



## 2025 ASSEMBLY BILL 617

November 4, 2025 - Introduced by Representatives KRUG, SNYDER, O'CONNOR and KNODL, cosponsored by Senator CABRAL-GUEVARA. Referred to Committee on Campaigns and Elections.

1     **AN ACT** *to repeal* 5.85 (5), 5.86, 6.79 (2) (d) and 7.03 (1) (c); *to amend* 5.05 (12),  
2           5.84 (1), 5.84 (2), 5.85 (1), 5.87 (1), 5.91 (17), 6.18 (form), 6.33 (1), 6.87 (3) (d),  
3           6.87 (9), 7.37 (12), 7.51 (1), 10.01 (2) (e), 12.60 (1) (a) and 54.25 (2) (c) 1. g.; *to*  
4           **create** 5.057, 6.855 (3m), 6.86 (1) (as) and 7.15 (16) of the statutes; **relating**  
5           **to:** applying for and returning absentee ballots; use of central counting  
6           locations; election night reporting; court determinations of incompetency and  
7           ineligibility to vote; preelection tests of electronic voting equipment, and  
8           providing a penalty.

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### *Analysis by the Legislative Reference Bureau*

#### **LOCATION OF ALTERNATE ABSENTEE BALLOT SITES**

Current law authorizes municipalities to establish one or more alternate absentee ballot sites to which voters may return absentee ballots for an election and at which they may apply for and vote an in-person absentee ballot. An alternate site must be located as near as practicable to the office of the municipal clerk or board of election commissioners and may not be designated in such a way as to afford an advantage to any political party.

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Under the bill, an alternate absentee ballot site must be in a building or facility constituting a fixed location.

**ABSENTEE BALLOT CERTIFICATE DEFECTS**

Under current law, a municipal clerk may return to the voter an absentee ballot with an improperly completed certificate or with no certificate whenever time permits the voter to correct the defect and return the absentee ballot to the polling place before 8 p.m. on election day. Under the bill, the municipal clerk must return such an absentee ballot to the voter under those circumstances.

**ABSENTEE BALLOT REQUEST AND RETURN CONFIRMATION**

Current law allows a voter to receive an absentee ballot by making a written application by means of facsimile transmission or electronic mail. Under the bill, if a voter makes a written application by electronic mail and submits his or her mobile telephone number with the application, after the voter completes and submits the application, the electronic application system maintained by the Elections Commission must automatically notify the voter by text message that his or her application has been received. In addition, under the bill, after the voter completes and returns his or her ballot, the system must automatically notify the voter by text message that his or her ballot has been received. The bill provides that all mobile telephone numbers submitted for the purposes provided under the bill are confidential.

Under the bill, information concerning such text message notifications must be included in the type E notice, which the municipal clerk must publish in advance of each election. The type E notice provides information to voters concerning voting by absentee ballot. The bill also requires that the type E notice be published on the municipality's website if it has one.

**ABSENTEE BALLOT APPLICATION DEADLINE**

Under current law, if a voter applies for an absentee ballot by mail, the application must be received by the municipal clerk no later than 5 p.m. on the fifth day immediately preceding the election. This bill changes that deadline to the seventh day immediately preceding the election.

**ELECTION NIGHT REPORTING**

Under the bill, at 10 p.m. on election night, and every hour thereafter until the canvass is complete, each municipal clerk or his or her designee must provide to the county clerk of the county in which the municipality is located a statement that shows the total number of ballots, including absentee ballots, cast at the municipality in the election, the total number of ballots, including absentee ballots, that have been canvassed, and the total number of ballots, including absentee ballots, that remain to be canvassed. The county clerk must promptly post each statement on the website on which the county clerk posts returns on election night. In a municipality having a municipal board of election commissioners (currently, only the city of Milwaukee), the municipal board of election commissioners must also post the statement on the website maintained by the municipal board of

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election commissioners. The statement may not include the names or addresses of any electors.

**COURT DETERMINATIONS OF INCOMPETENCY AND INELIGIBILITY TO VOTE**

Under current law, no person who is incapable of understanding the objective of the elective process or who is under a guardianship may vote unless a court has determined that the person is competent to vote. Current law also allows any voter in a municipality to petition a circuit court to determine whether a person residing in the municipality is incapable of understanding the objective of the elective process. If the court determines that the person is incapable of such understanding, the person is not eligible to register to vote or to vote. Current law requires the clerk of the circuit court to communicate the court's determinations, in writing, to the election officials who are responsible for determining challenges to registration and voting that may be brought against the person.

The bill requires the circuit court to notify the Elections Commission, by email, of the court's determination regarding incompetency and ineligibility to register to vote or to vote. Under the bill, when the commission receives a determination of incompetency and ineligibility to register to vote or to vote, the commission must, within three business days, change the status of the voter subject to the determination to inactive on the official voter registration list, note on the list that the voter is ineligible to register to vote or to vote, and notify the voter and the voter's municipal clerk of the voter's change in status. The bill also provides that if a court reviews a determination of incompetency and ineligibility to vote and restores the voter's right to vote, upon receipt of that determination by email, the commission must, within three business days, notify the voter that the voter is eligible to vote and that the voter is required to complete a new registration to vote if the voter intends to vote. Under the bill, the clerk must examine the registration list before issuing a ballot to any voter.

**USE OF CENTRAL COUNTING LOCATIONS**

Under current law, votes are canvassed at the polling place on election day, except that any municipality where an electronic voting system is used may elect to adjourn the canvass to a central counting location where all votes cast in the municipality may be counted on election day. The bill eliminates the option for municipalities to use such central counting locations.

**PREELECTION TESTS OF ELECTRONIC VOTING EQUIPMENT**

Current law requires the municipal clerk of each municipality that employs an electronic voting system that uses automatic tabulating equipment at a polling place or a central count location to conduct a public test of the equipment not more than 10 days before an election. Under the bill, the municipal clerk is required to conduct that test not more than 15 days before the election.

Because this bill creates a new crime or revises a penalty for an existing crime,

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the Joint Review Committee on Criminal Penalties may be requested to prepare a report.

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

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

1           **SECTION 1.** 5.05 (12) of the statutes is amended to read:

2           **5.05 (12) VOTER EDUCATION.** The commission may conduct or prescribe  
3 requirements for educational programs to inform electors about voting procedures,  
4 voting rights, and voting technology. The commission shall conduct an educational  
5 program for the purpose of educating electors ~~who cast paper ballots, ballots that~~  
6 ~~are counted at a central counting location, and absentee ballots~~ of the effect of  
7 casting excess votes for a single office.

8           **SECTION 2.** 5.057 of the statutes is created to read:

9           **5.057 Determination of ineligibility to vote due to incompetency. (1)**  
10 Upon receipt of a determination of ineligibility to register to vote or to vote under s.  
11 54.25 (2) (c) 1. g., the commission shall, no later than 3 business days after receiving  
12 the determination, change the status of the elector subject to the determination to  
13 inactive on the official registration list under s. 6.36, note on the list that the elector  
14 is ineligible to register to vote or to vote in accordance with s. 6.03 (3), and notify the  
15 elector and the elector's municipal clerk of the elector's change in status. If the  
16 commission does not have a record of the elector upon receipt of a determination of  
17 ineligibility, the commission shall create a record listing the elector as ineligible to  
18 vote in accordance with s. 6.03 (3) and provide a copy of that record to the elector's  
19 municipal clerk. Upon receipt of a registration to vote, the municipal clerk shall

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1 examine the registration list to determine whether the elector is ineligible to  
2 register to vote or to vote in accordance with s. 6.03 (3) and shall notify the elector if  
3 the clerk determines that the elector is ineligible. The clerk shall examine the  
4 registration list before issuing a ballot to any elector.

5 (2) If under s. 54.64 (2) (a) a court subsequently reviews a determination of  
6 ineligibility to vote under s. 54.25 (2) (c) 1. g. and restores an elector's right to vote,  
7 as provided under s. 54.64 (2) (c), upon receipt of the reviewing court's  
8 determination, the commission shall, no later than 3 business days after receiving  
9 the determination, notify the elector that the elector is eligible to vote, but that the  
10 elector is required to complete a new voter registration if the elector intends to vote.  
11 The commission shall submit with the notice a registration form for the elector to  
12 complete and return to the municipal clerk, if the elector intends to vote.

13 **SECTION 3.** 5.84 (1) of the statutes is amended to read:

14 5.84 (1) Where any municipality employs an electronic voting system ~~which~~  
15 that utilizes automatic tabulating equipment, ~~either at the polling place or at a~~  
16 ~~central counting location,~~ the municipal clerk shall, on any day not more than ~~10~~ 15  
17 days prior to the ~~election~~ day on which the equipment is to be utilized in an election,  
18 have the equipment tested to ascertain that it will correctly count the votes cast for  
19 all offices and on all measures. Public notice of the time and place of the test shall  
20 be given by the clerk at least 48 hours prior to the test by posting notice on the  
21 municipality's website if it has one or, if the municipality has no website, by  
22 publication of a class 1 notice under ch. 985 in one or more newspapers published  
23 within the municipality if a newspaper is published therein, otherwise in a

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1 newspaper of general circulation therein. The test shall be open to the public. The  
2 test shall be conducted by processing a preaudited group of ballots so marked as to  
3 record a predetermined number of valid votes for each candidate and on each  
4 referendum. The test shall include for each office one or more ballots which have  
5 votes in excess of the number allowed by law and, for a partisan primary election,  
6 one or more ballots which have votes cast for candidates of more than one  
7 recognized political party, in order to test the ability of the automatic tabulating  
8 equipment to reject such votes. If any error is detected, the municipal clerk shall  
9 ascertain the cause and correct the error. The clerk shall make an errorless count  
10 before the automatic tabulating equipment is approved by the clerk for use in the  
11 election.

12 **SECTION 4.** 5.84 (2) of the statutes is amended to read:

13 5.84 (2) Before beginning the ballot count at each polling place ~~or at the~~  
14 ~~central counting location~~, the election officials shall witness a test of the automatic  
15 tabulating equipment by engaging the printing mechanism and securing a printed  
16 result showing a zero count for every candidate and referendum. After the  
17 completion of the count, the ballots and programs used shall be sealed and retained  
18 under the custody of the municipal clerk in a secure location.

19 **SECTION 5.** 5.85 (1) of the statutes is amended to read:

20 5.85 (1) At any polling place at which an electronic voting system is utilized,  
21 the following procedures for receiving, counting, tallying, and return of the ballots  
22 shall be used. Whenever paper ballots are utilized at a polling place in combination  
23 with ballots employed in an electronic voting system, the paper ballots shall be

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1 deposited in a separate ballot box or boxes, according to the types of ballots used.  
2 For the purpose of transporting the ballots or the record of the votes cast, the  
3 municipal clerk shall provide a secure container for each polling place. At each  
4 polling place, the applicable portions of the procedure prescribed for initiating the  
5 canvass under s. 7.51 (1) and (2) shall be performed, ~~except that no count of the~~  
6 ~~ballots, except write-in votes and paper ballots used for absentee voting and other~~  
7 ~~purposes authorized by law, may be performed at a polling place if a central~~  
8 ~~counting location is designated for the counting of ballots at that polling place by~~  
9 ~~the municipality.~~

10 **SECTION 6.** 5.85 (5) of the statutes is repealed.

11 **SECTION 7.** 5.86 of the statutes is repealed.

12 **SECTION 8.** 5.87 (1) of the statutes is amended to read:

13 5.87 (1) ~~If a central counting location is not utilized, the~~ The procedure for  
14 tabulating the votes by the automatic tabulating equipment shall be under the  
15 direction of the chief inspector and shall conform to the requirements of the  
16 automatic tabulating equipment. If any ballot is not accepted by the automatic  
17 tabulating equipment, the election officials shall make a duplicate ballot to replace  
18 that ballot in the manner prescribed in s. 5.85 (3). All proceedings at the polling  
19 place ~~and at any central counting location~~ shall be open to the public, but no person,  
20 except those employed and authorized for the purpose, may touch any ballot,  
21 container, envelope, return, or equipment.

22 **SECTION 9.** 5.91 (17) of the statutes is amended to read:

23 5.91 (17) ~~Unless the ballot is counted at a central counting location, it~~ It

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1 includes a mechanism for notifying an elector who attempts to cast an excess  
 2 number of votes for a single office that his or her votes for that office will not be  
 3 counted, and provides the elector with an opportunity to correct his or her ballot or  
 4 to receive and cast a replacement ballot.

5 **SECTION 10.** 6.18 (form) of the statutes is amended to read:

6 **6.18** (form) This form shall be returned to the municipal clerk's office.  
 7 Application must be received ~~in sufficient time for ballots to be mailed and returned~~  
 8 ~~prior to any~~ no later than 5 p.m. on the 7th day immediately preceding the  
 9 presidential election at which applicant wishes to vote. Complete all statements in  
 10 full.

11 APPLICATION FOR PRESIDENTIAL

12 ELECTOR'S ABSENTEE BALLOT

13 (To be voted at the Presidential Election

14 on November ..., ... (year)

15 I, ... hereby swear or affirm that I am a citizen of the United States, formerly  
 16 residing at ... in the ... ward ... aldermanic district (city, town, village) of ...,  
 17 County of ... for 28 consecutive days prior to leaving the State of Wisconsin. I, ... do  
 18 solemnly swear or affirm that I do not qualify to register or vote under the laws of  
 19 the State of ...(State you now reside in) where I am presently residing. A citizen  
 20 must be a resident of: State ...(Insert time) County ...(Insert time) City, Town or  
 21 Village ...(Insert time), in order to be eligible to register or vote therein. I further  
 22 swear or affirm that my legal residence was established in the State of ...(the State  
 23 where you now reside) on ... Month ... Day ... Year.

24 Signed ...

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1 Address ....(Present address)

2 ....(City) ....(State)

3 Subscribed and sworn to before me this .... day of .... .... (year)

4 ....(Notary Public, or other officer authorized to administer oaths.)

5 ....(County)

6 My Commission expires

7 MAIL BALLOT TO:

8 NAME ....

9 ADDRESS ....

10 CITY .... STATE .... ZIP CODE ....

11 *Penalties for Violations.* Whoever swears falsely to any absent elector affidavit  
12 under this section may be fined not more than \$1,000 or imprisoned for not more  
13 than 6 months or both. Whoever intentionally votes more than once in an election  
14 may be fined not more than \$10,000 or imprisoned for not more than 3 years and 6  
15 months or both.

16 ....(Municipal Clerk)

17 ....(Municipality)

18 **SECTION 11.** 6.33 (1) of the statutes is amended to read:

19 6.33 (1) The commission shall prescribe the format, size, and shape of  
20 registration forms. All nonelectronic forms shall be printed and each item of  
21 information shall be of uniform font size, as prescribed by the commission. Except  
22 as otherwise provided in this subsection, electronic forms shall contain the same  
23 information as nonelectronic forms. The municipal clerk shall supply sufficient  
24 forms to meet voter registration needs. The commission shall design the form to

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1 obtain from each elector information as to name; date; residence location; location of  
2 previous residence immediately before moving to current residence location;  
3 citizenship; date of birth; age; the number of a current and valid operator's license  
4 issued to the elector under ch. 343 or the last 4 digits of the elector's social security  
5 account number; whether the elector has resided within the ward or election  
6 district for the number of consecutive days specified in s. 6.02 (1); whether the  
7 elector has been convicted of a felony for which he or she has not been pardoned, and  
8 if so, whether the elector is incarcerated, or on parole, probation, or extended  
9 supervision; whether the elector is disqualified on any other ground from voting,  
10 including being adjudicated incompetent to exercise the right to register to vote or  
11 to vote in an election; and whether the elector is currently registered to vote at any  
12 other location. The forms shall provide a check box for the elector to indicate  
13 whether he or she is disqualified to vote and, if disqualified to vote, the grounds for  
14 which the elector is so disqualified. The commission shall include on the  
15 nonelectronic form a space for the elector's signature and on the electronic form the  
16 authorization specified under s. 6.30 (5). Below the space for the signature or  
17 authorization, respectively, the commission shall include the following statement:  
18 "Falsification of information on this form is punishable under Wisconsin law as a  
19 Class I felony." The commission shall include on the form a space to enter the name  
20 of any inspector, municipal clerk, or deputy clerk under s. 6.55 (2) who obtains the  
21 form and a space for the inspector, clerk, or deputy clerk to sign his or her name,  
22 affirming that the inspector, clerk, or deputy clerk has accepted the form. The  
23 commission shall include on the form a space for entry of the ward and aldermanic

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1 district, if any, where the elector resides and any other information required to  
2 determine the offices and referenda for which the elector is certified to vote. The  
3 commission shall also include on the form a space where the clerk may record an  
4 indication of whether the form is received by mail or by electronic application, a  
5 space where the clerk shall record an indication of the type of identifying document  
6 submitted by the elector as proof of residence under s. 6.34 or an indication that the  
7 elector's information in lieu of proof of residence was verified under s. 6.34 (2m), the  
8 name of the entity or institution that issued the identifying document, and, if the  
9 identifying document includes a number that applies only to the individual holding  
10 that document, that number. The commission shall also include on the form a space  
11 where the clerk, for any elector who possesses a valid voting identification card  
12 issued to the person under s. 6.47 (3), may record the identification serial number  
13 appearing on the voting identification card. Each county clerk shall obtain  
14 sufficient registration forms for completion by an elector who desires to register to  
15 vote at the office of the county clerk under s. 6.28 (4).

16 **SECTION 12.** 6.79 (2) (d) of the statutes is repealed.

17 **SECTION 13.** 6.855 (3m) of the statutes is created to read:

18 6.855 (3m) An alternate site under sub. (1) shall be in a building or facility  
19 constituting a fixed location.

20 **SECTION 14.** 6.86 (1) (as) of the statutes is created to read:

21 6.86 (1) (as) If the elector makes a written application under par. (a) and  
22 submits his or her mobile telephone number with the application, after the elector  
23 completes and submits the application, the electronic application system  
24 maintained by the commission shall automatically notify the elector by text

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1 message that his or her application has been received. In addition, after the elector  
2 completes and returns his or her ballot, the electronic application system  
3 maintained by the commission shall automatically notify the elector by text  
4 message that his or her ballot has been received. The elector may choose to receive  
5 such notifications for all subsequent elections for which the elector makes a written  
6 application for an absentee ballot. Mobile telephone numbers submitted under this  
7 paragraph are confidential, notwithstanding subch. II of ch. 19.

8 **SECTION 15.** 6.87 (3) (d) of the statutes is amended to read:

9 6.87 (3) (d) A municipal clerk shall, if the clerk is reliably informed by a  
10 military elector, as defined in s. 6.34 (1), or an overseas elector, regardless of  
11 whether the elector qualifies as a resident of this state under s. 6.10, of a facsimile  
12 transmission number or electronic mail address where the elector can receive an  
13 absentee ballot, transmit a facsimile or electronic copy of the elector's ballot to that  
14 elector in lieu of mailing under this subsection. An elector may receive an absentee  
15 ballot only if the elector is a military elector or an overseas elector and has filed a  
16 valid application for the ballot as provided in s. 6.86 (1). If the clerk transmits an  
17 absentee ballot to a military or overseas elector electronically, the clerk shall also  
18 transmit a facsimile or electronic copy of the text of the material that appears on the  
19 certificate envelope prescribed in sub. (2), together with instructions prescribed by  
20 the commission. The instructions shall require the military or overseas elector to  
21 make and subscribe to the certification as required under sub. (4) (b) and to enclose  
22 the absentee ballot in a separate envelope contained within a larger envelope, that  
23 shall include the completed certificate. The elector shall then affix sufficient  
24 postage unless the absentee ballot qualifies for mailing free of postage under

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1 federal free postage laws and shall mail the absentee ballot to the municipal clerk.  
2 ~~Except as authorized in s. 6.97 (2), an~~ An absentee ballot received from a military or  
3 overseas elector who receives the ballot electronically shall not be counted unless it  
4 is cast in the manner prescribed in this paragraph and sub. (4) and in accordance  
5 with the instructions provided by the commission.

6 **SECTION 16.** 6.87 (9) of the statutes is amended to read:

7 6.87 (9) If a municipal clerk receives an absentee ballot with an improperly  
8 completed certificate or with no certificate, the clerk ~~may~~ shall return the ballot to  
9 the elector, inside the sealed envelope when an envelope is received, together with a  
10 new envelope if necessary, whenever time permits the elector to correct the defect  
11 and return the ballot within the period authorized under sub. (6).

12 **SECTION 17.** 7.03 (1) (c) of the statutes is repealed.

13 **SECTION 18.** 7.15 (16) of the statutes is created to read:

14 7.15 (16) ELECTION NIGHT REPORTING. (a) At 10 p.m. on election night, and  
15 every hour thereafter until the canvass is complete, the municipal clerk or his or  
16 her designee or municipal board of election commissioners shall provide to the  
17 county clerk of the county in which the municipality is located or the county board  
18 of election commissioners a statement that shows the total number of ballots,  
19 including absentee ballots, cast at the municipality in the election, the total number  
20 of ballots, including absentee ballots, that have been canvassed, and the total  
21 number of ballots, including absentee ballots, that remain to be canvassed. The  
22 county clerk or county board of election commissioners shall promptly post each  
23 statement on the website on which the county posts returns on election night under  
24 s. 7.60. In a municipality having a municipal board of election commissioners, the

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1 statement required under this subsection shall also be posted on the website  
2 maintained by the municipal board of election commissioners. The statement may  
3 not include the names or addresses of any electors.

4 (b) An absentee ballot may be considered canvassed for purposes of par. (a)  
5 only after all tasks have been completed in the canvassing process except for the  
6 tallying of votes.

7 **SECTION 19.** 7.37 (12) of the statutes is amended to read:

8 7.37 (12) CANVASSERS. The election inspectors shall constitute the board of  
9 canvassers of their polling place and in that capacity shall perform the duties under  
10 s. 7.51, except as otherwise designated by the municipal clerk under ~~ss. s. 5.85 and~~  
11 ~~5.86.~~

12 **SECTION 20.** 7.51 (1) of the statutes is amended to read:

13 7.51 (1) CANVASS PROCEDURE. Immediately after the polls close the inspectors  
14 except any inspector appointed under s. 7.30 (1) (b) shall proceed to canvass publicly  
15 all votes received at the polling place. ~~In any municipality where an electronic~~  
16 ~~voting system is used, the municipal governing body or board of election~~  
17 ~~commissioners may provide or authorize the municipal clerk or executive director of~~  
18 ~~the board of election commissioners to provide for the adjournment of the canvass to~~  
19 ~~one or more central counting locations for specified polling places in the manner~~  
20 ~~prescribed in subch. III of ch. 5. No central counting location may be used to count~~  
21 ~~votes at a polling place where an electronic voting system is not employed. The~~  
22 ~~canvass, whether conducted at the polling place or at a central counting location,~~  
23 shall continue without adjournment until the canvass of all ballots cast and

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1 received on or before election day is completed and the return statement is made or,  
2 in municipalities where absentee ballots are canvassed under s. 7.52, until the  
3 canvass of all absentee ballots cast and received on or before election day is  
4 completed and the return statement for those ballots is made. The inspectors shall  
5 not permit access to the name of any elector who has obtained a confidential listing  
6 under s. 6.47 (2) during the canvass, except as authorized in s. 6.47 (8).

7 **SECTION 21.** 10.01 (2) (e) of the statutes is amended to read:

8 10.01 (2) (e) Type E — The type E notice shall state the qualifications for  
9 absentee voting, the procedures for obtaining an absentee ballot in the case of  
10 registered and unregistered voters, the places and the deadlines for application and  
11 return of application, including any alternate site under s. 6.855, general  
12 information regarding text message notifications under s. 6.86 (1) (as), including  
13 samples of the text message notifications, and the office hours during which an  
14 elector may cast an absentee ballot in the municipal clerk's office or at an alternate  
15 site under s. 6.855. The municipal clerk shall publish a type E notice on the 4th  
16 Tuesday preceding each spring primary and election, on the 4th Tuesday preceding  
17 each partisan primary and general election, on the 4th Tuesday preceding the  
18 primary for each special national, state, county or municipal election if any, on the  
19 4th Tuesday preceding a special county or municipal referendum, and on the 3rd  
20 Tuesday preceding each special national, state, county or municipal election to fill  
21 an office which is not held concurrently with the spring or general election. The  
22 clerk of each special purpose district which calls a special election shall publish a  
23 type E notice on the 4th Tuesday preceding the primary for the special election, if

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1 any, on the 4th Tuesday preceding a special referendum, and on the 3rd Tuesday  
2 preceding a special election for an office which is not held concurrently with the  
3 spring or general election except as authorized in s. 8.55 (3). All notices under this  
4 paragraph shall be published in the manner provided under this chapter and on the  
5 website maintained by the municipality. A municipal clerk whose municipality  
6 does not maintain a website need not comply with the website posting requirement.

7 **SECTION 22.** 12.60 (1) (a) of the statutes is amended to read:

8 12.60 (1) (a) Whoever violates s. 12.09, 12.11 or 12.13 (1), (2) (b) 1. to 7. or (3)  
9 (a), (e), (f), (j), (k), (L), (m), (y) or (z) is guilty of a Class I felony. This paragraph does  
10 not apply to a violation of s. 12.13 (1) (a) by an individual who is determined  
11 ineligible to register to vote or to vote under s. 54.25 (2) (c) 1. g., but the individual's  
12 vote shall not be included in the final tally for that election.

13 **SECTION 23.** 54.25 (2) (c) 1. g. of the statutes is amended to read:

14 54.25 (2) (c) 1. g. The right to register to vote or to vote in an election, if the  
15 court finds that the individual is incapable of understanding the objective of the  
16 elective process. Also, in accordance with s. 6.03 (3), any elector of a municipality  
17 may petition the circuit court for a determination that an individual residing in the  
18 municipality is incapable of understanding the objective of the elective process and  
19 thereby ineligible to register to vote or to vote in an election. This determination  
20 shall be made by the court in accordance with the procedures specified in this  
21 paragraph. If a petition is filed under this subd. 1. g., the finding of the court shall  
22 be limited to a determination as to voting eligibility. The appointment of a  
23 guardian is not required for an individual whose sole limitation is ineligibility to

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1 vote. The court shall, no later than 3 days after the determination, notify the  
2 elections commission by email of the determination of the court shall be  
3 communicated in writing by the clerk of court to the election official or agency  
4 charged under s. 6.48, 6.92, 6.925, 6.93, or 7.52 (5) with the responsibility for  
5 determining challenges to registration and voting that may be directed against that  
6 elector. An email notification sent to the elections commission under this subd. 1. g.  
7 shall remain confidential, except as otherwise provided under s. 19.36. The court  
8 shall also, at the time of the determination, provide the determination in writing to  
9 the individual and the individual's guardian, if applicable. The determination may  
10 be reviewed as provided in s. 54.64 (2), and the court shall notify the elections  
11 commission, the individual, and the individual's guardian, if applicable, by mail  
12 and email of any subsequent determination of the court shall be likewise  
13 communicated by the clerk of court. All notices provided to the elections  
14 commission under this subd. 1. g. shall include the full name; residential address,  
15 including city, state, and zip code; mailing address, if different than the residential  
16 address; and date of birth of the individual subject to the determination. If the  
17 court appoints a guardian for an individual who is ineligible to vote, the guardian  
18 shall, no later than 3 days after the determination, report any residential or mailing  
19 address change for the individual to the court, and the court shall immediately  
20 notify the elections commission of that address by email. The court shall use a  
21 standardized notice of eligibility form to communicate its determinations to the  
22 individual and the individual's guardian, if applicable.

