2019 DRAFTING REQUEST

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For:

Chris Taylor (608) 266-5342

Drafter:

jkreye

By:

cara

Secondary Drafters:

Date:

3/20/2019

May Contact:

Same as LRB:

-3429

Submit via email:

YES

Requester's email: Carbon copy (CC) to: Rep. Taylor@leg is. wis consin. gov

joseph.kreye@legis.wisconsin.gov

michael.gallagher@legis.wisconsin.gov

Pre Topic:

No specific pre topic given

Topic:

Extending voting rights to certain 17-year-old individuals

Instructions:

See attached

Drafting History	istory:	Tistor	ing	rafti	\mathbf{Dr}
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Vers.	Drafted	Reviewed	Submitted	Jacketed	Required
/?	jkreye 3/20/2019	csicilia 3/21/2019			
/P1			dwalker 3/21/2019		
/1	jkreye 5/30/2019	csicilia 5/30/2019	mbarman 5/7/2019		
/2			dwalker 5/30/2019	dwalker 6/14/2019	

FE Sent For:

<END>

at intro

Kreye, Joseph

From:

Henney, Cara

Sent:

Wednesday, March 20, 2019 12:17 PM

To:

Kreye, Joseph

Subject:

Drafting Request: Voting Age

Hey Joe,

Rep. Taylor would like to draft legislation that allows 17 year olds to vote in a primary if they will be 18 by the general election. Below is Illinois' statute as an example of what we are looking for, but please feel free to adjust it as needed for Wisconsin elections.

(10 ILCS 5/3-6)

Sec. 3-6. Voting age. Notwithstanding any other provision of law, a person who is 17 years old on the date of a caucus, general primary election, or consolidated primary election and who is otherwise qualified to vote is qualified to vote at that caucus, general primary, or consolidated primary, including voting a vote by mail, grace period, or early voting ballot with respect to that general primary or consolidated primary, if that person will be 18 years old on the date of the immediately following general election or consolidated election for which candidates are nominated at that primary.

It would be great to have this in a week or two, but it is not a rush item.

Thanks so much, Cara

Cara Henney

Office of Representative Chris Taylor PO Box 8953 Madison, WI 53708 (608) 266-5342 Twitter.com/christaylorwi Facebook.com/representative.taylor





State of Misconsin 2015 - 2016 LEGISLATURE

1,520 LRB-3768/1 JK:wlj&jld

2015 SENATE BILL 711

111 3-20 Jun 3-21 due Jun 3-21

February 9, 2016 – Introduced by Senators Risser, Carpenter, Miller, Vinehout, Harris Dodd and L. Taylor, cosponsored by Representatives Mason, Sargent, Subeck, Ohnstad, Zepnick, Spreitzer, Considine, Berceau and Sinicki. Referred to Committee on Elections and Local Government.

AN ACT to amend 5.02 (16g), 6.02 (1), 6.02 (2), 6.05, 6.22 (6), 6.24 (1), 6.94, 7.52

(5) (b), 8.15 (4) (a) and 8.40 (2) of the statutes; **relating to:** extending voting

rights to certain 17-year-old individuals and requiring a referendum.

Analysis by the Legislative Reference Bureau

Currently, in addition to other qualifications, an individual must be at least 18 years of age to vote at an election in this state. This bill allows an individual who is 17 years of age to vote at a partisan primary if the individual will be 18 years of age on the date on which the general election following the primary is held.

Because the bill extends the right to vote to a class of individuals beyond the class currently entitled to vote under the Wisconsin Constitution, the bill cannot become law unless, following enactment, it is approved by the majority of the votes cast at a statewide referendum to be held at the November 2016 general election.

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

SECTION 1. 5.02 (16g) of the statutes is amended to read:

5.02 (16g) "Qualified circulator" means a qualified elector of this state or any

U.S. citizen age 18 or older, or age 17 on the date of a partisan primary for a general

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election to be held on a date on which the citizen will be age 18, who, if he or she were a resident of this state, would not be disqualified from voting under s. 6.03.

SECTION 2. 6.02 (1) of the statutes is amended to read:

6.02 (1) Every U.S. citizen age 18 or older, or age 17 on the date of a partisan primary for a general election to be held on a date on which the citizen will be age 18, who has resided in an election district or ward for 28 consecutive days before any election where the citizen offers to vote is an eligible elector.

SECTION 3. 6.02 (2) of the statutes is amended to read:

6.02 (2) Any U.S. citizen age 18 or older, or age 17 on the date of a partisan primary for a general election to be held on a date on which the citizen will be age 18, who moves within this state later than 28 days before an election shall vote at his or her previous ward or election district if the person is otherwise qualified. If the elector can comply with the 28-day residence requirement at the new address and is otherwise qualified, he or she may vote in the new ward or election district.

Section 4. 6.05 of the statutes is amended to read:

who will be at least 18 years old of age on or before election day is entitled to vote at an election if the person is otherwise qualified to vote and the person complies with this chapter. Any person who is 17 years of age on the date of a partisan primary for a general election to be held on the date on which the person will be 18 years of age is entitled to vote at the primary if the person is otherwise qualified to vote and the person complies with this chapter.

Section 5. 6.22 (6) of the statutes is amended to read:

6.22 (6) MILITARY ELECTOR LIST. Each municipal clerk shall keep an up-to-date list of all eligible military electors who reside in the municipality in the format

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prescribed by the board. The list shall contain the name, latest-known military residence and military mailing address of each military elector. The list shall indicate whether each elector whose name appears on the list is a military elector, as defined in s. 6.34 (1), and has so certified under s. 6.865 (3m). All persons ever who are at least 18 years of age or who will be 18 years old prior to of age on the date of an election or if voting in a partisan primary, who will be 18 years of age on the date of the general election following the primary shall be listed and remain on the list for the duration of their tour of duty. The list shall be kept current through all possible means. Each clerk shall exercise reasonable care to avoid duplication of names or listing anyone who is not eligible to vote. Each clerk shall distribute one copy of the list to the each polling place in the municipality for use on election day.

Section 6. 6.24 (1) of the statutes is amended to read:

6.24 (1) DEFINITION. In this section, except as otherwise provided, "overseas elector" means a U.S. citizen who is not disqualified from voting under s. 6.03, who has attained or will attain the age of 18 by will be at least 18 years of age on the date of an election at which the citizen proposes to vote or if voting in a partisan primary, who will be 18 years of age on the date of the general election following the primary, and who does not qualify as a resident of this state under s. 6.10, but who was last domiciled in this state or whose parent was last domiciled in this state immediately prior to the parent's departure from the United States, and who is not registered to vote or voting in any other state, territory or possession.

Section 7. 6.94 of the statutes is amended to read:

6.94 Challenged elector oath. If the person challenged refuses to answer fully any relevant questions put to him or her by the inspector under s. 6.92, the inspectors shall reject the elector's vote. If the challenge is not withdrawn after the

vote shall be received.

person offering to vote has answered the questions, one of the inspectors shall administer to the person the following oath or affirmation: "You do solemnly swear (or affirm) that: you are at least 18 years of age or if voting in a partisan primary for a general election to be held on a date that you will be 18 years of age, that you are 17 years of age and will be 18 years of age on the date of the general election following the primary; you are a citizen of the United States; you are now and for 28 consecutive days have been a resident of this ward except under s. 6.02 (2); you have not voted at this election; you have not made any bet or wager or become directly or indirectly interested in any bet or wager depending upon the result of this election; you are not on any other ground disqualified to vote at this election". If the person challenged refuses to take the oath or affirmation, the person's vote shall be rejected. If the person challenged answers fully all relevant questions put to the elector by the inspector under s. 6.92, takes the oath or affirmation, and fulfills the applicable registration requirements, and if the answers to the questions given by the person

SECTION 8. 7.52 (5) (b) of the statutes is amended to read:

7.52 (5) (b) For the purpose of deciding upon ballots that are challenged for any reason, the board of absentee ballot canvassers may call before it any person whose absentee ballot is challenged if the person is available to be called. If the person challenged refuses to answer fully any relevant questions put to him or her by the board of absentee ballot canvassers under s. 6.92, the board of absentee ballot canvassers shall reject the person's vote. If the challenge is not withdrawn after the person offering to vote has answered the questions, one of the members of the board of absentee ballot canvassers shall administer to the person the following oath or

indicate that the person meets the voting qualification requirements, the person's

JK:wlj&jld SECTION 8

SENATE BILL 711

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affirmation: "You do solemnly swear (or affirm) that: you are/18 years of age/oraif voting in a partisan primary for a general election to be held on a date that you will be 18 years of age, that you are 17 years of age and will be 18 years of age on the date of the general election following the primary; you are a citizen of the United States; you are now and for 28 consecutive days have been a resident of this ward except under s. 6.02 (2), stats.; you have not voted at this election; you have not made any bet or wager or become directly or indirectly interested in any bet or wager depending upon the result of this election; you are not on any other ground disqualified to vote at this election." If the person challenged refuses to take the oath or affirmation, the person's vote shall be rejected. If the person challenged answers fully all relevant questions put to the elector by the board of absentee ballot canvassers under s. 6.92, takes the oath or affirmation, and fulfills the applicable registration requirements, and if the answers to the questions given by the person indicate that the person meets the voting qualification requirements, the person's vote shall be received.

Section 9. 8.15 (4) (a) of the statutes is amended to read:

8.15 (4) (a) The certification of a qualified circulator stating his or her residence with street and number, if any, shall appear at the bottom of each nomination paper, stating he or she personally circulated the nomination paper and personally obtained each of the signatures; he or she knows they are electors of the ward, aldermanic district, municipality or county, as the nomination papers require; he or she knows they signed the paper with full knowledge of its content; he or she knows their respective residences given; he or she knows each signer signed on the date stated opposite his or her name; and, that he or she, the circulator, is a qualified elector of this state, or if not a qualified elector of this state, is a U.S. citizen age 18 or older or lage 17 on the date of a partisan primary for a general election to be held

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Circulating nomination Paper

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on a date on which the circulator will be age 18, who, if he or she were a resident of this state, would not be disqualified from voting under s. 6.03, Wis. stats; that he or she intends to support the candidate; and that he or she is aware that falsifying the certification is punishable under s. 12.13 (3) (a), Wis. stats. The circulator shall indicate the date that he or she makes the certification next to his or her signature. The certification may be made by the candidate or any qualified circulator.

SECTION 10. 8.40 (2) of the statutes is amended to read:

with street and number, if any, shall appear at the bottom of each separate sheet of each petition specified in sub. (1), stating that he or she personally circulated the petition and personally obtained each of the signatures; that the circulator knows that they are electors of the jurisdiction or district in which the petition is circulated; that the circulator knows that they signed the paper with full knowledge of its content; that the circulator knows their respective residences given; that the circulator knows that each signer signed on the date stated opposite his or her name; that the circulator is a qualified elector of this state, or if not a qualified elector of this state, that the circulator is a U.S. citizen age 18 or older, or age 17 on the date of a partisan primary for a general election to be held on a date on which the circulator will be age 18, who, if he or she were a resident of this state, would not be disqualified from voting under s. 6.03. Wis. stats; and that the circulator is aware that falsifying the certification is punishable under s. 12.13 (3) (a). The circulator shall indicate the date that he or she makes the certification next to his or her signature.

SECTION 11. Nonstatutory provisions.

(1) The following question shall be submitted to the vote of the electors at the general election to be held in November 2016: "Shall 2015 Wisconsin Act (this act),

2020 (2019)

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which extends the right to vote in a partisan primary to an individual who is 17 years of age if the individual will be 18 years of age on the date on which the general election following the primary is held, become effective on January 1, 2017?" If the question is approved by the majority of all votes cast on the question at the election, this act shall become law; otherwise, this act shall not take effect.

SECTION 12. Effective date.

(1) This act takes effect on January 1, 2017 if the condition set forth in Section 11 of this act is satisfied.

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(END)

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primary \(\text{will be 18 years of age on}\)

the date of the general election following the primary

(12n) "Overseas elector" means a U.S. citizen who is residing outside of the United States, who is not disqualified from voting under s. 6.03, who has attained or will attain the age of 18 by the date of an election at which the citizen proposes to vote, who was last domiciled in this state or whose parent was last domiciled in this state immediately prior to the parent's departure from the United States, and who is not registered to vote or voting in any other state, territory, or possession.

Kreye, Joseph

From:

Henney, Cara

Sent:

Tuesday, May 07, 2019 9:45 AM

To:

Kreye, Joseph

Subject:

RE: Drafting Request: Voting Age

Hi Joe,

Could we please get the /1 for LRB 2520?

Thanks! Cara

From: Kreye, Joseph < Joseph.Kreye@legis.wisconsin.gov>

Sent: Wednesday, March 20, 2019 12:54 PM

To: Henney, Cara < Cara. Henney@legis.wisconsin.gov>

Subject: RE: Drafting Request: Voting Age

Hi Cara,

Attached is a copy of 2015 Senate Bill 711, introduced by Senator Risser. This is an example of a bill that is similar to what Rep. Taylor is asking for. Please note that the change in the bill requires approval at a referendum, pursuant to Article III, section 1 (5) of the Wisconsin Constitution (extending the right of suffrage to additional classes).

Just wanted to give you a heads up so you weren't surprised when you see the draft.

Joe

Joseph T. Kreye

Legal Services Manager Legislative Reference Bureau 608 504-5857

From: Henney, Cara < Cara. Henney@legis.wisconsin.gov>

Sent: Wednesday, March 20, 2019 12:17 PM

To: Kreye, Joseph < Joseph. Kreye@legis.wisconsin.gov>

Subject: Drafting Request: Voting Age

Hey Joe,

Rep. Taylor would like to draft legislation that allows 17 year olds to vote in a primary if they will be 18 by the general election. Below is Illinois' statute as an example of what we are looking for, but please feel free to adjust it as needed for Wisconsin elections.

(10 ILCS 5/3-6)

Sec. 3-6. Voting age. Notwithstanding any other provision of law, a person who is 17 years old on the date of a caucus, general primary election, or consolidated primary election and who is otherwise qualified to vote is qualified to vote at that caucus, general primary, or consolidated primary, including voting a vote by mail, grace period,

or early voting ballot with respect to that general primary or consolidated primary, if that person will be 18 years old on the date of the immediately following general election or consolidated election for which candidates are nominated at that primary.

It would be great to have this in a week or two, but it is not a rush item.

Thanks so much, Cara

Cara Henney

Office of Representative Chris Taylor PO Box 8953 Madison, WI 53708 (608) 266-5342 Twitter.com/christaylorwi Facebook.com/representative.taylor





State of Misconsin 2019 - 2020 LEGISLATURE

E (Nonce)

LRB-2520/P1 JK:cjs

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

AN ACT to amend 5.02 (12n), 6.02 (1), 6.02 (2), 6.05, 6.22 (6), 6.24 (1), 6.94 and 7.52 (5) (b) of the statutes; relating to: extending voting rights to certain 17-year-old individuals and requiring a referendum.

Analysis by the Legislative Reference Bureau

Currently, in addition to other qualifications, an individual must be at least 18 years of age to vote at an election in this state. This bill allows an individual who is 17 years of age to vote at a partisan primary if the individual will be 18 years of age on the date on which the general election following the primary is held.

Because the bill extends the right to vote to a class of individuals beyond the class currently entitled to vote under the Wisconsin Constitution, the bill cannot become law unless, following enactment, it is approved by the majority of the votes cast at a statewide referendum to be held at the November 2020 general election.

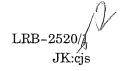
The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

- **SECTION 1.** 5.02 (12n) of the statutes is amended to read:
- 5 5.02 (12n) "Overseas elector" means a U.S. citizen who is residing outside of
- 6 the United States, who is not disqualified from voting under s. 6.03, who has attained

1	Section 10. Effective date.
2 ,	(1) This act takes effect on January 1, 2021, if the condition set forth in Section
3	9 of this act is satisfied.
4	(END)



State of Misconsin 2019 - 2020 LEGISLATURE



2019 BILL

Today 5-30

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- 1 AN ACT to amend 5.02 (12n), 6.02 (1), 6.02 (2), 6.05, 6.22 (6), 6.24 (1), 6.94 and
- 2 7.52 (5) (b) of the statutes; **relating to:** extending voting rights to certain
- 3 17-year-old individuals and requiring a referendum.

Analysis by the Legislative Reference Bureau

Currently, in addition to other qualifications, an individual must be at least 18 years of age to vote at an election in this state. This bill allows an individual who is 17 years of age to vote at a partisan primary if the individual will be 18 years of age on the date on which the general election following the primary is held.

Because the bill extends the right to vote to a class of individuals beyond the class currently entitled to vote under the Wisconsin Constitution, the bill cannot become law unless, following enactment, it is approved by the majority of the votes cast at a statewide referendum to be held at the November 2020 general election.

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

- **SECTION 1.** 5.02 (12n) of the statutes is amended to read:
- 5 5.02 (12n) "Overseas elector" means a U.S. citizen who is residing outside of
- 6 the United States, who is not disqualified from voting under s. 6.03, who has attained

or will attain the age of will be at least 18 by years of age on the date of an election at which the citizen proposes to vote or, if voting in a partisan primary, will be 18 years of age on the date of the general election following the primary, who was last domiciled in this state or whose parent was last domiciled in this state immediately prior to the parent's departure from the United States, and who is not registered to vote or voting in any other state, territory, or possession.

SECTION 2. 6.02 (1) of the statutes is amended to read:

6.02 (1) Every U.S. citizen age 18 or older, or age 17 on the date of a partisan primary for a general election to be held on a date on which the citizen will be age 18, who has resided in an election district or ward for 28 consecutive days before any election where the citizen offers to vote is an eligible elector.

SECTION 3. 6.02 (2) of the statutes is amended to read:

6.02 (2) Any U.S. citizen age 18 or older, or age 17 on the date of a partisan primary for a general election to be held on a date on which the citizen will be age 18, who moves within this state later than 28 days before an election shall vote at his or her previous ward or election district if the person is otherwise qualified. If the elector can comply with the 28-day residence requirement at the new address and is otherwise qualified, he or she may vote in the new ward or election district.

SECTION 4. 6.05 of the statutes is amended to read:

6.05 Election day age determines elector's voting rights. Any person who will be at least 18 years old of age on or before election day is entitled to vote at an election if the person is otherwise qualified to vote and the person complies with this chapter. Any person who is 17 years of age on the date of a partisan primary for a general election to be held on a date on which the person will be 18 years of age is

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entitled to vote at the primary if the person is otherwise qualified to vote and the person complies with this chapter.

SECTION 5. 6.22 (6) of the statutes is amended to read:

6.22 (6) Military electors list. Each municipal clerk shall keep an up-to-date list of all eligible military electors who reside in the municipality in the format prescribed by the commission. The list shall contain the name, latest-known military residence and military mailing address of each military elector. The list shall indicate whether each elector whose name appears on the list is a military elector, as defined in s. 6.34 (1), and has so certified under s. 6.865 (3m). All persons ever who are at least 18 years of age or who will be 18 years old prior to of age on the date of an election or, if voting in a partisan primary, will be 18 years of age on the date of the general election following the primary shall be listed and remain on the list for the duration of their tour of duty. The list shall be kept current through all possible means. Each clerk shall exercise reasonable care to avoid duplication of names or listing anyone who is not eligible to vote. Each clerk shall distribute one copy of the list to the each polling place in the municipality for use on election day.

SECTION 6. 6.24 (1) of the statutes is amended to read:

6.24 (1) Definition. In this section, except as otherwise provided, "overseas elector" means a U.S. citizen who is not disqualified from voting under s. 6.03, who has attained or will attain the age of 18 by will be at least 18 years of age on the date of an election at which the citizen proposes to vote or, if voting in a partisan primary, will be 18 years of age on the date of the general election following the primary, and who does not qualify as a resident of this state under s. 6.10, but who was last domiciled in this state or whose parent was last domiciled in this state immediately

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prior to the parent's departure from the United States, and who is not registered to vote or voting in any other state, territory or possession.

SECTION 7. 6.94 of the statutes is amended to read:

6.94 Challenged elector oath. If the person challenged refuses to answer fully any relevant questions put to him or her by the inspector under s. 6.92, the inspectors shall reject the elector's vote. If the challenge is not withdrawn after the person offering to vote has answered the questions, one of the inspectors shall administer to the person the following oath or affirmation: "You do solemnly swear (or affirm) that: you are at least 18 years of age or, if voting in a partisan primary, will be 18 years of age on the date of the general election following the primary; you are a citizen of the United States; you are now and for 28 consecutive days have been a resident of this ward except under s. 6.02 (2); you have not voted at this election; you have not made any bet or wager or become directly or indirectly interested in any bet or wager depending upon the result of this election; you are not on any other ground disqualified to vote at this election". If the person challenged refuses to take the oath or affirmation, the person's vote shall be rejected. If the person challenged answers fully all relevant questions put to the elector by the inspector under s. 6.92, takes the oath or affirmation, and fulfills the applicable registration requirements, and if the answers to the questions given by the person indicate that the person meets the voting qualification requirements, the person's vote shall be received.

SECTION 8. 7.52 (5) (b) of the statutes is amended to read:

7.52 (5) (b) For the purpose of deciding upon ballots that are challenged for any reason, the board of absentee ballot canvassers may call before it any person whose absentee ballot is challenged if the person is available to be called. If the person challenged refuses to answer fully any relevant questions put to him or her by the

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board of absentee ballot canvassers under s. 6.92, the board of absentee ballot canvassers shall reject the person's vote. If the challenge is not withdrawn after the person offering to vote has answered the questions, one of the members of the board of absentee ballot canvassers shall administer to the person the following oath or affirmation: "You do solemnly swear (or affirm) that: you are at least 18 years of age or, if voting in a partisan primary, will be 18 years of age on the date of the general election following the primary; you are a citizen of the United States; you are now and for 28 consecutive days have been a resident of this ward except under s. 6.02 (2), stats.; you have not voted at this election; you have not made any bet or wager or become directly or indirectly interested in any bet or wager depending upon the result of this election; you are not on any other ground disqualified to vote at this election." If the person challenged refuses to take the oath or affirmation, the person's vote shall be rejected. If the person challenged answers fully all relevant questions put to the elector by the board of absentee ballot canvassers under s. 6.92, takes the oath or affirmation, and fulfills the applicable registration requirements, and if the answers to the questions given by the person indicate that the person meets the voting qualification requirements, the person's vote shall be received.

SECTION 9. Nonstatutory provisions.

(1) The following question shall be submitted to the vote of the electors at the general election to be held in November 2020: "Shall 2019 Wisconsin Act (this act), which extends the right to vote in a partisan primary to an individual who is 17 years of age if the individual will be 18 years of age on the date on which the general election following the primary is held, become effective on January 1, 2021?" If the question is approved by the majority of all votes cast on the question at the election, this act shall become law; otherwise, this act shall not take effect.

SECTION 10

1	Section 10. Effective date.
2	(1) This act takes effect on January 1, 2021, if the condition set forth in Section
3	9 of this act is satisfied.
4	(END)

Walker, Dan

From:

Henney, Cara

Sent:

Friday, June 14, 2019 8:47 AM

To:

LRB.Legal

Subject:

Draft Review: LRB -2520/2

Good morning,

Please Jacket LRB -2520/2 for the ASSEMBLY and please send a senate companion to Senator Risser.

Thank you,

Cara