

WISCONSIN ADMINISTRATIVE CODE

STATE ELECTIONS BOARD

SECTION 1. EIBd 3.50 is created to read:

3.50 Charges for voter registration data.

(1) In this section:

- (a) “Custom report” means a report that is not programmed to run in the Statewide Voter Registration System at the time a request for the report is made, or a report that requires additional programming tasks.
- (b) “Election official” has the same meaning as provided in s. 5.02 (4e), Stats.
- (c) “Official registration list” has the same meaning as provided in s. 6.36, Stats.
- (d) “Protected information” means any information that is protected from general public disclosure by ss. 6.36 (1) (b) 1.a. and 6.47, Stats.
- (e) “Report” means a defined list of related voter registration data records generated from the Statewide Voter Registration System.
- (f) “Voter registration data” means data contained in the official registration list.
- (g) “Voter registration data record” means a set of related information requested from the official registration list which consists of a core data element and related attributes. A core data element is the basic unit of data that is being requested, including, but not limited to, a voter name, candidate, election official, or address. The related attributes consist of pieces of data associated with that core data element.

(2) The official registration list shall be open to public inspection consistent with the requirements of ss. 6.36, 6.45 to 6.47, and ss. 19.31 to 19.36, Stats.

(3) Any person may obtain, from the official registration list, voter registration data that is not protected information, upon payment of the applicable charges.

(4) The charge for reports in electronic format is a \$25 base fee per report; plus \$5 for the first 1,000 voter registration data records, or up to 1,000 voter registration data records; plus \$5 for each additional 1,000 voter registration data records, rounded to the nearest thousand. The maximum charge for an electronic report is \$12,500.

- (5) The charge for a paper copy of a report is \$.25 per page, plus the cost of postage and shipping.
- (6) Any request for a report or custom report submitted to the elections board shall be made in writing by the requester or reduced to writing by the elections board's staff. Any request by the elections board for payment in advance for the report requested shall include a copy of the report request in writing as submitted by the requester or as memorialized by the elections board's staff.
- (7) Any person may request a copy of the poll list used at an election from the municipal or county clerk who has custody of the list. The charge for a copy of a poll list provided by a municipal or county clerk shall be a charge determined by that clerk not to exceed the cost of reproduction.
- (8) The elections board, its staff, and each municipal or county election official shall take steps to ensure that any protected information contained in the Statewide Voter Registration System, or on a poll list, is not made available for public inspection.
- (9) If a request for voter registration data requires a custom report, and the elections board staff determines that it can produce the report, the charge for producing the custom report charged to the requester shall be calculated by the elections board's staff on a case-by-case basis and shall include, in addition to the charges articulated in subs. (4) and (5), any applicable charges for handling and mailing; charges for reproduction, including programming costs; and costs of maintenance of the Statewide Voter Registration System as authorized by s. 6.36(6), Stats. Requests fulfilled under this subsection are not subject to the maximum charge limitations in subs. (4) and (5).
- (10) The money received from requests for voter registration data shall remain with the municipality, county, or elections board, whichever produces and provides the report.

INITIAL REGULATORY FLEXIBILITY ANALYSIS:

The creation of this rule does not affect business.

FISCAL ESTIMATE:

The creation of this rule has no fiscal effect.

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The creation of this rule will take effect on the first day of the month following its publication in the Wisconsin Administrative Register pursuant to s.227.22(2), Stats.

Dated June 5, 2007,

KEVIN J. KENNEDY
Executive Director