March 26, 2020 - Introduced by Senators Larson, Smith and Carpenter, cosponsored by Representative Brostoff. Referred to Committee on Elections, Ethics and Rural Issues.

**AN ACT to amend** 6.86 (1) (b) of the statutes; **relating to:** extending the deadline for applying for an absentee ballot in-person.

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**Analysis by the Legislative Reference Bureau**

Current law provides that a municipality may allow voters to make an in-person application for an absentee ballot no later than the Sunday preceding the election. Under the bill, a municipality must allow in-person applications on the Sunday preceding any election that is held no later than 90 days after the governor declares a state of emergency.

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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 14 days preceding the election and no later than the Sunday preceding the election. A municipality shall allow applications in person on the
Sunday preceding any election that is held no later than 90 days after the day on
which the governor issues an executive order declaring a state of emergency under
s. 323.10. No application may be received on a legal holiday. 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)