2015 SENATE BILL 771

March 3, 2016 – Introduced by Senators RISER, RINGHAND, VINEHOUT, CARPENTER, LASSA and MILLER, cosponsored by Representatives BERCEAU, SARGENT, SPREITZER, JOHNSON, KAHL, WACHS, CONSIDINE, GOYKE, SUBECK and C. TAYLOR. Referred to Committee on Elections and Local Government.

AN ACT to amend 6.86 (1) (b) of the statutes; relating to: accepting absentee ballot applications in person on weekends.

Analysis by the Legislative Reference Bureau

Currently, a person may apply in person to the municipal clerk for an absentee ballot beginning on the third Monday before the election and ending at 7 p.m. on the Friday before the election. The clerk may only receive applications made in person Monday to Friday between the hours of 8 a.m. and 7 p.m. This bill allows a municipal clerk to accept absentee ballot applications in person between the hours of 8 a.m. and 7 p.m. on any weekend day between the third Monday before the election and the Monday immediately preceding the election.

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

SECTION 1. 6.86 (1) (b) of the statutes is amended to read:

6.86 (1) (b) Except as provided in this section, if application is made by mail, the application shall be received no later than 5 p.m. on the 5th day immediately preceding the election. If application is made in person, the application shall be made no earlier than the opening of business on the 3rd Monday preceding the
election and no later than 7 p.m. on the Friday preceding the election. No application
may be received on a legal holiday. An application made in person may only be
received Monday to Friday between the hours of 8 a.m. and 7 p.m. each day, except
that the municipal clerk may choose to accept applications made in person between
the hours of 8 a.m. and 7 p.m. on any weekend day between the 3rd Monday
preceding the election and the Monday immediately preceding the election. A
municipality shall specify the hours in the notice under s. 10.01 (2) (e). The
municipal clerk or an election official shall witness the certificate for any in−person
absentee ballot cast. Except as provided in par. (c), if the elector is making written
application for an absentee ballot at the partisan primary, the general election, the
presidential preference primary, or a special election for national office, and the
application indicates that the elector is a military elector, as defined in s. 6.34 (1), the
application shall be received by the municipal clerk no later than 5 p.m. on election
day. If the application indicates that the reason for requesting an absentee ballot is
that the elector is a sequestered juror, the application shall be received no later than
5 p.m. on election day. If the application is received after 5 p.m. on the Friday
immediately preceding the election, the municipal clerk or the clerk’s agent shall
immediately take the ballot to the court in which the elector is serving as a juror and
deposit it with the judge. The judge shall recess court, as soon as convenient, and
give the elector the ballot. The judge shall then witness the voting procedure as
provided in s. 6.87 and shall deliver the ballot to the clerk or agent of the clerk who
shall deliver it to the polling place or, in municipalities where absentee ballots are
canvassed under s. 7.52, to the municipal clerk as required in s. 6.88. If application
is made under sub. (2) or (2m), the application may be received no later than 5 p.m.
on the Friday immediately preceding the election.

(END)