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**PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION**  
**SENATE SUBSTITUTE AMENDMENT,**  
**TO SENATE BILL 295**

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**AN ACT** ...; 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; updating the voter registration list and reporting absentee ballot information and election returns.

3/24  
Substitute amendment

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 registration 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 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. 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

*Substitute amendment*

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 by at least six months the day on which the bill becomes law.

This bill requires the chief election officer to enter into an agreement with the Electronic Registration Information Center and the Interstate Voter Registration Data Crosscheck Program for the purpose of maintaining this state's statewide voter registration list.

*Substitute amendment*

**ELECTION REGISTRATION OFFICIALS**

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.

*Substitute amendment*

*The substitute amendment*

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 election official who is appointed by the municipal clerk or board of elections commissioners to register electors.

**TESTING**

Under current law, GAB must, by rule, prescribe requirements for certifying individuals to serve as chief inspectors for an election. GAB must include training as part of those requirements, but the board may not require an individual who receives the training to take an examination. This bill allows the board to require such an examination.

**ELECTRONIC POLL LISTS**

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

*The substitute amendment also*

**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

*substitute amendment*

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.

*The substitute amendment*

*substitute amendment*

**PROOF OF IDENTIFICATION; VETERANS AFFAIRS CARD**

This bill permits an individual to use a veterans identification card issued by the Veterans Health Administration of the federal Department of Veterans Affairs to be used as proof of identification if the card contains the individual's name and photograph.

*The substitute amendment*

**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.

*(Sx)*

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

ELECTION ADMINISTRATION AND REPORTING (CS)

the substitute amendment

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.

\*\*\* ANALYSIS FROM -3233/P4 \*\*\*

Current law requires the Government Accountability Board to compile and maintain an electronic voter registration list. The list provides the name, address, and date of birth of each registered elector in this state and the ward or aldermanic district associated with each registered elector. The list also contains other identification information for each elector and information transmitted to the board from the Department of Corrections.

substitute amendment

This bill requires that the board and its successor, the Elections Commission, provide the following information on the voter registration list:

Insert A-5

1. An indication of each elector who has applied to vote by in-person absentee ballot. (3) the state on which an
2. The polling location associated with each elector's address and ward or aldermanic district.
3. The mailing address for the municipal clerk associated with each polling location. (4)

substitute amendment

Under current law, a municipal clerk must update the electronic voter registration list maintained by the board promptly after receiving a valid registration or change to an existing registration or after changing an elector's registration status from eligible to ineligible. The bill requires the clerk or the clerk's designee to make all such changes within 48 hours after receiving the information. In addition, the clerk or designee must update the list when the clerk receives an in-person absentee ballot application.

substitute amendment

~~Currently, a clerk may update entries on the list that change on the date of a general election within 45 days of that election and update entries that change on the date of any other election within 30 days of that election. The board or the Elections Commission, however, may allow a clerk to update the entries on the list for a general election within 60 days following the election. Under the bill, the clerk or the clerk's designee is now required to update the entries for a general election within 45 days of that election and to update entries for any other election within 30 days following that election. The board or the Elections Commission, however, may grant a clerk one 30-day extension to update the entries following any election.~~

(2x)

The bill also requires that the board and the Elections Commission establish a subscription service whereby a person may electronically access the absentee ballot information the clerks provide to the board and the commission. In addition, the bill requires a county clerk to post all election returns received by the clerk on election night on an Internet site maintained by the county within two hours of receiving the returns. The board or commission must then link to the returns on an Internet site maintained by the board or commission.

for an absentee ballot

make an absentee ballot to an elector and when the clerk

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

1

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

2

(END)

3

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

4

5.02 (4g) "Election registration official" means an election official assigned under s. 6.28 (1) (a) or 7.30 to register electors.

6

**SECTION 2.** 5.02 (6m) (g) of the statutes is created to read:

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5.02 (6m) (g) A veterans identification card issued by the veterans health administration of the federal department of veterans affairs.

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**SECTION 3.** 5.05 (14) of the statutes is renumbered 5.05 (14) (a).

10

**SECTION 4.** 5.05 (14) (b) of the statutes is created to read:

11

5.05 (14) (b) The board shall establish a subscription service whereby a person may electronically access the absentee ballot information provided under s. 6.33 (5) (a), including semiweekly updates of such information.

14

**SECTION 5.** 5.05 (14) (b) of the statutes, as affected by 2015 Wisconsin Act ... (this act), is repealed and recreated to read:

16

5.05 (14) (b) The commission shall establish a subscription service whereby a person may electronically access the absentee ballot information provided under s. 6.33 (5) (a), including semiweekly updates of such information.

19

**SECTION 6.** 5.05 (14) (c) of the statutes is created to read:

20

5.05 (14) (c) On election night the board shall provide a link on its Internet site to the posting of each county's election returns on each county's Internet site.

21

1 SECTION 7. 5.05 (14) (c) of the statutes, as affected by 2015 Wisconsin Act ...  
2 (this act), is repealed and recreated to read:

3 5.05 (14) (c) On election night the commission shall provide a link on its  
4 Internet site to the posting of each county's election returns on each county's Internet  
5 site.

6 SECTION 8. 5.05 (16) of the statutes is created to read:

7 5.05 (16) ELECTRONIC POLL LISTS. The board may facilitate the creation and  
8 maintenance of electronic poll lists for purposes of s. 6.79 including entering into  
9 contracts with vendors and establishing programs for development and testing.

10 SECTION 9. 5.056 of the statutes is amended to read:

11 **5.056 Matching program with secretary of transportation.** The  
12 administrator of the elections division of the board shall enter into the agreement  
13 with the secretary of transportation specified under s. 85.61 (1) to match personally  
14 identifiable information on the official registration list maintained by the board  
15 under s. 6.36 (1) and the information specified in s. 6.34 (2m) with personally  
16 identifiable information maintained by the department of transportation.

17 SECTION 10. 5.85 (2) (b) 1. of the statutes is amended to read:

18 5.85 (2) (b) 1. In case of an overvote for any office, the election officials shall may  
19 either use the override function of the electronic voting system in order to eliminate  
20 the votes for the overvoted office, which shall be noted on the inspector's statement,  
21 or make a true duplicate ballot of all votes on the ballot except for the office that is  
22 overvoted in the manner described in this subdivision. The If the election officials  
23 make a true duplicate ballot, they shall use an official ballot of that kind used by the  
24 elector who voted the original ballot, and one of the marking devices, so as to transfer  
25 all votes of the elector except for the office overvoted to an official ballot of that kind

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1 used in the ward at that election. Unless election officials are selected under s. 7.30  
2 (4) (c) without regard to party affiliation, whenever election officials of both of the 2  
3 major political parties are present, the election officials acting under this subdivision  
4 shall consist in each case of at least one election official of each of the parties.

5 **SECTION 11.** 5.85 (2) (b) 2. of the statutes is amended to read:

6 5.85 (2) (b) 2. On any original ballot upon which there is an overvote and for  
7 which a duplicate ballot is made under subd. 1., the election officials shall, in the  
8 space on the ballot for official endorsement, identify the ballot as an “Overvoted  
9 Ballot” and write a serial number. On ~~the~~ any duplicate ballot produced under subd.  
10 1., the election officials shall, in the space on the ballot for official endorsement,  
11 identify the ballot as a “Duplicate Overvoted Ballot” and write a serial number. The  
12 election officials shall place the same serial number on each “Overvoted Ballot” and  
13 its corresponding “Duplicate Overvoted Ballot,” commencing with number “1” and  
14 continuing consecutively for each of the ballots for which a “Duplicate Overvoted  
15 Ballot” is produced in that ward or election district. The election officials shall initial  
16 the “Duplicate Overvoted Ballot” ballots and shall place them in the container for  
17 return of the ballots. The “Overvoted Ballot” ballots and their envelopes shall be  
18 placed in the “Original Ballots” envelope.

19 **SECTION 12.** 5.90 (1) of the statutes is amended to read:

20 5.90 (1) Except as otherwise provided in this subchapter, recounts of votes cast  
21 on an electronic voting system shall be conducted in the manner prescribed in s. 9.01.  
22 Except as provided in this subsection, sub. (2), and s. 9.01 (1) (b) 8s., if the ballots are  
23 distributed to the electors, the board of canvassers shall recount the ballots with  
24 automatic tabulating equipment. The board of canvassers shall test the automatic  
25 tabulating equipment to be used prior to the recount as provided in s. 5.84, and then



1 the official ballots or the record of the votes cast shall be recounted on the automatic  
2 tabulating equipment. In addition, the board of canvassers shall check the ballots  
3 for the presence or absence of the initials and other distinguishing marks, shall  
4 examine the ballots marked “Rejected”, “Defective”, “Overvoted”, and “Objected to”  
5 to determine the propriety of such labels, and shall compare the “Duplicate  
6 Overvoted Ballots” and “Duplicate Damaged Ballots” with their respective originals  
7 to determine the correctness of the duplicates. Unless a court orders a recount to be  
8 conducted by another method under sub. (2), the board of canvassers may determine  
9 to conduct the recount of a specific election by hand and may determine to conduct  
10 the recount by hand for only certain wards or election districts. If electronic voting  
11 machines are used, the board of canvassers shall perform the recount using the  
12 permanent paper record of the votes cast by each elector, as generated by the  
13 machines.

14 SECTION 13. 5.91 (intro.) of the statutes is amended to read:

15 **5.91 Requisites for approval of ballots, devices and equipment.** (intro.)

16 No ballot, voting device, automatic tabulating equipment, or related equipment and  
17 materials to be used in an electronic voting system may be utilized in this state  
18 unless it is approved certified by the board. The board may revoke its approval  
19 certification of any ballot, device, equipment or materials at any time for cause. No  
20 ~~such ballot, voting device, automatic tabulating equipment or related equipment or~~  
21 ~~material may be approved~~ The board may certify any such voting device, automatic  
22 tabulating equipment, or related equipment or materials regardless of whether any  
23 such item is approved by the federal election assistance commission, but the board  
24 may not certify any ballot, device, equipment, or material to be used in an electronic  
25 voting system unless it fulfills the following requirements:

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1 SECTION 14. 6.10 (3) of the statutes is amended to read:

2 6.10 (3) When an elector moves his or her residence from one ward or  
3 municipality to another ward or municipality within the state at least 28 days before  
4 the election, the elector may vote in and be considered a resident of the new ward or  
5 municipality where residing upon transferring registration under s. 6.40 (1) or upon  
6 registering at the proper polling place or other registration location in the new ward  
7 or municipality under s. 6.55 (2) or 6.86 (3) (a) 2. If the elector moves his or her  
8 residence later than 28 days before an election, the elector shall vote in the elector's  
9 former ward or municipality if otherwise qualified to vote there.

10 SECTION 15. 6.22 (5) of the statutes is amended to read:

11 6.22 (5) VOTING PROCEDURE. Except as provided in s. 7.515 and as authorized  
12 in s. 6.25, the ballot shall be marked and returned, deposited and recorded in the  
13 same manner as other absentee ballots. In addition, the certification under s. 6.87  
14 (2) shall have a statement of the elector's birth date. Failure to return any unused  
15 ballots in a primary election does not invalidate the ballot on which the elector casts  
16 his or her votes.

17 SECTION 16. 6.24 (3) of the statutes is amended to read:

18 6.24 (3) REGISTRATION. The overseas elector shall register in the municipality  
19 where he or she was last domiciled or where the overseas elector's parent was last  
20 domiciled on a form prescribed by the board designed to ascertain the elector's  
21 qualifications under this section. The form board shall be ensure that the form is  
22 substantially similar to the original form under s. 6.33 (1), insofar as applicable.  
23 Registration shall be accomplished in accordance with s. 6.30 (4) or (5).

24 SECTION 17. 6.25 (1) (a) of the statutes is amended to read:

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

10           **SECTION 18.** 6.25 (1) (b) of the statutes is amended to read:

11           6.25 (1) (b) Any individual who qualifies as an overseas elector under s. 6.24  
12           (1) and who transmits an application for an official absentee ballot for an election for  
13           national office, including a primary election, no later than the latest time specified  
14           for an elector in s. 6.86 (1) (b) may, in lieu of the official ballot, cast a federal write-in  
15           absentee ballot prescribed under 42 USC 1973ff-2 for any candidate or for all  
16           candidates of any recognized political party for national office listed on the official  
17           ballot at that election, if the federal write-in absentee ballot is received by the  
18           appropriate municipal clerk no later than the applicable time prescribed in s. 6.87  
19           (6) ~~or 7.515 (3)~~.

20           **SECTION 19.** 6.26 of the statutes, as affected by 2015 Wisconsin Act <sup>s</sup> 39, is <sup>and</sup>  
21           repealed. <sub>118</sub>

22           **SECTION 20.** 6.275 (1) (b) of the statutes is amended to read:

23           6.275 (1) (b) The total number of electors of the municipality residing in that  
24           county who were preregistered on the deadline specified in s. 6.28 (1) (a), including

1 valid mail registrations which are postmarked by that day and valid electronic  
2 registrations entered under s. 6.30 (5).

3 **SECTION 21.** 6.28 (1) of the statutes is renumbered 6.28 (1) (a) and amended to  
4 read:

5 **6.28 (1) REGISTRATION LOCATIONS; DEADLINE; LOCATIONS.** (a) Except as authorized  
6 in ss. 6.29, 6.55 (2), and 6.86 (3) (a) 2., registration in person for ~~any~~ an election shall  
7 ~~close~~ closes at 5 p.m. on the 3rd Wednesday preceding the election. Registrations  
8 made by mail under s. 6.30 (4) must be delivered to the office of the municipal clerk  
9 or postmarked no later than the 3rd Wednesday preceding the election. Electronic  
10 registration under s. 6.30 (5) for an election closes at 11:59 p.m. on the 3rd Wednesday  
11 preceding the election. The municipal clerk or board of election commissioners may  
12 assign election registration officials to register electors who apply for an in-person  
13 absentee ballot under s. 6.86 (1) (b) or to register electors at a polling place on election  
14 day or at a residential care facility, as defined under s. 6.875 (1) (bm).

15 (b) All applications for registration corrections and additions may be made  
16 throughout the year at the office of the city board of election commissioners, at the  
17 office of the municipal clerk, at the office of the county clerk, or at other locations  
18 provided by the board of election commissioners or the common council in cities over  
19 500,000 population or by either or both the municipal clerk, or the common council,  
20 village or town board in all other municipalities. ~~Other registration locations may~~  
21 ~~include but are not limited to fire houses, police stations, public libraries, institutions~~  
22 ~~of higher education, supermarkets, community centers, plants and factories, banks,~~  
23 ~~savings and loan associations and savings banks. Special registration deputies shall~~  
24 ~~be appointed for each location unless the location can be sufficiently staffed by the~~  
25 ~~board of election commissioners or the municipal clerk or his or her deputies. An~~

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

3 SECTION 22. 6.30 (1) of the statutes is amended to read:

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

6 SECTION 23. 6.30 (4) of the statutes is amended to read:

7 6.30 (4) BY MAIL. Any eligible elector may register by mail on a form prescribed  
8 by the board and provided by each municipality. The form shall be designed to obtain  
9 the information required in ss. 6.33 (1) ~~and to provide for changes authorized under~~  
10 ~~s. 6.40 (1) (a).~~ The form shall contain a certification by the elector that all statements  
11 are true and correct. The form shall be prepostpaid for return when mailed at any  
12 point within the United States. The form shall be available in the municipal clerk's  
13 office and may be distributed by any elector of the municipality. The clerk shall mail  
14 a registration form to any elector upon written or oral request.

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15 SECTION 24. 6.30 (5) of the statutes is created to read:

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

1 registration form a place for the elector to give this authorization. Upon submittal  
2 of the electronic application, the board shall obtain from the department of  
3 transportation a copy of the electronic signature of the elector. The board shall  
4 maintain the application on file and shall notify the municipal clerk or board of  
5 election commissioners of the municipality where the elector resides of its receipt of  
6 each completed application. The board shall also permit any elector who has a  
7 current and valid operator's license issued to the elector under ch. 343 or a current  
8 and valid identification card issued under s. 343.50 to make changes in his or her  
9 registration at the same Internet site that is used by electors for original registration  
10 under this subsection. An elector shall attest to the correctness of any changes in the  
11 same manner as provided in this subsection for information entered on an  
12 application for original registration.

13 **SECTION 25.** 6.32 (1) and (2) of the statutes are amended to read:

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

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

23 **SECTION 26.** 6.325 of the statutes is amended to read:

24 **6.325 Disqualification of electors.** No person may be disqualified as an  
25 elector unless the municipal clerk, board of election commissioners or a challenging

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1 elector under s. 6.48 demonstrates beyond a reasonable doubt that the person does  
2 not qualify as an elector or is not properly registered. If it appears that the  
3 challenged elector is registered at a residence in this state other than the one where  
4 the elector now resides, the municipal clerk or board of election commissioners shall,  
5 before permitting the elector to vote, require the elector to ~~transfer his or her~~  
6 ~~registration under s. 6.40 (1) (a)~~ properly register and shall notify the municipal clerk  
7 or board of election commissioners at the former residence. The municipal clerk or  
8 board of election commissioners may require naturalized applicants to show their  
9 naturalization certificates.

10 **SECTION 27.** 6.33 (1) of the statutes is amended to read:

11 6.33 (1) The board shall prescribe the format, size, and shape of registration  
12 forms. All nonelectronic forms shall be printed ~~on cards~~ and each item of information  
13 shall be of uniform font size, as prescribed by the board. Except as otherwise  
14 provided in this subsection, electronic forms shall contain the same information as  
15 nonelectronic forms. The municipal clerk shall supply sufficient forms to meet voter  
16 registration needs. ~~The forms board shall be designed~~ design the form to obtain from  
17 each ~~applicant~~ elector information as to name; date; residence location; location of  
18 previous residence immediately before moving to current residence location;  
19 citizenship; date of birth; age; the number of a current and valid operator's license  
20 issued to the elector under ch. 343 or the last 4 digits of the elector's social security  
21 account number; whether the ~~applicant~~ elector has resided within the ward or  
22 election district for ~~at least 28~~ the number of consecutive days specified in s. 6.02 (1);  
23 whether the ~~applicant~~ elector has been convicted of a felony for which he or she has  
24 not been pardoned, and if so, whether the ~~applicant~~ elector is incarcerated, or on  
25 parole, probation, or extended supervision; whether the ~~applicant~~ elector is

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



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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 28.** 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 clerk shall record the ward and aldermanic district, if any, other geographic information under sub. (1), the indication of whether the registration is received by mail, and the type of identifying document submitted by the elector as proof of residence under s. 6.34, ~~and any information relating to an applicant'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 29.** 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 30.** 6.33 (5) (a) of the statutes is amended to read:

6.33 (5) (a) Except as provided in par. (b) and this paragraph, whenever a municipal clerk receives a valid registration or valid change of a name or address under an existing registration ~~and whenever a municipal clerk~~ receives an in-person absentee ballot application ~~or~~ changes a registration from eligible to

*mails an absentee ballot to an elector*

*or an absentee ballot*

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1 ineligible status; the municipal clerk or the clerk's designee shall promptly, within  
 2 48 hours of receiving the information, enter electronically on the list maintained by  
 3 the board under s. 6.36 (1) the information required under that subsection. Except  
 4 as provided in par. (b) and this paragraph, the municipal clerk may or the clerk's  
 5 designee shall update any entries that change on the date of an election other than  
 6 a general election within 30 days after the date of that election, and may shall update  
 7 any entries that change on the date of a general election within 45 days after the date  
 8 of that election. The legal counsel of the board may, upon request of a municipal  
 9 clerk, ~~permit~~ <sup>allow</sup> grant the clerk ~~one 30-day extension~~ <sup>to</sup> to update entries that change on  
 10 the date of ~~a general~~ <sup>claim</sup> ~~any~~ election ~~within 60 days after that election.~~ <sup>claim</sup> The municipal  
 11 clerk shall provide to the board information that is confidential under s. 6.47 (2) in  
 12 such manner as the board prescribes. *makes an absentee ballot to an elector;*

13 **SECTION 31.** 6.33 (5) (a) of the statutes, as affected by 2015 Wisconsin Acts 118  
 14 and .... (this act), is repealed and recreated to read: *or an absentee ballot*

15 6.33 (5) (a) Except as provided in par. (b) and this paragraph, whenever a  
 16 municipal clerk receives a valid registration or valid change of a name or address  
 17 under an existing registration; receives an in-person absentee ballot application; <sup>or</sup>  
 18 changes a registration from eligible to ineligible status the municipal clerk or the  
 19 clerk's designee shall, within 48 hours of receiving the information, enter  
 20 electronically on the list maintained by the commission under s. 6.36 (1) the  
 21 information required under that subsection. Except as provided in par. (b) and this  
 22 paragraph, the municipal clerk or the clerk's designee shall update any entries that  
 23 change on the date of an election other than a general election within 30 days after  
 24 the date of that election, and shall update any entries that change on the date of a  
 25 general election within 45 days after the date of that election. The commission

*permit*

1 administrator may, upon request of a municipal clerk, *grant* the clerk *one 30-day*  
 2 *extension* to update entries that change on the date of *any* election. The municipal  
 3 clerk shall provide to the commission information that is confidential under s. 6.47  
 4 (2) in such manner as the commission prescribes. *a general*  
*within 60 days after that elections*

SECTION 32. 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 33. 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, or the number of a current and valid identification card issued  
 under s. 343.50, 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 34. 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

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1 the current address of the students and if the municipal clerk, ~~special registration~~  
2 ~~deputy election registration official~~, or inspector verifies that the student presenting  
3 the card is included on the list.

4 SECTION 35. 6.34 (3) (a) 12. of the statutes is created to read:

5 6.34 (3) (a) 12. For an occupant of a residential care facility, as defined in s.  
6 6.875 (1) (bm), for the purpose of registering at the facility, a contract or intake  
7 document prepared by the residential care facility that specifies that the occupant  
8 currently resides in the facility. The contract or intake document may also identify  
9 the room or unit in which the occupant resides.

10 SECTION 36. 6.34 (4) of the statutes is created to read:

11 6.34 (4) The board shall maintain a system that electronically verifies, on an  
12 instant basis, information specified under sub. (3) (b) from the information  
13 submitted in lieu of proof of residence under sub. (2m), using the information  
14 maintained by the department of transportation pursuant to the board's agreement  
15 with the secretary of transportation under s. 85.61 (1). If a prospective elector enters  
16 information specified under sub. (3) (b) 2. into the system that does not match such  
17 information maintained by the department of transportation, the system shall  
18 redirect the elector to the department of transportation's Internet site so that the  
19 elector may update his or her information with the department of transportation.

20 SECTION 37. 6.35 (1) (intro.) of the statutes is amended to read:

21 6.35 (1) (intro.) Under the direction of the municipal clerk or board of election  
22 commissioners, the original registration forms shall be filed in one of the following  
23 ways, except as provided in sub. subs. (1m) and (2):

24 SECTION 38. 6.35 (2) of the statutes is created to read:

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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 39. 6.36 (1) (a) (intro.) of the statutes, as affected by 2015 Wisconsin Act ... (this act), is repealed and recreated to read:

6.36 (1) (a) (intro.) The commission shall compile and maintain electronically an official registration list. The list shall contain all of the following:

SECTION 40. 6.36 (1) (a) of the statutes is renumbered 6.36 (1) (a) (intro.) and amended to read:

6.36 (1) (a) (intro.) The board shall compile and maintain electronically an official registration list. The list shall contain all of the following:

1. The name and address of each registered elector in the state, ~~the~~.
2. The elector's date of birth ~~of the elector, the~~.
3. The ward and aldermanic district of the elector, if any, ~~and, for~~.
4. For each elector, a unique registration identification number assigned by the board, ~~the~~.
5. The number of a valid operator's license issued to the elector under ch. 343, if any, or the last 4 digits of the elector's social security account number, if any, ~~any~~.
6. Any identification serial number issued to the elector under s. 6.47 (3), ~~the~~.
7. The date of any election in which the elector votes, ~~an~~.
8. An indication of whether the elector is an overseas elector, as defined in s. 6.24 (1), ~~any~~.
9. Any information relating to the elector that appears on the current list transmitted to the board by the department of corrections under s. 301.03 (20m), ~~an~~.

1           10. An indication of any accommodation required under s. 5.25 (4) (a) to permit  
2 voting by the elector, ~~an~~.

3           11. An indication of the method by which the elector's registration form was  
4 received, ~~and an~~.

5           12. An indication of whether the elector was required under s. 6.34 to provide  
6 proof of residence and, if so, the type of identifying document submitted as proof of  
7 residence, the name of the entity or institution that issued the identifying document,  
8 and, if the identifying document included a number that applies only to the  
9 individual holding that document, up to the last 4 digits of that number. If the  
10 number on the identifying document submitted by the elector had 6 or fewer digits,  
11 the list under this paragraph may not contain more than the last 2 digits of that  
12 number.

13           ~~(am)~~ The list under ~~this paragraph~~ par. (a) may contain such other information  
14 as may be determined by the board to facilitate administration of elector registration  
15 requirements.

16           **SECTION 41.** 6.36 (1) (a) 4. of the statutes, as affected by 2015 Wisconsin Act ....  
17 (this act), is repealed and recreated to read:

18           6.36 (1) (a) 4. For each elector, a unique registration identification number  
19 assigned by the commission.

20           **SECTION 42.** 6.36 (1) (a) 9. of the statutes, as affected by 2015 Wisconsin Act ....  
21 (this act), is repealed and recreated to read:

22           6.36 (1) (a) 9. Any information relating to the elector that appears on the  
23 current list transmitted to the commission by the department of corrections under  
24 s. 301.03 (20m).

25           **SECTION 43.** 6.36 (1) (a) 13. to ~~15~~ of the statutes are created to read:

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*indicating the date on which an*

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1           6.36 (1) (a) 13. A separate column to indicate each elector who has applied to  
2 vote by in-person absentee ballot.

3           14 A separate column indicating the polling location associated with each  
4 elector's address and ward or aldermanic district, if any.

5           15 A separate column indicating the mailing address for the municipal clerk  
6 associated with each polling location identified under subd. 14. *15*

7           **SECTION 44.** 6.36 (1) (ae) of the statutes is created to read:

8           6.36 (1) (ae) 1. The chief election officer shall enter into a membership  
9 agreement with Electronic Registration Information Center, Inc., for the purpose of  
10 maintaining the official registration list under this section. Prior to entering into an  
11 agreement under this subdivision, the chief election officer shall ensure that the  
12 agreement satisfies all of the following conditions:

13           a. It safeguards the confidentiality of information or data in the registration  
14 list that may be subject to transfer under the agreement and to which access is  
15 restricted under par. (b) 1. a.

16           b. It does not affect the exemption for this state under the national voter  
17 registration act.

18           c. It allows the state to make only one contact with each eligible elector who is  
19 not registered to vote.

20           d. It allows the state to make the contact described under subd. 1. c. by  
21 electronic mail, whenever possible.

22           2. If the chief election officer enters into an agreement under subd. 1., the chief  
23 election officer shall comply with the terms of the agreement, including the  
24 transmission of information and data related to the registration of electors in this

1 state to the Electronic Registration Information Center, Inc., for processing and  
2 sharing with other member states and governmental units.

3 **SECTION 45.** 6.36 (1) (am) of the statutes is created to read:

4 6.36 (1) (am) The chief election officer shall annually enter into a memorandum  
5 of understanding and agreement with the chief election officers of other states for the  
6 purpose of participating in the Interstate Voter Registration Data Crosscheck  
7 Program. Under the agreement, the chief election officer shall transfer information  
8 and data related to the registration and voting of electors in this state to the other  
9 signatories of the memorandum of understanding in order to maintain the official  
10 registration list under this section. The chief election officer shall ensure that any  
11 agreement entered into under this paragraph safeguards the confidentiality of  
12 information or data in the registration list to which access is restricted under par. (b)  
13 1. a. and that is transferred as provided under this paragraph.

14 **SECTION 46.** 6.36 (1) (am) of the statutes, as affected by 2015 Wisconsin Act ....  
15 (this act), is repealed and recreated to read:

16 6.36 (1) (am) The list under par. (a) may contain such other information as may  
17 be determined by the commission to facilitate administration of elector registration  
18 requirements.

19 **SECTION 47.** 6.36 (1) (b) 1. a. of the statutes is amended to read:

20 6.36 (1) (b) 1. a. Except as provided in pars. (ae), (am)<sup>e</sup>, (bm), and (bn), no person  
21 other than an employee of the board, a county clerk, a deputy county clerk, an  
22 executive director of a county board of election commissioners, a deputy designated  
23 by the executive director, a municipal clerk, a deputy municipal clerk, an executive  
24 director of a city board of election commissioners, or a deputy designated by the  
25 executive director may view the date of birth, operator's license number, or social



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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 48.** 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 49.** 6.36 (6) of the statutes is amended to read:

6.36 (6) The board shall establish by rule the fee for obtaining a copy of the official registration list, or a portion of the list, including access to the subscription service established under s. 5.05 (14) (b). The amount of the fee shall be set, after consultation with county and municipal election officials, at an amount estimated to cover both the cost of reproduction and the cost of maintaining the list at the state and local level. The rules shall require that revenues from fees received be shared between the state and municipalities or their designees under s. 6.33 (5) (b), and shall specify a method for such allocation.

**SECTION 50.** 6.36 (6) of the statutes, as affected by 2015 Wisconsin Act ... (this act), is repealed and recreated to read:

1           6.36 (6) The commission shall establish by rule the fee for obtaining a copy of  
2 the official registration list, or a portion of the list, including access to the  
3 subscription service established under s. 5.05 (14) (b). The amount of the fee shall  
4 be set, after consultation with county and municipal election officials, at an amount  
5 estimated to cover both the cost of reproduction and the cost of maintaining the list  
6 at the state and local level. The rules shall require that revenues from fees received  
7 be shared between the state and municipalities or their designees under s. 6.33 (5)  
8 (b), and shall specify a method for such allocation.

9           **SECTION 51.** 6.40 of the statutes is repealed.

10          **SECTION 52.** 6.50 (3) of the statutes is amended to read:

11          6.50 (3) Upon receipt of reliable information that a registered elector has  
12 changed his or her residence to a location outside of the municipality, the municipal  
13 clerk or board of election commissioners shall notify the elector by mailing a notice  
14 by 1st class mail to the elector's registration address stating the source of the  
15 information. All municipal departments and agencies receiving information that a  
16 registered elector has changed his or her residence shall notify the clerk or board of  
17 election commissioners. If the elector no longer resides in the municipality or fails  
18 to apply for continuation of registration within 30 days of the date the notice is  
19 mailed, the clerk or board of election commissioners shall change the elector's  
20 registration from eligible to ineligible status. Upon receipt of reliable information  
21 that a registered elector has changed his or her residence within the municipality,  
22 the municipal clerk or board of election commissioners shall ~~transfer~~ change the  
23 elector's registration and mail the elector a notice of the ~~transfer~~ change under s. 6.40 (2)  
24 change. This subsection does not restrict the right of an elector to challenge any  
25 registration under s. 6.325, 6.48, 6.925, 6.93, or 7.52 (5).

1           **SECTION 53.** 6.50 (10) of the statutes is amended to read:

2           6.50 (10) Any qualified elector whose registration is changed from eligible to  
3 ineligible status under this section may reregister as provided under s. 6.28 (1), 6.29  
4 (2), or 6.55 (2), or, if the elector has a current and valid operator's license issued to  
5 the elector under ch. 343 or a current and valid identification card issued under s.  
6 343.50, may reregister under s. 6.30 (5).

7           **SECTION 54.** 6.55 (2) (a) 2. of the statutes is repealed.

8           **SECTION 55.** 6.55 (2) (b) of the statutes is amended to read:

9           6.55 (2) (b) Upon executing the registration form under par. (a), the elector  
10 shall provide proof of residence under s. 6.34. The signing by the elector executing  
11 the registration form shall be in the presence of the ~~special~~ election registration  
12 deputy official or inspector. Upon receipt of the registration form, the ~~deputy official~~  
13 or inspector shall enter both the type of identifying document submitted by the  
14 elector as proof of residence and the name of the entity or institution that issued the  
15 identifying document, and, if the identifying document includes a number that  
16 applies only to the individual holding that document, that number in the space  
17 provided on the form. The ~~deputy official~~ or inspector shall then print his or her name  
18 on and sign the form, indicating that the ~~deputy official~~ or inspector has accepted the  
19 form. Upon compliance with this procedure, the elector shall be permitted to cast his  
20 or her vote, if the elector complies with all other requirements for voting at the polling  
21 place.

22           **SECTION 56.** 6.55 (2) (c) 1. of the statutes is amended to read:

23           6.55 (2) (c) 1. As an alternative to registration at the polling place under pars.  
24 (a) and (b), the board of election commissioners, or the governing body of any  
25 municipality, may by resolution require a person who qualifies as an elector and who

1 is not registered and desires to register on the day of an election to do so at another  
2 readily accessible location in the same building as the polling place serving the  
3 elector's residence or at an alternate polling place assigned under s. 5.25 (5) (b),  
4 instead of at the polling place serving the elector's residence. In such case, the  
5 municipal clerk shall prominently post a notice of the registration location at the  
6 polling place. An eligible elector who desires to register shall execute a registration  
7 form as prescribed under par. (a) and provide proof of residence as provided under  
8 s. 6.34. The signing by the person executing the registration form shall be in the  
9 presence of the municipal clerk, deputy clerk, or ~~special election~~ registration ~~deputy~~  
10 official. Upon receipt of the registration form, the municipal clerk, deputy clerk, or  
11 ~~special election~~ registration ~~deputy~~ official shall enter the type of identifying  
12 document submitted by the elector as proof of residence, the name of the entity or  
13 institution that issued the identifying document, and, if the identifying document  
14 includes a number that applies only to the individual holding that document, the last  
15 4 digits of that number in the space provided on the form. If the number on the  
16 identifying document submitted by the elector has 6 or fewer digits, the clerk shall  
17 enter only the last 2 digits of that number. The municipal clerk, the deputy clerk,  
18 or the ~~special election~~ registration ~~deputy~~ official shall then print his or her name  
19 and sign the form, indicating that the clerk, deputy clerk, or ~~deputy~~ official has  
20 accepted the form. Upon proper completion of registration, the municipal clerk,  
21 deputy clerk, or ~~special election~~ registration ~~deputy~~ official shall serially number the  
22 registration and give one copy to the person for presentation at the polling place  
23 serving the person's residence or an alternate polling place assigned under s. 5.25 (5)  
24 (b).

25 SECTION 57. 6.55 (2) (cs) of the statutes is amended to read:

1           6.55 (2) (cs) The board shall provide to each municipal clerk a list prepared for  
2 use at each polling place showing the name and address of each person whose name  
3 appears on the list provided by the department of corrections under s. 301.03 (20m)  
4 as ineligible to vote on the date of the election, whose address is located in the area  
5 served by that polling place, and whose name does not appear on the poll list for that  
6 polling place. Prior to permitting an elector to register to vote under this subsection  
7 or s. 6.86 (3) (a) 2., the inspectors or special election registration deputies officials  
8 shall review the list. If the name of an elector who wishes to register to vote appears  
9 on the list, the inspectors or special election registration deputies officials shall  
10 inform the elector or the elector’s agent that the elector is ineligible to register to vote.  
11 If the elector or the elector’s agent maintains that the elector is eligible to vote in the  
12 election, the inspectors or special election registration deputies officials shall permit  
13 the elector to register but shall mark the elector’s registration form as “ineligible to  
14 vote per Department of Corrections.” If the elector wishes to vote, the inspectors  
15 shall require the elector to vote by ballot and shall challenge the ballot as provided  
16 in s. 6.79 (2) (dm).

17           **SECTION 58.** 6.55 (2) (d) of the statutes is amended to read:

18           6.55 (2) (d) A registered elector who has changed his or her name but resides  
19 at the same address, and has not ~~notified~~ previously provided notice of the change  
20 to the municipal clerk under s. 6.40 (1) (e), shall notify the inspector of the change  
21 before voting. The inspector shall then notify the municipal clerk at the time when  
22 materials are returned under s. 6.56 (1). If an elector has changed both a name and  
23 address, the elector shall register at the polling place or other registration location  
24 under pars. (a) and (b).

Amend  
29-16

1           **SECTION 59.** 6.55 (6) of the statutes, as affected by 2015 Wisconsin Act 39, is  
2 amended to read:

3           6.55 **(6)** Any of the registration duties of inspectors under sub. (2) may be  
4 carried out in the municipality by the municipal clerk ~~or by special registration~~  
5 ~~deputies appointed by the municipal clerk or board of election commissioners at any~~  
6 ~~polling place or other registration location whenever the clerk or board of election~~  
7 ~~commissioners determines that the registration process provided for in that~~  
8 ~~subsection will be facilitated thereby.~~ The municipal clerk, however, may not carry  
9 out the registration duties of the inspectors under sub. (2) if the municipal clerk is  
10 a candidate on the ballot for that election day. ~~The deputies shall be specially~~  
11 ~~appointed by the clerk or board of election commissioners for one election only to~~  
12 ~~conduct elector registration only.~~

13           **SECTION 60.** 6.79 (1m) of the statutes is amended to read:

14           6.79 **(1m)** SEPARATE POLL LISTS. ~~Two election officials at each election ward shall~~  
15 ~~be in charge of and shall maintain 2 separate poll lists containing information~~  
16 ~~relating to all persons voting.~~ The municipal clerk may elect to maintain the  
17 information on the lists poll list manually or electronically. If the lists are  
18 maintained clerk elects to maintain the list electronically, the board shall prescribe  
19 a supplemental list that contains the full name, address, and space for the entry of  
20 the signature of each elector, or if the elector is exempt from the signature  
21 requirement under s. 6.36 (2) (a), the word "exempt". If the lists are maintained  
22 electronically, the officials shall enter the information into an electronic data  
23 recording system that enables retrieval of printed copies of the lists at the polling  
24 place an election official at each election ward shall be in charge of and shall maintain  
25 the poll list. The system employed to maintain the list electronically is subject to the

Handwritten note: "Amended 31-3" with an arrow pointing to line 3.

1 approval of the board. If the clerk elects to maintain the information manually, 2  
2 election officials at each election ward shall be in charge of and shall maintain 2  
3 separate poll lists.

4 SECTION 61. 6.79 (2) (d) of the statutes is amended to read:

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

16 SECTION 62. 6.86 (3) (b) of the statutes is amended to read:

17 6.86 (3) (b) When each properly executed form and statement required under  
18 par. (a) is presented to the municipal clerk, if the elector who proposes to vote is  
19 qualified, an absentee ballot shall be issued and the name of such hospitalized elector  
20 shall be recorded by the clerk ~~or special registration deputy~~. An agent who is issued  
21 an absentee ballot under this section shall present documentation of his or her  
22 identity, provide his or her name and address, and attest to a statement that the  
23 ballot is received solely for the benefit of a named elector who is hospitalized, and the  
24 agent will promptly transmit the ballot to such person.

25 SECTION 63. 6.87 (4) (b) 1. of the statutes is amended to read:

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



1 which is marked for candidates of more than one party invalidates all votes cast by  
2 the elector for candidates in the primary.

3 **SECTION 64.** 6.87 (6) of the statutes is amended to read:

4 6.87 (6) ~~Except as provided in s. 7.515 (3), the~~ The ballot shall be returned so  
5 it is received by the municipal clerk delivered to the polling place no later than 8 p.m.  
6 on election day. Except in municipalities where absentee ballots are canvassed  
7 under s. 7.52, if the municipal clerk receives an absentee ballot on election day, the  
8 clerk shall secure the ballot and cause the ballot to be delivered to the polling place  
9 serving the elector's residence before ~~the closing hour.~~ ~~Except as provided in s. 7.515~~  
10 ~~(3), any 8 p.m.~~ Any ballot not mailed or delivered as provided in this subsection may  
11 not be counted.

12 **SECTION 65.** 7.03 (1) (d) of the statutes is amended to read:

13 7.03 (1) (d) Except as otherwise provided in par. (a), ~~special registration~~  
14 ~~deputies appointed under s. 6.55 (6),~~ special voting deputies appointed under s. 6.875  
15 (4) and other officials and trainees who attend training sessions under s. 7.15 (1) (e)  
16 or 7.25 (5) may also be compensated by the municipality where they serve at the  
17 option of the municipality.

18 **SECTION 66.** 7.08 (1) (c) of the statutes is amended to read:

19 7.08 (1) (c) Prescribe forms required by ss. 6.24 (3) and (4), 6.30 (4) and (5), 6.33  
20 (1), ~~6.40 (1) (a),~~ 6.47 (1) (am) 2. and (3), 6.55 (2), and 6.86 (2) to (3). All such forms  
21 shall contain a statement of the penalty applicable to false or fraudulent registration  
22 or voting through use of the form. Forms are not required to be furnished by the  
23 board.

24 **SECTION 67.** 7.30 (2) (a) of the statutes is amended to read:

Insert  
33-23

1           7.30 (2) (a) Only election officials appointed under this section or s. 6.875 may  
2     conduct an election. Except as otherwise provided in this paragraph and in ss. 7.15  
3     (1) (k) and 7.52 (1) (b), each election official shall be a qualified elector of a county in  
4     which the municipality where the official serves is located, and each chief inspector  
5     shall be a qualified elector of the municipality in which the chief inspector serves.  
6     If no qualified candidate for chief inspector is available or if the chief inspector is  
7     appointed to fill a vacancy under par. (b), the person so appointed need not be a  
8     qualified elector of the municipality. If a municipal clerk or deputy clerk serves as  
9     ~~a registration deputy or~~ is appointed to fill a vacancy under par. (b), the clerk or  
10    deputy clerk need not be a resident of the county, but shall be a resident of the state.  
11    No more than 2 individuals holding the office of clerk or deputy clerk may serve  
12    without regard to county residency in any municipality at any election. ~~Special~~  
13    ~~registration deputies who are appointed under s. 6.55 (6) may be appointed to serve~~  
14    ~~more than one polling place.~~ All officials appointed under this section shall be able  
15    to read and write the English language, be capable, and be of good understanding,  
16    and may not be a candidate for any office to be voted for at an election at which they  
17    serve. In 1st class cities, they may hold no public office other than notary public.  
18    Except as authorized under subs. (1) (b) and (4) (c), all inspectors shall be affiliated  
19    with one of the 2 recognized political parties which received the largest number of  
20    votes for president, or governor in nonpresidential general election years, in the ward  
21    or combination of wards served by the polling place at the last election. Excluding  
22    the inspector who may be appointed under sub. (1) (b), the party which received the  
23    largest number of votes is entitled to one more inspector than the party receiving the  
24    next largest number of votes at each polling place. Whenever 2 or more inspectors  
25    are required to perform a function within a polling place and both parties that are

1 entitled to submit nominees have done so, the chief inspector shall assign, insofar as  
2 practicable, an equal number of inspectors from the nominees of each party.

3 SECTION 68. 7.31 (1) of the statutes is amended to read:

4 7.31 (1) The board shall, ~~by rule, prescribe~~ establish requirements for  
5 certification of individuals to serve as chief inspectors. The requirements shall  
6 include a requirement to attend at least one training session held under sub. (5)  
7 before beginning service. ~~The requirements shall not include taking an examination.~~

Insert  
35-7

8 SECTION 69. 7.315 (1) (a) of the statutes is amended to read:

9 7.315 (1) (a) The board shall, by rule, prescribe the contents of the training that  
10 municipal clerks must provide to inspectors, other than chief inspectors, and to  
11 special voting deputies appointed under s. 6.875, ~~and to special registration deputies~~  
12 ~~appointed under ss. 6.26 and 6.55 (6).~~

Insert  
35-12

13 SECTION 70. 7.315 (1) (b) 1. of the statutes is amended to read:

14 7.315 (1) (b) 1. Each inspector other than a chief inspector and each special  
15 voting deputy appointed under s. 6.875 ~~and special registration deputy appointed~~  
16 ~~under s. 6.26 or 6.55 (6)~~ shall view or attend at least one training program every 2  
17 years. Except as provided in subd. 2., no individual may serve as an inspector, other  
18 than a chief inspector, or as a special voting deputy under s. 6.875, ~~or as a special~~  
19 ~~registration deputy under s. 6.26 or 6.55 (6)~~ at any election unless the individual has  
20 completed training for that election provided by the municipal clerk pursuant to  
21 rules promulgated under par. (a) within 2 years of the date of the election.

22 SECTION 71. 7.315 (1) (b) 2. of the statutes is amended to read:

23 7.315 (1) (b) 2. Only when an individual who has received training under subd.  
24 1. is unavailable to perform his or her election duties due to sickness, injury, or other  
25 unforeseen occurrence may an individual who has not received training under subd.

1 1. be appointed to serve as an inspector, other than chief inspector, or a special voting  
2 deputy ~~or special registration deputy~~. The appointment of an individual to serve  
3 under this subdivision shall be for a specific election and no individual may be  
4 appointed under this subdivision more than one time in a 2-year period.

5 **SECTION 72.** 7.315 (3) of the statutes is amended to read:

6 7.315 (3) The board may produce and periodically reissue as necessary a video  
7 program for the purpose of training election officials, including special voting  
8 deputies and ~~special registration deputies~~ election registration officials. The board  
9 shall make any such program available for viewing electronically through an  
10 Internet-based system.

*Insert  
36-10*

11 **SECTION 73.** 7.315 (4) of the statutes is created to read:

12 7.315 (4) Election registration officials shall receive the training as provided  
13 under this section for inspectors, other than chief inspectors.

14 **SECTION 74.** 7.37 (13) of the statutes is amended to read:

15 7.37 (13) CLOSING OF POLLS. For each polling place, the municipal clerk shall  
16 designate an official of the municipality who shall position himself or herself at the  
17 end of the line of individuals waiting to vote, if any, at the time that the polls officially  
18 close. The official may be an appointed inspector ~~or special registration deputy~~  
19 ~~appointed under s. 6.55 (6)~~ who serves at that polling place, an employee of the  
20 municipal clerk or a police officer. Only individuals in line ahead of the official shall  
21 be permitted to vote under s. 6.78 (4).

22 **SECTION 75.** 7.51 (4) (c) of the statutes is created to read:

23 7.51 (4) (c) On election night the municipalities shall report the returns, by  
24 ward or reporting unit, to the county clerk no later than 2 hours after the votes are  
25 tabulated.

1           **SECTION 76.** 7.51 (5) (b) of the statutes is amended to read:

2           7.51 (5) (b) The municipal clerk shall deliver all ballots, statements, tally  
3 sheets, lists, and envelopes relating to a school district election to the school district  
4 clerk, excluding any ~~absentee ballots that are received after the closing hour on~~  
5 ~~election night~~ and any provisional ballots, by 4 p.m. on the day following each such  
6 election and shall deliver to the school district clerk any amended statements, tally  
7 sheets, and lists for additional provisional and absentee ballots canvassed under s.  
8 6.97 (4) ~~or 7.515 (6) (b)~~ no later than 4 p.m. on the Monday after the election. The  
9 municipal clerk shall deliver to the county clerk the ballots, statements, tally sheets,  
10 lists, and envelopes for his or her municipality relating to any county, technical  
11 college district, state, or national election no later than 4 p.m. on the day following  
12 each such election or, in municipalities where absentee ballots are canvassed under  
13 s. 7.52, by 4 p.m. on the 2nd day following each such election, and shall deliver to the  
14 county clerk any additional provisional and absentee ballots canvassed under s. 6.97  
15 (4) ~~or 7.515 (6) (b)~~ together with amended statements, tally sheets, lists, and  
16 envelopes no later than 4 p.m. on the Monday after the election. The person  
17 delivering the returns shall be paid out of the municipal treasury. Each clerk shall  
18 retain ballots, statements, tally sheets, or envelopes received by the clerk until  
19 destruction is authorized under s. 7.23 (1).

20           **SECTION 77.** 7.515 of the statutes is repealed.

21           **SECTION 78.** 7.53 (1) (a) of the statutes, as affected by 2015 Wisconsin Act 37,  
22 is amended to read:

23           7.53 (1) (a) Where the municipality constitutes one ward or combines all wards  
24 to utilize a single polling place under s. 5.15 (6) (b), the canvass of the votes cast at  
25 the polling place shall be conducted publicly under s. 7.51 and the inspectors, other

1 than any inspector appointed under s. 7.30 (1) (b), shall act as the municipal board  
2 of canvassers. The inspectors shall then complete the return statement for all votes  
3 cast at the polling place. If there are no provisional ballots that are eligible to be  
4 counted under s. 6.97 ~~and the municipal clerk has not mailed or transmitted~~  
5 ~~absentee ballots to any electors of the municipality that have not been returned by~~  
6 ~~election night~~, and no absentee ballots are being canvassed under s. 7.52, the  
7 inspectors may complete and sign the canvass statement and determination on  
8 election night. In municipalities where absentee ballots are canvassed under s. 7.52,  
9 after the canvass of the absentee ballots is completed under s. 7.52, the board of  
10 absentee ballot canvassers shall reconcile the poll list of the electors who vote by  
11 absentee ballot with the corresponding poll list of the electors who vote in person to  
12 ensure that no elector is allowed to cast more than one ballot. If an elector who votes  
13 in person has submitted an absentee ballot, the absentee ballot is void. Except as  
14 authorized in par. (b), if one or more electors of the municipality have cast provisional  
15 ballots that are eligible to be counted under s. 6.97 ~~or if the municipal clerk receives~~  
16 ~~one or more absentee ballots by 4 p.m. on the Friday after the election that are eligible~~  
17 ~~to be counted under s. 7.515 (6) (b)~~, the inspectors, acting as the board of canvassers,  
18 shall reconvene no later than 9 a.m. on the Monday after the election to count the  
19 valid provisional ~~and absentee~~ ballots and shall adjust the returns accordingly. The  
20 inspectors, acting as the board of canvassers, need not reconvene if the municipal  
21 clerk certifies that he or she has received no provisional ~~or absentee~~ ballots from the  
22 time that the board of canvassers completed the initial canvass and 4 p.m. on the  
23 Friday after the election. Upon completion of the canvass under this paragraph and  
24 any canvass that is conducted under s. 7.52 and ascertainment of the results by the  
25 inspectors or, in municipalities where absentee ballots are canvassed under s. 7.52,

1 by the inspectors and the board of absentee ballot canvassers, the municipal clerk  
2 shall publicly read to the inspectors or the board of absentee ballot canvassers the  
3 names of the persons voted for and the number of votes for each person for each  
4 municipal office, the names of the persons declared by the inspectors or board of  
5 absentee ballot canvassers to have won nomination or election to each municipal  
6 office, and the number of votes cast for and against each municipal referendum  
7 question.

8 **SECTION 79.** 7.53 (3) (a) of the statutes is amended to read:

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

1 showing the numbers of votes cast for each person for each office and for and against  
2 each question and shall prepare a determination showing the names of the persons  
3 who are elected to the school board and the results of any school district referendum.  
4 Following each primary election, the board of canvassers shall prepare a statement  
5 certifying the names of the persons who have won nomination to the school board.  
6 Each statement and determination shall be attested by each of the canvassers. The  
7 board of canvassers shall file each statement and determination in the school district  
8 office. The school district clerk shall certify nominations after each primary and  
9 issue certificates of election to persons who are elected to the school board after each  
10 election in the manner provided in sub. (4).

11 **SECTION 80.** 7.60 (1) of the statutes is amended to read:

12 7.60 (1) KEEP OFFICE OPEN. On election night the county clerk shall keep the  
13 clerk's office open to receive reports from the ward inspectors and shall post all  
14 returns. On election night the clerk shall post all returns, by ward or reporting unit,  
15 on an Internet site maintained by the county no later than 2 hours after receiving  
16 the returns.

17 **SECTION 81.** 7.60 (1) of the statutes, as affected by 2015 Wisconsin Act ... (this  
18 act), is repealed and recreated to read:

19 7.60 (1) KEEP OFFICE OPEN. On election night the county clerk shall keep the  
20 clerk's office open to receive reports from the ward inspectors and shall post all  
21 returns. On election night the clerk shall post all returns, by ward or reporting unit,  
22 on an Internet site maintained by the county no later than 2 hours after receiving  
23 the returns.

24 **SECTION 82.** 9.01 (1) (a) 1. of the statutes is amended to read:

create  
a.v.



1           9.01 (1) (a) 1. Any candidate voted for at any election or any elector who voted  
2 upon any referendum question at any election may petition for a recount. The  
3 petitioner shall file a verified petition or petitions with the proper clerk or body under  
4 par. (ar) not earlier than the time of completion of the canvass following canvassing  
5 of any valid provisional ~~and absentee~~ ballots under ss. 6.97 (4) ~~and 7.515 (6)~~ and,  
6 except as provided in this subdivision, not later than 5 p.m. on the 3rd business day  
7 following the last meeting day of the municipal or county board of canvassers  
8 determining the election for that office or on that referendum question following  
9 canvassing of all valid provisional ~~and absentee~~ ballots or, if more than one board of  
10 canvassers makes the determination, not later than 5 p.m. on the 3rd business day  
11 following the last meeting day of the last board of canvassers which makes a  
12 determination following canvassing of all valid provisional ~~and absentee~~ ballots. If  
13 the chairperson of the board or chairperson's designee makes the determination for  
14 the office or the referendum question, the petitioner shall file the petition not earlier  
15 than the last meeting day of the last county board of canvassers to make a statement  
16 in the election or referendum following canvassing of all valid provisional ~~and~~  
17 ~~absentee~~ ballots and not later than 5 p.m. on the 3rd business day following the day  
18 on which the government accountability board receives the last statement from a  
19 county board of canvassers for the election or referendum following canvassing of all  
20 valid provisional ~~and absentee~~ ballots.

21           **SECTION 83.** 17.29 of the statutes is amended to read:

22           **17.29 Effect of chapter.** The provisions of this chapter supersede all contrary  
23 provisions in either the general law or in special acts, except ss. 6.26 (2) (b), 6.55 (6),  
24 6.875, and 7.30 relating to appointed election officials and ch. 321 relating to the  
25 military staff of the governor and to officers of the Wisconsin national guard or state

Insert  
41-20

1 defense force; and shall govern all offices whether created by general law or special  
2 act, unless otherwise specially provided.

3 SECTION 84. 85.61 (1) of the statutes is amended to read:

4 85.61 (1) The secretary of transportation and the administrator of the elections  
5 division of the government accountability board shall enter into an agreement to  
6 match personally identifiable information on the official registration list maintained  
7 by the government accountability board under s. 6.36 (1) and the information  
8 specified in s. 6.34 (2m) with personally identifiable information in the operating  
9 record file database under ch. 343 and vehicle registration records under ch. 341 to  
10 the extent required to enable the secretary of transportation and the administrator  
11 of the elections division of the government accountability board to verify the accuracy  
12 of the information provided for the purpose of voter registration.

Insert  
42-12

13 SECTION 85. 343.027 of the statutes is amended to read:

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

22 SECTION 86. **Effective dates.** This act takes effect on the day after publication,  
23 except as follows:

[Handwritten oval around the text of Section 86]

Insert  
42-21

1 (1) The repeal and recreation of sections 5.05 (14) (b) and (c), 6.33 (5) (a), 6.36  
 2 (1) (a) (intro.), 4., and 9. and (am) and (6), and 7.60 (1) of the statutes takes effect on  
 3 June 30, 2016.

4 **SECTION 87. Nonstatutory provisions.**

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

12 **SECTION 88. Fiscal changes.**

13 (1) In the schedule under section 20.005 (3) of the statutes for the appropriation  
 14 to the government accountability board under section 20.511 (1) (a) of the statutes,  
 15 as affected by the acts of 2015, the dollar amount is increased by \$-0- for the first  
 16 fiscal year of the fiscal biennium in which this subsection takes effect to implement  
 17 an electronic voter registration system. In the schedule under section 20.005 (3) of  
 18 the statutes for the appropriation to the government accountability board under  
 19 section 20.511 (1) (a) of the statutes, as affected by the acts of 2015, the dollar amount  
 20 is increased by \$-0- for the second fiscal year of the fiscal biennium in which this  
 21 subsection takes effect to implement an electronic voter registration system.

22 (2) In the schedule under section 20.005 (3) of the statutes for the appropriation  
 23 to the department of transportation under section 20.395 (4) (aq) of the statutes, as  
 24 affected by the acts of 2015, the dollar amount is increased by \$-0- for the first fiscal  
 25 year of the fiscal biennium in which this subsection takes effect to implement an

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

**SECTION 89. Initial applicability.**

7 (1) The treatment of sections 6.22 (5), 6.25 (1) (a) and (b), 6.87 (6), 7.51 (5) (b),  
 8 7.53 (1) (a) and (3) (a), and 9.01 (1) (a) 1. of the statutes first applies to elections held  
 9 no earlier than 6 months after the effective date of this subsection.

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

12 **SECTION 90. Effective dates.** This act takes effect on the day after publication,  
 13 except as follows:

14 (1) The repeal of section 6.26 of the statutes takes effect on the first day of the  
 15 6th month beginning after publication.

Insert  
44-13

end

add  
component

( by SECTION \* )  
 use a.r. ↑  
 (see p. 40) X

Insert A - 5

2. The date on which the clerk mailed an absentee ballot to an elector and the date on which the elector returned the absentee ballot.

Insert 7 - 9

X 1 SECTION 1. 5.05 (16) of the statutes, as affected by 2015 Wisconsin Act ... (this  
2 act) is repealed and recreated to read:

3 5.05 (16) ELECTRONIC POLL LISTS. The commission may facilitate the creation  
4 and maintenance of electronic poll lists for purposes of s. 6.79 including entering into  
5 contracts with vendors and establishing programs for development and testing.

Insert 7 - 16

6 SECTION 2. 5.056 of the statutes, as affected by 2015 Wisconsin Act ... (this act)  
7 is repealed and recreated to read:

8 **5.056 Matching program with secretary of transportation.** The  
9 commission administrator shall enter into the agreement with the secretary of  
10 transportation specified under s. 85.61 (1) to match personally identifiable  
11 information on the official registration list maintained by the commission under s.  
12 6.36 (1) and the information specified in s. 6.34 (2m) with personally identifiable  
13 information maintained by the department of transportation.

Insert 9 - 25

14 SECTION 3. 5.91 (intro.) of the statutes, as affected by 2015 Wisconsin Act ...  
15 (this act) is repealed and recreated to read:

16 **5.91 Requisites for approval of ballots, devices and equipment.** (intro.)  
17 No ballot, voting device, automatic tabulating equipment, or related equipment and  
18 materials to be used in an electronic voting system may be utilized in this state

1 unless it is certified by the commission. The commission may revoke its certification  
2 of any ballot, device, equipment or materials at any time for cause. The commission  
3 may certify any such voting device, automatic tabulating equipment, or related  
4 equipment or materials regardless of whether any such item is approved by the  
5 federal election assistance commission, but the commission may not certify any  
6 ballot, device, equipment, or material to be used in an electronic voting system unless  
7 it fulfills the following requirements:

**Insert 10 - 23**

8 **SECTION 4.** 6.24 (3) of the statutes, as affected by 2015 Wisconsin Act ... (this  
9 act) is repealed and recreated to read:

10 6.24 (3) REGISTRATION. The overseas elector shall register in the municipality  
11 where he or she was last domiciled or where the overseas elector's parent was last  
12 domiciled on a form prescribed by the commission designed to ascertain the elector's  
13 qualifications under this section. The commission shall ensure that the form is  
14 substantially similar to the original form under s. 6.33 (1), insofar as applicable.  
15 Registration shall be accomplished in accordance with s. 6.30 (4) or (5).

**Insert 13 - 14**

16 **SECTION 5.** 6.30 (4) of the statutes, as affected by 2015 Wisconsin Act ... (this  
17 act) is repealed and recreated to read:

18 6.30 (4) BY MAIL. Any eligible elector may register by mail on a form prescribed  
19 by the commission and provided by each municipality. The form shall be designed  
20 to obtain the information required in ss. 6.33 (1). The form shall contain a  
21 certification by the elector that all statements are true and correct. The form shall  
22 be prepostpaid for return when mailed at any point within the United States. The

1 form shall be available in the municipal clerk's office and may be distributed by any  
2 elector of the municipality. The clerk shall mail a registration form to any elector  
3 upon written or oral request. /

**Insert 14 - 12**

4 **SECTION 6.** 6.30 (5) of the statutes, as affected by 2015 Wisconsin Act ... (this  
5 act) is repealed and recreated to read:

6 **6.30 (5) BY ELECTRONIC APPLICATION.** An eligible elector who holds a current and  
7 valid operator's license issued under ch. 343 or a current and valid identification card  
8 issued under s. 343.50 may register electronically in the manner prescribed by the  
9 commission. The commission shall maintain on the Internet a secure registration  
10 form that enables the elector to enter the information required under s. 6.33 (1)  
11 electronically. An elector who registers electronically under this subsection must  
12 authorize the commission to obtain from the department of transportation an  
13 electronic copy of the elector's signature, which signature shall constitute an  
14 affirmation that all information provided by the elector is correct and shall have the  
15 same effect as if the elector had signed the application personally. The commission  
16 shall include on the registration form a place for the elector to give this authorization.  
17 Upon submittal of the electronic application, the commission shall obtain from the  
18 department of transportation a copy of the electronic signature of the elector. The  
19 commission shall maintain the application on file and shall notify the municipal  
20 clerk or board of election commissioners of the municipality where the elector resides  
21 of its receipt of each completed application. The commission shall also permit any  
22 elector who has a current and valid operator's license issued to the elector under ch.  
23 343 or a current and valid identification card issued under s. 343.50 to make changes

*e. created*



1 in his or her registration at the same Internet site that is used by electors for original  
2 registration under this subsection. An elector shall attest to the correctness of any  
3 changes in the same manner as provided in this subsection for information entered  
4 on an application for original registration.

**Insert 17 - 2**

5 **SECTION 7. 6.33 (1)** of the statutes, as affected by 2015 Wisconsin Act ... (this  
6 act) is repealed and recreated to read:

7 **6.33 (1)** The commission shall prescribe the format, size, and shape of  
8 registration forms. All nonelectronic forms shall be printed and each item of  
9 information shall be of uniform font size, as prescribed by the commission. Except  
10 as otherwise provided in this subsection, electronic forms shall contain the same  
11 information as nonelectronic forms. The municipal clerk shall supply sufficient  
12 forms to meet voter registration needs. The commission shall design the form to  
13 obtain from each elector information as to name; date; residence location; location of  
14 previous residence immediately before moving to current residence location;  
15 citizenship; date of birth; age; the number of a current and valid operator's license  
16 issued to the elector under ch. 343 or the last 4 digits of the elector's social security  
17 account number; whether the elector has resided within the ward or election district  
18 for the number of consecutive days specified in s. 6.02 (1); whether the elector has  
19 been convicted of a felony for which he or she has not been pardoned, and if so,  
20 whether the elector is incarcerated, or on parole, probation, or extended supervision;  
21 whether the elector is disqualified on any other ground from voting; and whether the  
22 elector is currently registered to vote at any other location. The commission shall  
23 include on the nonelectronic form a space for the elector's signature and on the



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

1           **SECTION 8.** 6.34 (2m) of the statutes, as affected by 2015 Wisconsin Act ... (this  
2 act) is repealed and recreated to read:

3           **6.34 (2m)** An elector who registers by electronic application under s. 6.30 (5)  
4 is not required to provide proof of residence under sub. (2) if, at the time of  
5 registration, the elector provides the number of a current and valid operator's license  
6 issued under ch. 343, or the number of a current and valid identification card issued  
7 under s. 343.50, together with the elector's name and date of birth and the  
8 commission is able to verify the information specified under sub. (3) (b) using the  
9 system maintained under sub. (4).

**Insert 20 - 19**

10           **SECTION 9.** 6.34 (4) of the statutes, as affected by 2015 Wisconsin Act ... (this  
11 act) is repealed and recreated to read:

12           **6.34 (4)** The commission shall maintain a system that electronically verifies,  
13 on an instant basis, information specified under sub. (3) (b) from the information  
14 submitted in lieu of proof of residence under sub. (2m), using the information  
15 maintained by the department of transportation pursuant to the commission's  
16 agreement with the secretary of transportation under s. 85.61 (1). If a prospective  
17 elector enters information specified under sub. (3) (b) 2. into the system that does not  
18 match such information maintained by the department of transportation, the system  
19 shall redirect the elector to the department of transportation's Internet site so that  
20 the elector may update his or her information with the department of transportation.

**Insert 21 - 3**

21           **SECTION 10.** 6.35 (2) of the statutes, as affected by 2015 Wisconsin Act ... (this  
22 act) is repealed and recreated to read:

created

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

**Insert 23 - 2**

4           14. Separate columns indicating the date on which the clerk mailed an  
5 absentee ballot to an elector and the date on which the elector returned the absentee  
6 ballot.

**Insert 25 - 3**

7           **SECTION 11.** 6.36 (1) (b) 1. a. of the statutes, as affected by 2015 Wisconsin Act<sup>5</sup>  
8 .... (this act) is repealed and recreated to read:

9           6.36 (1) (b) 1. a. Except as provided in pars. (ae), (am), (bm), and (bn), no person  
10 other than an employee of the commission, a county clerk, a deputy county clerk, an  
11 executive director of a county board of election commissioners, a deputy designated  
12 by the executive director, a municipal clerk, a deputy municipal clerk, an executive  
13 director of a city board of election commissioners, or a deputy designated by the  
14 executive director may view the date of birth, operator's license number, or social  
15 security account number of an elector, the address of an elector to whom an  
16 identification serial number is issued under s. 6.47 (3), or any indication of an  
17 accommodation required under s. 5.25 (4) (a) to permit voting by an elector.

**Insert 29 - 16**

18           **SECTION 12.** 6.55 (2) (cs) of the statutes, as affected by 2015 Wisconsin Act ....  
19 (this act) is repealed and recreated to read:

20           6.55 (2) (cs) The commission shall provide to each municipal clerk a list  
21 prepared for use at each polling place showing the name and address of each person

1 whose name appears on the list provided by the department of corrections under s.  
2 301.03 (20m) as ineligible to vote on the date of the election, whose address is located  
3 in the area served by that polling place, and whose name does not appear on the poll  
4 list for that polling place. Prior to permitting an elector to register to vote under this  
5 subsection or s. 6.86 (3) (a) 2., the inspectors or election registration officials shall  
6 review the list. If the name of an elector who wishes to register to vote appears on  
7 the list, the inspectors or election registration officials shall inform the elector or the  
8 elector's agent that the elector is ineligible to register to vote. If the elector or the  
9 elector's agent maintains that the elector is eligible to vote in the election, the  
10 inspectors or election registration officials shall permit the elector to register but  
11 shall mark the elector's registration form as "ineligible to vote per Department of  
12 Corrections." If the elector wishes to vote, the inspectors shall require the elector to  
13 vote by ballot and shall challenge the ballot as provided in s. 6.79 (2) (dm).

**Insert 31 - 3**

14 **SECTION 13.** 6.79 (1m) of the statutes, as affected by 2015 Wisconsin Act .... (this  
15 act) is repealed and recreated to read:

16 **6.79 (1m) SEPARATE POLL LISTS.** The municipal clerk may elect to maintain the  
17 information on the poll list manually or electronically. If the clerk elects to maintain  
18 the list electronically, an election official at each election ward shall be in charge of  
19 and shall maintain the poll list. The system employed to maintain the list  
20 electronically is subject to the approval of the commission. If the clerk elects to  
21 maintain the information manually, 2 election officials at each election ward shall  
22 be in charge of and shall maintain 2 separate poll lists.

**Insert 33 - 23**

1           **SECTION 14.** 7.08 (1) (c) of the statutes, as affected by 2015 Wisconsin Act ...

2 (this act) is repealed and recreated to read:

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

**Insert 35 - 7**

7           **SECTION 15.** 7.31 (1) of the statutes, as affected by 2015 Wisconsin Act ... (this

8 act) is repealed and recreated to read:

9           7.31 (1) The commission shall establish requirements for certification of  
10 individuals to serve as chief inspectors. The requirements shall include a  
11 requirement to attend at least one training session held under sub. (5) before  
12 beginning service.

**Insert 35 - 12**

13           **SECTION 16.** 7.315 (1) (a) of the statutes, as affected by 2015 Wisconsin Act ...

14 (this act) is repealed and recreated to read:

15           7.315 (1) (a) The commission shall, by rule, prescribe the contents of the  
16 training that municipal clerks must provide to inspectors, other than chief  
17 inspectors, and to special voting deputies appointed under s. 6.875. ✓

PLAIN →

**Insert 36 - 10**

18           **SECTION 17.** 7.315 (3) of the statutes, as affected by 2015 Wisconsin Act ... (this

19 act) is repealed and recreated to read:

20           7.315 (3) The commission may produce and periodically reissue as necessary  
21 a video program for the purpose of training election officials, including special voting

1 deputies and election registration officials. The commission shall make any such  
2 program available for viewing electronically through an Internet-based system.

**Insert 41 - 20**

Handwritten note: *vs 118 and*

3 **SECTION 18.** 9.01 (1) (a) 1. of the statutes, as affected by 2015 Wisconsin Act  
4 (this act) is repealed and recreated to read:

5 9.01 (1) (a) 1. Any candidate voted for at any election or any elector who voted  
6 upon any referendum question at any election may petition for a recount. The  
7 petitioner shall file a verified petition or petitions with the proper clerk or body under  
8 par. (ar) not earlier than the time of completion of the canvass following canvassing  
9 of any valid provisional ballots under ss. 6.97 (4) and, except as provided in this  
10 subdivision, not later than 5 p.m. on the 3rd business day following the last meeting  
11 day of the municipal or county board of canvassers determining the election for that  
12 office or on that referendum question following canvassing of all valid provisional  
13 ballots or, if more than one board of canvassers makes the determination, not later  
14 than 5 p.m. on the 3rd business day following the last meeting day of the last board  
15 of canvassers which makes a determination following canvassing of all valid  
16 provisional ballots. If the commission chairperson or chairperson's designee makes  
17 the determination for the office or the referendum question, the petitioner shall file  
18 the petition not earlier than the last meeting day of the last county board of  
19 canvassers to make a statement in the election or referendum following canvassing  
20 of all valid provisional ballots and not later than 5 p.m. on the 3rd business day  
21 following the day on which the commission receives the last statement from a county

1 board of canvassers for the election or referendum following canvassing of all valid  
2 provisional ballots.

**Insert 42 - 12**

*s / 118 and*

3 **SECTION 19.** 85.61 (1) of the statutes, as affected by 2015 Wisconsin Act ... (this  
4 act) is repealed and recreated to read:

5 85.61 (1) The secretary of transportation and the administrator of the elections  
6 commission shall enter into an agreement to match personally identifiable  
7 information on the official registration list maintained by the commission under s.  
8 6.36 (1) and the information specified in s. 6.34 (2m) with personally identifiable  
9 information in the operating record file database under ch. 343 and vehicle  
10 registration records under ch. 341 to the extent required to enable the secretary of  
11 transportation and the administrator of the elections commission to verify the  
12 accuracy of the information provided for the purpose of voter registration.

**Insert 42 - 21**

13 **SECTION 20.** 343.027 of the statutes, as affected by 2015 Wisconsin Act ... (this  
14 act) is repealed and recreated to read:

15 **343.027 Confidentiality of signatures.** Any signature collected under this  
16 chapter may be maintained by the department and shall be kept confidential, except  
17 that the department shall release a signature or a facsimile of a signature to the  
18 department of revenue for the purposes of administering state taxes and collecting  
19 debt, to the elections commission, in electronic or digital format, for the purposes  
20 specified in s. 6.30 (5), to the person to whom the signature relates, to a court, district

1 attorney, county corporation counsel, city, village, or town attorney, law enforcement  
2 agency, or to the driver licensing agency of another jurisdiction.

**Insert 44 - 13**

3 (1) The repeal and recreation of sections 5.05 (14) (b) and (c) and ~~(16)~~, 5.056,  
4 5.91 (intro.), 6.24 (3), 6.30 (4) and (5), 6.33 (1) and (5) (a), 6.34 (2m) and (4), 6.35 (2),  
5 6.36 (1) (a) (intro.), 4., and 9., (am), (b) 1. a. and (6), 6.55 (2) (cs), 6.79 (1m), 7.08 (1)  
6 (e), 7.31 (1), 7.315 (1) (a) and (3), 9.01 (1) (a) 1., 85.61 (1), and 343.027 of the statutes  
7 takes effect on June 30, 2016.

18



## **Kreye, Joseph**

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**From:** Petrovich, Luke  
**Sent:** Monday, February 01, 2016 5:56 PM  
**To:** Kreye, Joseph  
**Subject:** Drafting Instructions for LRB s0284/P2

Hey Joe,

Senator LeMahieu would like to make the following changes for a P2 draft:

- Include the absentee ballot witness address requirement that we discussed on the phone
- The changes to the ERIC provisions that we discussed on the phone
- Incorporate the changes made in LRB 3233/P7

Let me know if you have any questions. I think we are getting close to a final product.

### **Luke Petrovich**

Office of Senator Devin LeMahieu  
608-266-2056