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# Wisconsin Legislative Council

## AMENDMENT MEMO

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**2021 Senate Bill 203**

**Assembly Amendment 1**

### 2021 SENATE BILL 203

Senate Bill 203, as amended by Senate Amendment 2 and passed by the Senate (hereinafter, “Senate Bill 203”), makes changes regarding methods for returning a completed absentee ballot. The bill permits voters to return absentee ballots to a collection site, other than the municipal clerk’s office, that is designated by the municipality. The site must be located as near as practicable to the clerk’s office, cannot afford an advantage to any political party, and cannot be used for in-person absentee voting. The site must be staffed by the clerk or employees of the clerk, must be accessible to all individuals with disabilities, and the public must be able to observe the proceedings at the location. Voters may only deliver absentee ballots to the designated collection site during the period for in-person absentee voting (the approximately two-week period prior to the election).

Additionally, the bill imposes restrictions on who can deliver an absentee ballot on behalf of another voter. Under the bill, a voter, the voter’s legal guardian, or a member of the voter’s immediate family may deliver an absentee ballot on behalf of a voter. “Immediate family” means a spouse, sibling, parent, child, grandparent, or grandchild. Alternatively, a voter may designate, in writing, one registered Wisconsin voter to deliver his or her absentee ballot, as long as the designated individual is not a candidate, is not being compensated, and is not delivering more than two ballots for non-immediate family members. An individual who delivers an absentee ballot on behalf of another person and is not the voter’s legal guardian or immediate family member, or has not been designated in writing by the voter to deliver the ballot, is subject to a Class I felony.

The bill also limits the locations to which an absentee ballot may be delivered. The bill specifies that a voter must return an absentee ballot to the municipal clerk’s office, to an alternate, in-person absentee voting site, to a designated absentee ballot collection site, or to the voter’s polling place on Election Day.

Finally, the bill permits voters to submit an application for an absentee ballot via a for-profit commercial delivery service moving parcels nationally and internationally.

### ASSEMBLY AMENDMENT 1

Assembly Amendment 1 allows a voter to return a completed absentee ballot via a for-profit commercial delivery service, in addition to allowing a voter to submit an application for an absentee ballot in this manner. Specifically, the amendment provides that the return of an absentee ballot envelope by mail includes return by a for-profit commercial delivery service moving parcels nationally and internationally.

In addition, Assembly Amendment 1 clarifies that a municipality may designate only one absentee ballot collection site, other than the municipal clerk’s office, to which voters may deliver completed absentee ballots. The amendment adds the word “single,” so the language permits a municipality to designate a “single” site, rather than stating that the municipality may designate “a” site.

## **BILL HISTORY**

### **Assembly Action**

Assembly Amendment 1 was offered by Representative August on June 17, 2021, and was adopted by the full Assembly on June 22, 2021. The Assembly then passed the bill, as amended, on a vote of Ayes, 60; Noes, 38.

### **Senate Action**

Senate Amendment 2 was offered by Senator Stroebel on May 10, 2021, and was adopted by the full Senate on May 11, 2021. The Senate then passed the bill, as amended, on a vote of Ayes, 21; Noes, 12.

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