

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

SECTION 46. 6.87 (6d) of the statutes is created to read:

6.87 **(6d)** If a certificate is missing the address of a witness, the ballot may not be counted.

SECTION 47. 7.03 (1) (d) of the statutes is amended to read:

7.03 **(1)** (d) Except as otherwise provided in par. (a), ~~special registration deputies appointed under s. 6.55 (6),~~ special voting deputies appointed under s. 6.875 (4) and other officials and trainees who attend training sessions under s. 7.15 (1) (e) or 7.25 (5) may also be compensated by the municipality where they serve at the option of the municipality.

SECTION 48. 7.08 (1) (c) of the statutes is amended to read:

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

SECTION 49. 7.30 (2) (a) of the statutes is amended to read:

7.30 **(2)** (a) Only election officials appointed under this section or s. 6.875 may conduct an election. Except as otherwise provided in this paragraph and in ss. 7.15

(1) (k) and 7.52 (1) (b), each election official shall be a qualified elector of a county in which the municipality where the official serves is located, and each chief inspector shall be a qualified elector of the municipality in which the chief inspector serves. If no qualified candidate for chief inspector is available or if the chief inspector is appointed to fill a vacancy under par. (b), the person so appointed need not be a qualified elector of the municipality. If a municipal clerk or deputy clerk ~~serves as a registration deputy or~~ is appointed to fill a vacancy under par. (b), the clerk or deputy clerk need not be a resident of the county, but shall be a resident of the state. No more than 2 individuals holding the office of clerk or deputy clerk may serve without regard to county residency in any municipality at any election. ~~Special registration deputies who are appointed under s. 6.55 (6) may be appointed to serve more than one polling place.~~ All officials appointed under this section shall be able to read and write the English language, be capable, and be of good understanding, and may not be a candidate for any office to be voted for at an election at which they serve. In 1st class cities, they may hold no public office other than notary public. Except as authorized under subs. (1) (b) and (4) (c), all inspectors shall be affiliated with one of the 2 recognized political parties which received the largest number of votes for president, or governor in nonpresidential general election years, in the ward or combination of wards served by the polling place at the last election. Excluding the inspector who may be appointed under sub. (1) (b), the party which received the largest number of votes is entitled to one more inspector than the party receiving the next largest number of votes at each polling place. Whenever 2 or more inspectors are required to perform a function within a polling place and both parties that are entitled to submit nominees have done so, the chief inspector shall assign, insofar as practicable, an equal number of inspectors from the nominees of each party.

SECTION 50. 7.31 (1) of the statutes is amended to read:

7.31 **(1)** The board shall~~, by rule, prescribe~~ establish requirements for certification of individuals to serve as chief inspectors. The requirements shall include a requirement to attend at least one training session held under sub. (5) before beginning service. ~~The requirements shall not include taking an examination~~ To ensure that chief inspectors have received appropriate training under this subsection, the board shall establish a knowledge-based test to administer to individuals who receive the training to become chief inspectors. strike

SECTION 51. 7.315 (1) (a) of the statutes is amended to read:

7.315 **(1)** (a) The board shall, by rule, prescribe the contents of the training that municipal clerks must provide to inspectors, other than chief inspectors, and to special voting deputies appointed under s. 6.875~~, and to special registration deputies appointed under ss. 6.26 and 6.55 (6)~~.

SECTION 52. 7.315 (1) (b) 1. of the statutes is amended to read:

7.315 **(1)** (b) 1. Each inspector other than a chief inspector and each special voting deputy appointed under s. 6.875 ~~and special registration deputy appointed under s. 6.26 or 6.55 (6)~~ shall view or attend at least one training program every 2 years. Except as provided in subd. 2., no individual may serve as an inspector, other than a chief inspector, or as a special voting deputy under s. 6.875~~, or as a special registration deputy under s. 6.26 or 6.55 (6)~~ at any election unless the individual has completed training for that election provided by the municipal clerk pursuant to rules promulgated under par. (a) within 2 years of the date of the election.

SECTION 53. 7.315 (1) (b) 2. of the statutes is amended to read:

7.315 **(1)** (b) 2. Only when an individual who has received training under subd. 1. is unavailable to perform his or her election duties due to sickness, injury, or other

unforeseen occurrence may an individual who has not received training under subd. 1. be appointed to serve as an inspector, other than chief inspector, or a special voting deputy ~~or special registration deputy~~. The appointment of an individual to serve under this subdivision shall be for a specific election and no individual may be appointed under this subdivision more than one time in a 2–year period.

SECTION 54. 7.315 (3) of the statutes is amended to read:

7.315 **(3)** The board may produce and periodically reissue as necessary a video program for the purpose of training election officials, including special voting deputies and ~~special registration deputies~~ election registration officials. The board shall make any such program available for viewing electronically through an Internet–based system.

SECTION 55. 7.315 (4) of the statutes is created to read:

7.315 **(4)** Election registration officials shall receive the training as provided under this section for inspectors, other than chief inspectors.

SECTION 56. 7.315 (5) of the statutes is created to read:

7.315 **(5)** To ensure that election officials have an understanding of election laws, the board shall establish a knowledge–based test to administer to individuals who receive the training to become election officials.

SECTION 57. 7.37 (13) of the statutes is amended to read:

7.37 **(13)** CLOSING OF POLLS. For each polling place, the municipal clerk shall designate an official of the municipality who shall position himself or herself at the end of the line of individuals waiting to vote, if any, at the time that the polls officially close. The official may be an inspector ~~or special registration deputy appointed under s. 6.55 (6)~~ who serves at that polling place, an employee of the municipal clerk or a

police officer. Only individuals in line ahead of the official shall be permitted to vote under s. 6.78 (4).

SECTION 58. 7.51 (5) (b) of the statutes is amended to read:

7.51 **(5)** (b) The municipal clerk shall deliver all ballots, statements, tally sheets, lists, and envelopes relating to a school district election to the school district clerk, excluding ~~any absentee ballots that are received after the closing hour on election night and~~ any provisional ballots, by 4 p.m. on the day following each such election and shall deliver to the school district clerk any amended statements, tally sheets, and lists for additional provisional ~~and absentee~~ ballots canvassed under s. 6.97 (4) ~~or 7.515 (6) (b)~~ no later than 4 p.m. on the Monday after the election. The municipal clerk shall deliver to the county clerk the ballots, statements, tally sheets, lists, and envelopes for his or her municipality relating to any county, technical college district, state, or national election no later than 4 p.m. on the day following each such election or, in municipalities where absentee ballots are canvassed under s. 7.52, by 4 p.m. on the 2nd day following each such election, and shall deliver to the county clerk any additional provisional ~~and absentee~~ ballots canvassed under s. 6.97 (4) ~~or 7.515 (6) (b)~~ together with amended statements, tally sheets, lists, and envelopes no later than 4 p.m. on the Monday after the election. The person delivering the returns shall be paid out of the municipal treasury. Each clerk shall retain ballots, statements, tally sheets, or envelopes received by the clerk until destruction is authorized under s. 7.23 (1).

SECTION 59. 7.515 of the statutes is repealed.

SECTION 60. 7.53 (1) (a) of the statutes, as affected by 2015 Wisconsin Act 37, is amended to read:

7.53 **(1)** (a) Where the municipality constitutes one ward or combines all wards to utilize a single polling place under s. 5.15 (6) (b), the canvass of the votes cast at the polling place shall be conducted publicly under s. 7.51 and the inspectors, other than any inspector appointed under s. 7.30 (1) (b), shall act as the municipal board of canvassers. The inspectors shall then complete the return statement for all votes cast at the polling place. If there are no provisional ballots that are eligible to be counted under s. 6.97 ~~and the municipal clerk has not mailed or transmitted absentee ballots to any electors of the municipality that have not been returned by election night,~~ and no absentee ballots are being canvassed under s. 7.52, the inspectors may complete and sign the canvass statement and determination on election night. In municipalities where absentee ballots are canvassed under s. 7.52, after the canvass of the absentee ballots is completed under s. 7.52, the board of absentee ballot canvassers shall reconcile the poll list of the electors who vote by absentee ballot with the corresponding poll list of the electors who vote in person to ensure that no elector is allowed to cast more than one ballot. If an elector who votes in person has submitted an absentee ballot, the absentee ballot is void. Except as authorized in par. (b), if one or more electors of the municipality have cast provisional ballots that are eligible to be counted under s. 6.97 ~~or if the municipal clerk receives one or more absentee ballots by 4 p.m. on the Friday after the election that are eligible to be counted under s. 7.515 (6) (b)~~, the inspectors, acting as the board of canvassers, shall reconvene no later than 9 a.m. on the Monday after the election to count the valid provisional ~~and absentee~~ ballots and shall adjust the returns accordingly. The inspectors, acting as the board of canvassers, need not reconvene if the municipal clerk certifies that he or she has received no provisional ~~or absentee~~ ballots from the time that the board of canvassers completed the initial canvass and 4 p.m. on the

Friday after the election. Upon completion of the canvass under this paragraph and any canvass that is conducted under s. 7.52 and ascertainment of the results by the inspectors or, in municipalities where absentee ballots are canvassed under s. 7.52, by the inspectors and the board of absentee ballot canvassers, the municipal clerk shall publicly read to the inspectors or the board of absentee ballot canvassers the names of the persons voted for and the number of votes for each person for each municipal office, the names of the persons declared by the inspectors or board of absentee ballot canvassers to have won nomination or election to each municipal office, and the number of votes cast for and against each municipal referendum question.

SECTION 61. 7.53 (3) (a) of the statutes is amended to read:

7.53 **(3)** (a) In a common, union high or unified school district, the school district clerk shall appoint 2 qualified electors of the school district prior to the date of the election being canvassed who shall, with the school district clerk, constitute the school district board of canvassers. If the school district clerk is a candidate at the election being canvassed, the other 2 members of the board of canvassers shall designate a 3rd member to serve in lieu of the clerk for that election. The school district clerk shall appoint a member to fill any other temporary vacancy on the board of canvassers. The canvass shall begin no later than 9 a.m. on the Tuesday after the election, and shall continue, without adjournment, until completed. The board of canvassers may return defective returns to the municipal board of canvassers in the manner provided in s. 7.60 (3). If the board of canvassers meets before 4 p.m. on the Monday after the election and thereafter receives amended statements, tally sheets, and lists from a municipal clerk for provisional ~~or absentee~~ ballots that are eligible to be counted under s. 6.97 (4) ~~or 7.515 (6) (b)~~, the board of canvassers shall reconvene

no later than 9 a.m. on the Tuesday after the election and shall adjust the returns accordingly. No later than 4 p.m. on the Tuesday after the election, the board of canvassers shall complete the canvass and shall prepare a written statement showing the numbers of votes cast for each person for each office and for and against each question and shall prepare a determination showing the names of the persons who are elected to the school board and the results of any school district referendum. Following each primary election, the board of canvassers shall prepare a statement certifying the names of the persons who have won nomination to the school board. Each statement and determination shall be attested by each of the canvassers. The board of canvassers shall file each statement and determination in the school district office. The school district clerk shall certify nominations after each primary and issue certificates of election to persons who are elected to the school board after each election in the manner provided in sub. (4).

SECTION 62. 9.01 (1) (a) 1. of the statutes is amended to read:

9.01 **(1)** (a) 1. Any candidate voted for at any election or any elector who voted upon any referendum question at any election may petition for a recount. The petitioner shall file a verified petition or petitions with the proper clerk or body under par. (ar) not earlier than the time of completion of the canvass following canvassing of any valid provisional ~~and absentee~~ ballots under ss. 6.97 (4) ~~and 7.515 (6)~~ and, except as provided in this subdivision, not later than 5 p.m. on the 3rd business day following the last meeting day of the municipal or county board of canvassers determining the election for that office or on that referendum question following canvassing of all valid provisional ~~and absentee~~ ballots or, if more than one board of canvassers makes the determination, not later than 5 p.m. on the 3rd business day following the last meeting day of the last board of canvassers which makes a

determination following canvassing of all valid provisional ~~and absentee~~ ballots. If the chairperson of the board or chairperson's designee makes the determination for the office or the referendum question, the petitioner shall file the petition not earlier than the last meeting day of the last county board of canvassers to make a statement in the election or referendum following canvassing of all valid provisional ~~and absentee~~ ballots and not later than 5 p.m. on the 3rd business day following the day on which the government accountability board receives the last statement from a county board of canvassers for the election or referendum following canvassing of all valid provisional ~~and absentee~~ ballots.

SECTION 63. 17.29 of the statutes is amended to read:

17.29 Effect of chapter. The provisions of this chapter supersede all contrary provisions in either the general law or in special acts, except ss. ~~6.26 (2) (b),~~ 6.55 (6), 6.875, and 7.30 relating to appointed election officials and ch. 321 relating to the military staff of the governor and to officers of the Wisconsin national guard or state defense force; and shall govern all offices whether created by general law or special act, unless otherwise specially provided.

SECTION 64. 85.61 (1) of the statutes is amended to read:

85.61 **(1)** The secretary of transportation and the administrator of the elections division of the government accountability board shall enter into an agreement to match personally identifiable information on the official registration list maintained by the government accountability board under s. 6.36 (1) and the information specified in s. 6.34 (2m) with personally identifiable information in the operating record file database under ch. 343 and vehicle registration records under ch. 341 to the extent required to enable the secretary of transportation and the administrator

of the elections division of the government accountability board to verify the accuracy of the information provided for the purpose of voter registration.

SECTION 65. 343.027 of the statutes is amended to read:

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

SECTION 66. Nonstatutory provisions.

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

SECTION 67. Fiscal changes.

(1) In the schedule under section 20.005 (3) of the statutes for the appropriation to the government accountability board under section 20.511 (1) (a) of the statutes, as affected by the acts of 2015, the dollar amount is increased by $–0– for the first fiscal year of the fiscal biennium in which this subsection takes effect to implement an electronic voter registration system. In the schedule under section 20.005 (3) of

the statutes for the appropriation to the government accountability board under section 20.511 (1) (a) of the statutes, as affected by the acts of 2015, the dollar amount is increased by $–0– for the second fiscal year of the fiscal biennium in which this subsection takes effect to implement an electronic voter registration system.

(2) In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of transportation under section 20.395 (4) (aq) of the statutes, as affected by the acts of 2015, the dollar amount is increased by $–0– for the first fiscal year of the fiscal biennium in which this subsection takes effect to implement an electronic voter registration system. In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of transportation under section 20.395 (4) (aq) of the statutes, as affected by the acts of 2015, the dollar amount is increased by $–0– for the second fiscal year of the fiscal biennium in which this subsection takes effect to implement an electronic voter registration system.

SECTION 68. Initial applicability.

(1) The treatment of sections 6.22 (5), 6.25 (1) (a) and (b), 6.87 (6), 7.51 (5) (b), 7.53 (1) (a) and (3) (a), and 9.01 (1) (a) 1. of the statutes first applies to elections held no earlier than 6 months after the effective date of this subsection.

(2) The treatment of section 6.34 (3) (a) 12. of the statutes first applies to registration applications filed on the effective date of this subsection.

(END)