

# State of Wisconsin



2003 Assembly Bill 600

Date of enactment: April 15, 2004  
Date of publication\*: April 29, 2004

## 2003 WISCONSIN ACT 265

AN ACT *to repeal* 5.25 (4) (c), 6.15 (3) (a) (title), 6.15 (3) (b) (title), 6.24 (8), 6.33 (3), 6.35 (2), 6.35 (5) and (6), 6.40 (1) (b), 6.50 (2m), 6.50 (9), 6.79 (1), 6.79 (5), 6.79 (6) (a) and 120.06 (5); *to renumber* 5.87, 6.79 (2) and 6.865; *to renumber and amend* 6.15 (3) (a) 1., 2. and 3., 6.15 (3) (b), 6.40 (1) (a), 6.79 (intro.) (except 6.79 (title)) and 6.79 (6) (b); *to amend* 5.02 (17), 5.05 (11), 5.25 (4) (a), 5.40 (6), 5.55 (title), 6.15 (2) (title), 6.15 (2) (a) (intro.), 6.15 (4) (d), 6.20, 6.24 (3), 6.24 (4) (a), 6.24 (4) (c), 6.26 (1), 6.26 (2) (a), 6.26 (2) (b) and (c), 6.275 (1) (b) to (d), 6.28 (2) (b), 6.28 (3), 6.29 (2) (a), 6.29 (2) (b), 6.30 (4), 6.32 (4), 6.325, 6.33 (title), 6.33 (1) and (2), 6.33 (1) and (2) (a), 6.33 (4), 6.35 (3), 6.36 (2) (a), 6.36 (2) (a), 6.36 (2) (c) 2., 6.36 (3), 6.40 (2) (b), 6.47 (2), 6.47 (3), 6.47 (6), 6.48 (1) (d), 6.48 (2) (b), 6.50 (1), 6.50 (2), 6.50 (3) to (6), 6.50 (7), 6.50 (8), 6.50 (10), 6.55 (2) (a) 1. (intro.), 6.55 (2) (a) 2., 6.55 (2) (b), 6.55 (2) (c) 1., 6.55 (2) (c) 2., 6.55 (2) (d), 6.55 (3), 6.55 (7) (a) (intro.), 6.55 (7) (b), 6.55 (7) (c) (intro.), 6.55 (7) (c) 1., 6.55 (7) (c) 2., 6.55 (7) (d), 6.56 (2) to (4), 6.79 (4), 6.82 (1) (a), 6.86 (3) (a) 1., 6.86 (3) (a) 2., 6.86 (3) (b), 6.86 (3) (c), 6.865 (title), 6.87 (3) (d), 6.87 (4), 6.87 (4), 6.88 (3) (a), 6.94, 6.95, 7.08 (1) (c), 7.10 (1) (b), 7.15 (1) (c), 7.15 (4), 7.23 (1) (c), 7.23 (1) (e), 7.37 (7), 7.51 (2) (a), 7.51 (2) (c), 7.51 (2) (e), 7.51 (3) (a), 7.51 (4) (a), 7.51 (5) (a), 8.17 (1) (a), 9.01 (1) (b) 1., 10.02 (3) (a), 11.30 (title), 12.13 (3) (u), 59.05 (2), 117.20 (2) and 125.05 (2) (h); *to repeal and recreate* 6.26 (title), 6.27, 6.36 (1), 6.40 (1) (a) (title), 6.57 and 6.79 (2); and *to create* 5.02 (6m), 5.02 (24w), 5.05 (10), 5.05 (12) to (15), 5.055, 5.056, 5.061, 5.25 (4) (b), 5.35 (6) (a) 2m., 4., 4a. and 4b., 5.36, 5.87 (2), 5.91 (15) to (18), 6.06, 6.26 (2) (am), 6.276, 6.33 (5), 6.36 (2) (c) 1., 6.36 (2) (c) 2., 6.40 (1) (a) 2. and 3., 6.79 (2) (b), 6.865 (1), 6.865 (3) and (4), 6.869, 6.96, 6.97, 7.08 (6) and (8), 7.10 (7) to (9), 7.10 (10), 7.15 (9) to (14), 15.617, 19.69 (4) and 85.61 of the statutes; **relating to:** election administration, voter registration and voting requirements and procedures and granting rule-making authority.

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

**SECTION 1.** 5.02 (6m) of the statutes is created to read:

5.02 (6m) "Identification" means:

(a) In the case of an elector who votes in person, either of the following:

1. A current and valid piece of identification containing a photograph of the elector.

2. A copy of a utility bill, bank statement, paycheck, or a check or other document issued by a unit of government that shows the current name and address of the elector.

(b) In the case of an elector who votes by absentee ballot, either of the following:

1. A copy of a current and valid piece of identification containing a photograph of the elector.

2. A copy of a utility bill, bank statement, paycheck, or a check or other document issued by a unit of govern-

\* Section 991.11, WISCONSIN STATUTES 2001-02 : Effective date of acts. "Every act and every portion of an act enacted by the legislature over the governor's partial veto which does not expressly prescribe the time when it takes effect shall take effect on the day after its date of publication as designated" by the secretary of state [the date of publication may not be more than 10 working days after the date of enactment].

ment that shows the current name and address of the elector.

**SECTION 2.** 5.02 (17) of the statutes is amended to read:

5.02 (17) "Registration list" means the list of electors who are properly registered to vote in municipalities in which registration is required.

**SECTION 3.** 5.02 (24w) of the statutes is created to read:

5.02 (24w) "Voting system" means:

(a) The total combination of mechanical, electromechanical, or electronic equipment, including the software, hardware, and documentation required to program, control, and support the equipment, that is used to define ballots, to cast and count votes, to report or display election results, and to maintain and produce any audit trail information.

(b) The practices and associated documentation for any of the following purposes:

1. To identify equipment components and versions of such components.
2. To test the equipment during its development and maintenance.
3. To maintain records of equipment errors and defects.
4. To determine specific equipment changes to be made after the initial qualification of the equipment.
5. To make available any materials to an elector.

**SECTION 4.** 5.05 (10) of the statutes is created to read:

5.05 (10) STATE ELECTION ADMINISTRATION PLAN. With the assistance of the election administration council and approval of the joint committee on finance as provided in this subsection, the board shall adopt and modify as necessary a state plan that meets the requirements of P.L. 107-252 to enable participation by this state in federal financial assistance programs authorized under that law. The board shall adopt the plan and any modifications only after publishing a class I notice under ch. 985 or posting on the Internet a statement describing the proposed plan or modification and receiving public comment thereon. After approval of the proposed plan or any modification of the plan by the board, the board shall submit the proposed plan or modification to the joint committee on finance for the approval of the committee. The board may adopt the proposed plan or modification only if the committee approves the proposed plan or modification.

**SECTION 5.** 5.05 (11) of the statutes, as created by 2003 Wisconsin Act 35, is amended to read:

5.05 (11) AIDS TO COUNTIES AND MUNICIPALITIES. From the appropriation under s. 20.510 (1) (x), the board may provide financial assistance to eligible counties and municipalities for election administration costs in accordance with the plan adopted under sub. (10). As a condition precedent to receipt of assistance under this subsection, the board shall enter into an agreement with

the county or municipality receiving the assistance specifying the intended use of the assistance and shall ensure compliance with the terms of the agreement. Each agreement shall provide that if the federal government objects to the use of any assistance moneys provided to the county or municipality under the agreement, the county or municipality shall repay the amount of the assistance provided to the board.

**SECTION 6.** 5.05 (12) to (15) of the statutes are created to read:

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

(13) TOLL-FREE ELECTION INFORMATION EXCHANGE.

(a) The board shall maintain one or more toll-free telephone lines for electors to report possible voting fraud and voting rights violations, to obtain general election information, and to access information concerning their registration status, current polling place locations, and other information relevant to voting in elections.

(b) The board may maintain a free access system under which an elector who votes under s. 6.96 or 6.97 may ascertain current information concerning whether the elector's vote has been counted, and, if the vote will not be counted, the reason that it will not be counted.

(14) INFORMATION FROM COUNTY AND MUNICIPAL CLERKS. The board may request information from county and municipal clerks relating to election administration, performance of electronic voting systems and voting machines, and use of paper ballots in elections.

(15) REGISTRATION LIST. The board is responsible for the design and maintenance of the official registration list under s. 6.36. The board shall require all municipalities to use the list in every election and may require any municipality to adhere to procedures established by the board for proper maintenance of the list.

**SECTION 7.** 5.055 of the statutes is created to read:

**5.055 Election assistance commission standards board.** The executive director of the board shall, in consultation with the board, appoint an individual to represent this state as a member of the federal election assistance commission standards board. The executive director shall also conduct and supervise a process for the selection of an election official by county and municipal clerks and boards of election commissioners to represent local election officials of this state as a member of the federal election assistance commission standards board. The executive director shall ensure that the members of the federal election assistance commission standards board representing this state shall at no time be members of the same political party. Upon appointment or election

of any new member of the federal election assistance commission standards board representing this state, the executive director shall transmit a notice of that member's appointment or election to the officer or agency designated by federal law.

**SECTION 8.** 5.056 of the statutes is created to read:

**5.056 Matching program with secretary of transportation.** The executive director of the board shall enter into the agreement with the secretary of transportation specified under s. 85.61 (1) to match personally identifiable information on the official registration list maintained by the board under s. 6.36 (1) with personally identifiable information maintained by the department of transportation.

**SECTION 9.** 5.061 of the statutes is created to read:

**5.061 Compliance with federal Help America Vote Act.** (1) Whenever any person believes that a violation of Title III of P.L. 107-252 has occurred, is occurring, or is proposed to occur with respect to an election for national office in this state, that person may file a written, verified complaint with the board.

(2) If the board receives more than one complaint under sub. (1) relating to the same subject matter, the board may consolidate the complaints for purposes of this section.

(3) A complainant under sub. (1) or any of the complainants in a consolidated complaint under sub. (2) may request a hearing and the matter shall then be treated as a contested case under ch. 227, except that the board shall make a final determination with respect to the merits of the complaint and issue a decision within 89 days of the time that the complaint or the earliest of any complaints was filed, unless the complainant, or each of any complainants whose complaints are consolidated, consents to a specified longer period.

(4) If the board finds the complaint to be without merit, it shall issue a decision dismissing the complaint. If the board finds that the violation alleged in the complaint has occurred, is occurring, or is proposed to occur, the board shall order appropriate relief, except that the board shall not issue any order under this subsection affecting the right of any person to hold an elective office or affecting the canvass of an election on or after the date of that election.

**SECTION 10.** 5.25 (4) (a) of the statutes is amended to read:

5.25 (4) (a) Each polling place shall be accessible to elderly and handicapped all individuals with disabilities. The board shall ensure that the voting system used at each polling place will permit all individuals with disabilities to vote without the need for assistance and with the same degree of privacy that is accorded to nondisabled electors voting at the same polling place. This paragraph does not apply to any individual who is disqualified from voting under s. 6.03 (1) (a).

**SECTION 11.** 5.25 (4) (b) of the statutes is created to read:

5.25 (4) (b) In any jurisdiction that is subject to the requirement under 42 USC 1973aa-1a to provide voting materials in any language other than English, the board shall ensure that the voting system used at each polling place in that jurisdiction is in compliance with 42 USC 1973aa-1a.

**SECTION 12.** 5.25 (4) (c) of the statutes is repealed.

**SECTION 13.** 5.35 (6) (a) 2m., 4., 4a. and 4b. of the statutes are created to read:

5.35 (6) (a) 2m. General information prescribed by the board on federal laws relating to election fraud and misrepresentation in federal elections.

4. The date of the election and the hours during which the polling place is open.

4a. Instructions prescribed by the board for electors for whom identification is required under s. 6.36 (2) (c) 2.

4b. General information prescribed by the board concerning voting rights under applicable state and federal laws, including the method of redress for any alleged violations of those rights.

**SECTION 14.** 5.36 of the statutes is created to read:

**5.36 Notice of voting by individuals with disabilities.** Any individual with a disability may notify a municipal clerk that he or she intends to vote at a polling place on election day and may request that a specific type of accommodation be provided that will facilitate his or her voting.

**SECTION 15.** 5.40 (6) of the statutes is amended to read:

5.40 (6) A municipality which utilizes voting machines or an electronic voting system at a polling place may permit use of the machines or system by electors voting under s. 6.15 only as authorized under s. 6.15 (3) (b).

**SECTION 16.** 5.55 (title) of the statutes is amended to read:

**5.55 (title) Ballot identification Information.**

**SECTION 17.** 5.87 of the statutes is renumbered 5.87 (1).

**SECTION 18.** 5.87 (2) of the statutes is created to read:

5.87 (2) The board shall, by rule, prescribe uniform standards for determining the validity of votes cast or attempted to be cast with each electronic voting system approved for use in this state under s. 5.91. The rules shall apply only to situations that may arise in which the validity of a vote or attempted vote cast by an elector utilizing a particular system cannot be determined under s. 7.50.

**SECTION 19.** 5.91 (15) to (18) of the statutes are created to read:

5.91 (15) It permits an elector to privately verify the votes selected by the elector before casting his or her ballot.

(16) It provides an elector with the opportunity to change his or her votes and to correct any error or to obtain a replacement for a spoiled ballot prior to casting his or her ballot.

(17) Unless the ballot is counted at a central counting location, it includes a mechanism for notifying an elector who attempts to cast an excess number of votes for a single office that his or her votes for that office will not be counted, and provides the elector with an opportunity to correct his or her ballot or to receive and cast a replacement ballot.

(18) It produces a permanent paper record of the vote cast by each elector at the time that it is cast that enables a manual count or recount of the elector's vote.

**SECTION 20.** 6.06 of the statutes is created to read:

**6.06 Information for uniformed service members.** The board is the agency designated by this state under 42 USC 1973ff-1 to provide information regarding voter registration and absentee balloting procedures to absent members of the uniformed services and overseas voters with respect to elections for national office.

**SECTION 21.** 6.15 (2) (title) of the statutes is amended to read:

6.15 (2) (title) APPLICATION FOR BALLOT PROCEDURE AT CLERK'S OFFICE.

**SECTION 22.** 6.15 (2) (a) (intro.) of the statutes is amended to read:

6.15 (2) (a) (intro.) The elector's request for the application form may be made in person to the proper municipal clerk either in person or in writing any time during the 10-day period in which the elector's residence requirement is incomplete, but not later than the applicable deadline for making application for an absentee ballot of the municipality where the person resides. Application may be made not sooner than 9 days nor later than 5 p.m. on the day before the election, or may be made at the proper polling place in the ward or election district in which the elector resides. The application form shall be returned to the municipal clerk after the affidavit has been signed in the presence of the clerk or any officer authorized by law to administer oaths. The affidavit shall be in substantially the following form:

**SECTION 23.** 6.15 (3) (a) (title) of the statutes is repealed.

**SECTION 24.** 6.15 (3) (a) 1., 2. and 3. of the statutes are renumbered 6.15 (2) (d) 1r., 2. and 3., and 6.15 (2) (d) 1r., as renumbered, is amended to read:

6.15 (2) (d) 1r. Upon proper completion of the application and cancellation card, the municipal clerk shall inform the elector that he or she may vote for the presidential electors not sooner than 9 days nor later than 5 p.m. on the day before the election at the office of the municipal clerk, or at a specified polling place on election day. When voting at the municipal clerk's office, the applicant shall provide identification and require the

elector to provide acceptable proof of residence under s. 6.55 (7). If the elector cannot provide acceptable proof of residence, the elector may have his or her residence corroborated in a statement that is signed by another elector of the municipality and that contains the current street address of the corroborating elector. If the residence is corroborated by another elector, that elector shall then provide proof of residence under s. 6.55 (7). The elector shall then mark the ballot in the clerk's presence in a manner that will not disclose his or her vote. Unless the ballot is utilized with an electronic voting system, the applicant shall then fold the ballot so as to conceal his or her vote. The applicant clerk or elector shall then deposit the ballot and seal it in place the ballot in an envelope furnished by the clerk.

**SECTION 25.** 6.15 (3) (b) (title) of the statutes is repealed.

**SECTION 26.** 6.15 (3) (b) of the statutes is renumbered 6.15 (3) and amended to read:

6.15 (3) VOTING PROCEDURE PROCEDURE AT POLLING PLACE. An eligible elector may appear at the polling place for the ward or election district where he or she resides and make application for a ballot under sub. (2). In such case, the inspector or special registration deputy Except as otherwise provided in this subsection, an elector who casts a ballot under this subsection shall follow the same procedure required for casting a ballot at the municipal clerk's office under sub. (2). The inspectors shall perform the duties of the municipal clerk. The elector shall provide identification. If the elector is qualified, he or she shall be permitted to vote, except that the inspectors shall return the cancellation card under sub. (2) (b) to the municipal clerk and the clerk shall forward the card as provided in sub. (2) (c) if required. Upon proper completion of the application and cancellation card and submittal of acceptable proof of residence under s. 6.55 (7) or providing corroboration of residence, the inspectors shall permit the elector to cast his or her ballot for president and vice president. The elector shall mark the ballot and, unless the ballot is utilized with an electronic voting system, the elector shall fold the ballot, and shall deposit the ballot into the ballot box or give it to the inspector. The inspector shall deposit it directly into the ballot box. Voting machines or ballots utilized with electronic voting systems may only be used by electors voting under this section if they permit voting for president and vice president only.

**SECTION 27.** 6.15 (4) (d) of the statutes is amended to read:

6.15 (4) (d) Upon satisfactory completion of the procedure under pars. (b) and (c) the inspectors shall deposit the ballot in the ballot box. The inspectors shall enter the name of each elector voting under this section on the poll list with an indication that the elector is voting under this section or on a separate list maintained for the purpose under s. 6.79 (2) (c).

**SECTION 28.** 6.20 of the statutes is amended to read:  
**6.20 Absent electors.** Any qualified elector of this state who registers ~~where required~~ may vote by absentee ballot under ss. 6.84 to 6.89.

**SECTION 29.** 6.24 (3) of the statutes is amended to read:

6.24 (3) **REGISTRATION.** ~~If registration is required in the municipality where the~~ The overseas elector resided ~~or where the elector's parent resided, the elector shall register in the municipality where he or she was last domiciled or where the overseas elector's parent was last domiciled~~ on a form prescribed by the board designed to ascertain the elector's qualifications under this section. The form shall be substantially similar to the original form under s. 6.33 (1), insofar as applicable. Registration shall be accomplished in accordance with s. 6.30 (4).

**SECTION 30.** 6.24 (4) (a) of the statutes is amended to read:

6.24 (4) (a) An overseas elector who is properly registered ~~where registration is required~~ may request an absentee ballot in writing under ss. 6.86 to 6.89.

**SECTION 31.** 6.24 (4) (c) of the statutes is amended to read:

6.24 (4) (c) Upon receipt of a timely application from an individual who qualifies as an overseas elector and who has registered to vote in a municipality under sub. (3) ~~whenever registration is required in that municipality,~~ the municipal clerk of the municipality shall send an absentee ballot to the individual for all subsequent elections for national office to be held during the year in which the ballot is requested, unless the individual otherwise requests or until the individual no longer qualifies as an overseas elector.

**SECTION 32.** 6.24 (8) of the statutes is repealed.

**SECTION 33.** 6.26 (title) of the statutes is repealed and recreated to read:

**6.26 (title) Special registration deputies.**

**SECTION 34.** 6.26 (1) of the statutes is amended to read:

6.26 (1) ~~Where registration is applicable under s. 6.27, the~~ The municipal clerk or the board of election commissioners of each municipality shall administer elector registration within the municipality in accordance with the procedures prescribed under sub. (3). ~~The clerk or board of election commissioners shall prepare and maintain the registration list under this chapter.~~

**SECTION 35.** 6.26 (2) (a) of the statutes is amended to read:

6.26 (2) (a) A qualified elector of the state may apply to any municipal clerk or board of election commissioners to be appointed as a special registration deputy for the purpose of registering electors of the municipality prior to the close of registration. An applicant may be appointed by more than one municipal clerk or board of election commissioners to serve more than one municipality.

**SECTION 36.** 6.26 (2) (am) of the statutes is created to read:

6.26 (2) (am) A qualified elector of this state may apply to the board to be appointed as a special registration deputy for the purpose of registering electors of any municipality prior to the close of registration.

**SECTION 37.** 6.26 (2) (b) and (c) of the statutes are amended to read:

6.26 (2) (b) The municipal clerk ~~or~~ board of election commissioners, or elections board may appoint ~~an~~ any applicant who qualifies under this subsection, unless the applicant's appointment has been revoked by a municipality or by the board for cause. ~~A~~ The municipal clerk ~~or~~ board of election commissioners, or elections board may revoke an appointment made by the clerk, board of election commissioners, or elections board for cause at any time.

(c) No individual may serve as a special registration deputy in a municipality unless the individual is appointed by the municipal clerk or board of election commissioners of the municipality or the individual is appointed by the elections board to serve all municipalities.

**SECTION 38.** 6.27 of the statutes is repealed and recreated to read:

**6.27 Elector registration required.** Each elector shall register under this chapter before voting in any election, except as authorized under ss. 6.15, 6.18, and 6.22.

**SECTION 39.** 6.275 (1) (b) to (d) of the statutes are amended to read:

6.275 (1) (b) ~~Where registration applies, the~~ The total number of electors of the municipality residing in that county who were preregistered on the deadline specified in s. 6.28 (1), including valid mail registrations which are postmarked by that day.

(c) ~~Where registration applies, the~~ The total number of electors of the municipality residing in that county who registered after the close of registration and prior to the day of the primary or election under ss. 6.28 (1), 6.29, and 6.86 (3) (a) 2.

(d) ~~Where registration applies, the~~ The total number of electors of the municipality residing in that county who registered on the day of the primary or election under ss. 6.55 and 6.86 (3) (a) 2.

**SECTION 40.** 6.276 of the statutes is created to read:

**6.276 Federal absentee voting statistics. (1)** In this section, "military elector" and "overseas elector" have the meanings given in s. 6.36 (2) (c).

(2) Within 30 days after each general election, each municipal clerk shall transmit to the board a report of the number of absentee ballots transmitted by the clerk to absent military electors and overseas electors for that election and the combined number of those ballots that were cast by those electors in that election.

(3) Within 90 days after each general election, the board shall compile the information contained in the

reports received from municipal clerks under sub. (2) and transmit the information to the federal Election Assistance Commission.

**SECTION 41.** 6.28 (2) (b) of the statutes is amended to read:

6.28 (2) (b) The municipal clerk of each municipality ~~in which elector registration is required~~ shall notify the school board of each school district in which the municipality is located that high schools shall be used for registration pursuant to par. (a). The school board and the municipal clerk shall agree upon the appointment of at least one qualified elector at each high school as a special school registration deputy. The municipal clerk shall appoint such person as a school registration deputy and explain the person's duties and responsibilities. Students and staff may register at the high school on any day that classes are regularly held. The school registration deputies shall promptly forward properly completed registration forms to the municipal clerk of the municipality in which the registering student or staff member resides. The municipal clerk, upon receiving such registration forms, shall add all those registering electors who have met the registration requirements to the registration list. The municipal clerk may reject any registration form and shall promptly notify the person whose registration is rejected of the rejection and the reason therefor. A person whose registration is rejected may reapply for registration if he or she is qualified. The form of each high school student who is qualified and will be eligible to vote at the next election shall be filed in such a way that when a student attains the age of 18 years the student is registered to vote automatically. Each school board shall assure that the principal of every high school communicates elector registration information to students.

**SECTION 42.** 6.28 (3) of the statutes is amended to read:

6.28 (3) AT OFFICE OF REGISTER OF DEEDS. Any person ~~who resides in a municipality requiring registration of electors~~ shall be given an opportunity to register to vote at the office of the register of deeds for the county in which the person's residence is located. An applicant may fill out the required registration form under s. 6.33. Upon receipt of a completed form, the register of deeds shall forward the form within 5 days to the appropriate municipal clerk, or to the board of election commissioners in cities over 500,000 population. The register of deeds shall forward the form immediately whenever registration closes within 5 days of receipt.

**SECTION 43.** 6.29 (2) (a) of the statutes is amended to read:

6.29 (2) (a) Any qualified elector of a municipality ~~where registration is required~~ who has not previously filed a registration form or whose name does not appear on the registration list of the municipality ~~shall be entitled to vote at the election if he or she delivers to the municipal clerk~~ may register after the close of registration but not

later than 5 p.m. or the close of business, whichever is later, on the day before an election at the office of the municipal clerk and at the office of the clerk's agent if the clerk delegates responsibility for electronic maintenance of the registration list to an agent under s. 6.33 (5) (b). The elector shall complete, in the manner provided under s. 6.33 (2), a registration form executed by the elector. The form shall contain a certification by the elector that all statements are true and correct. Alternatively, if the elector cannot obtain a registration form, the elector may deliver a statement, signed by the elector, containing all of the information required on the registration form containing all information required under s. 6.33 (1). The elector shall ~~present~~ also provide acceptable proof of residence as ~~provided in~~ under s. 6.55 (7). ~~If no proof is presented~~ Alternatively, if the elector is unable to provide acceptable proof of residence under s. 6.55 (7), the information contained in the registration form or the listing of required information shall be substantiated corroborated in a statement that is signed by one any other elector of the municipality, corroborating all the material statements therein and that contains the current street address of the corroborating elector. The corroborating elector shall then provide acceptable proof of residence under s. 6.55 (7). ~~The signing of the form by the registering elector and statement by the corroborating elector shall be done in the presence of the municipal clerk or deputy clerk not later than 5 p.m. of the day before an election.~~

**SECTION 44.** 6.29 (2) (b) of the statutes is amended to read:

6.29 (2) (b) ~~Upon~~ Unless the municipal clerk determines that the registration list will be revised to incorporate the registration in time for the election, upon the filing of the registration form required by this section, the municipal clerk or clerk's agent under s. 6.33 (5) (b) shall issue a certificate containing the name and address of the elector addressed to the inspectors of the proper ward or election district directing that the elector be permitted to cast his or her vote, ~~unless the clerk determines that the registration list will be revised to incorporate the registration in time for the election if the elector complies with all requirements for voting at the polling place.~~ The certificate shall be numbered serially, prepared in duplicate and one copy preserved in the office of the municipal clerk.

**SECTION 45.** 6.30 (4) of the statutes is amended to read:

6.30 (4) BY MAIL. Any eligible elector may register by mail on a form prescribed by the board and provided by each municipality. The form shall be designed to obtain the information required in ss. 6.33 (1) and to provide for changes authorized under s. 6.40 (1) (a) and (b). The form shall contain a certification by the elector that all statements are true and correct. The form shall be pre-paid for return when mailed at any point within the United States. The form shall be available in the municipi-

pal clerk's office and may be distributed by any elector of the municipality. The clerk shall mail a registration form to any elector upon written or oral request.

**SECTION 46.** 6.32 (4) of the statutes is amended to read:

6.32 (4) If the form is sufficient to accomplish registration and the clerk has no reliable information to indicate that the proposed elector is not qualified, the clerk shall enter the elector's name on the registration list and transmit a 1st class letter or postcard to the registrant, specifying the elector's ward or aldermanic district, or both, if any, and polling place. If such the letter or postcard is returned, or if the clerk is informed of a different address than the one specified by the elector, the clerk shall ~~strike the name~~ change the status of the elector ~~from on the list from eligible to ineligible.~~ The letter or postcard shall specify "ADDRESS CORRECTION REQUESTED" or "DO NOT FORWARD", and if a postcard, "RETURN POSTAGE GUARANTEED" be marked in accordance with postal regulations to ensure that it will be returned to the clerk if the elector does not reside at the address given on the letter or postcard.

**SECTION 47.** 6.325 of the statutes is amended to read:

**6.325 Disqualification of electors.** No person may be disqualified as an elector unless the municipal clerk, board of election commissioners or a challenging elector under s. 6.48 demonstrates beyond a reasonable doubt that the person does not qualify as an elector or is not properly registered. If it appears that the challenged elector ~~or proposed elector~~ is registered ~~in another location at a residence in this state other than the one where the elector now resides,~~ the municipal clerk or board of election commissioners ~~may shall, before permitting the elector to vote,~~ require the challenged elector to sign an authorization to ~~cancel~~ transfer his or her registration under s. 6.40 (1) ~~(b) (a)~~ and shall notify the ~~proper official municipal clerk or board of election commissioners at that location the former residence.~~ The municipal clerk or board of election commissioners may require naturalized applicants to show their naturalization certificates.

**SECTION 48.** 6.33 (title) of the statutes is amended to read:

**6.33 (title) Registration forms; manner of completing.**

**SECTION 49a.** 6.33 (1) and (2) of the statutes are amended to read:

6.33 (1) The municipal clerk shall supply sufficient registration forms as prescribed by the board printed on loose-leaf sheets or cards to obtain from each applicant information as to name, date, residence location, citizenship, age, whether the applicant has resided within the ward or election district for at least 10 days, whether the applicant has lost his or her right to vote, and whether the applicant is currently registered to vote at any other location, and shall provide a space for the applicant's signature. The forms shall also include a space where the clerk

may record an indication of whether the form is received by mail and a space for the identification serial number of any elector who is issued such a number under s. 6.47 (3). Each register of deeds shall obtain sufficient registration forms at the expense of the unit of government by which he or she is employed for completion by any elector who desires to register to vote.

(2) (a) The information may be recorded by any person, ~~but the~~ except that the indication of whether the registration is received by mail shall be recorded by the clerk. Each applicant shall sign his or her own name unless the applicant is unable to sign his or her name due to physical disability. In such case, the applicant may authorize another elector to sign the form on his or her behalf. If the applicant so authorizes, the elector signing the form shall attest to a statement that the application is made upon request and by authorization of a named elector who is unable to sign the form due to physical disability. Ward and aldermanic district information shall be filled in by the clerk.

(b) Except as provided ~~under ss. 6.30 (4) and in s. 6.86 (3) (a) 2.,~~ the registration form shall be signed by the registering elector and any corroborating elector under s. 6.29 (2) (a) or 6.55 (2) before the clerk, issuing officer or registration deputy. The form shall contain a certification by the registering elector that all statements are true and correct.

**SECTION 49b.** 6.33 (1) and (2) (a) of the statutes, as affected by 2003 Wisconsin Act .... (this act), are amended to read:

6.33 (1) The municipal clerk shall supply sufficient registration forms as prescribed by the board printed on loose-leaf sheets or cards to obtain from each applicant information as to name; date; residence location; citizenship; date of birth; age; the number of a valid operator's license issued to the elector under ch. 343 or the last 4 digits of the elector's social security account number; whether the applicant has resided within the ward or election district for at least 10 days; whether the applicant has lost his or her right to vote; and whether the applicant is currently registered to vote at any other location, ~~and,~~ The forms shall also provide a space for the applicant's signature and the ward and aldermanic district, if any, where the elector resides and any other information required to determine the offices and referenda for which the elector is certified to vote. The forms shall also include a space where the clerk may record an indication of whether the form is received by mail and a space ~~for the identification serial number of any elector who is issued such a number under s. 6.47 (3) where the clerk, for any applicant who possesses a valid voting identification card issued to the person under s. 6.47 (3), may record the identification serial number appearing on the voting identification card.~~ Each register of deeds shall obtain sufficient registration forms at the expense of the unit of government by which he or she is employed for

completion by any elector who desires to register to vote at the office of the register of deeds under s. 6.28 (3).

(2) (a) ~~The All information may be recorded by any person, except that the ward and aldermanic district, if any, other geographic information under sub. (1), the indication of whether the registration is received by mail, and any information relating to an applicant's voting identification card shall be recorded by the clerk. Each applicant shall sign his or her own name unless the applicant is unable to sign his or her name due to physical disability. In such case, the applicant may authorize another elector to sign the form on his or her behalf. If the applicant so authorizes, the elector signing the form shall attest to a statement that the application is made upon request and by authorization of a named elector who is unable to sign the form due to physical disability. Ward and aldermanic district information shall be filled in by the clerk.~~

**SECTION 51.** 6.33 (3) of the statutes is repealed.

**SECTION 52.** 6.33 (4) of the statutes is amended to read:

6.33 (4) When an individual's registration is ~~cancelled~~ changed from eligible to ineligible status, the municipal clerk or board of election commissioners shall enter the date and reason for ~~cancellation~~ change on the ~~individual's registration form list~~.

**SECTION 53.** 6.33 (5) of the statutes is created to read:

6.33 (5) (a) Except as provided in par. (b), whenever a municipal clerk receives a valid registration or valid change of a name or address under an existing registration and whenever a municipal clerk changes a registration from eligible to ineligible status, the municipal clerk shall promptly enter electronically on the list maintained by the board under s. 6.36 (1) the information required under that subsection, except that the municipal clerk may update any entries that change on the date of an election in the municipality within 30 days after that date, and the municipal clerk shall provide to the board information that is confidential under s. 6.47 (2) in such manner as the board prescribes.

(b) The municipal clerk of any municipality may, by mutual consent, designate any other municipal clerk or any county clerk as the clerk's agent to carry out the functions of the municipal clerk under this section for that municipality. The municipal clerk shall notify the county clerk of each county in which the municipality is located and the board of any such designation in writing. The municipal clerk may, by similar notice to the clerk's agent at least 14 days prior to the effective date of any change, discontinue the designation. If the municipal clerk designates another municipal clerk or a county clerk as his or her agent, the municipal clerk shall immediately forward all registration changes filed with the clerk and voting record information obtained by the clerk to the clerk's agent for electronic entry on the registration list.

**SECTION 54.** 6.35 (2) of the statutes is repealed.

**SECTION 55.** 6.35 (3) of the statutes is amended to read:

6.35 (3) ~~In municipalities employing data processing for keeping of registration records, original~~ Original registration records shall be maintained in the office of the municipal clerk or board of election commissioners at all times.

**SECTION 56.** 6.35 (5) and (6) of the statutes are repealed.

**SECTION 57.** 6.36 (1) of the statutes is repealed and recreated to read:

6.36 (1) (a) The board shall compile and maintain electronically an official registration list. The list shall contain the name and address of each registered elector in the state, the date of birth of the elector, the ward and aldermanic district of the elector, if any, and, for each elector, a unique registration identification number assigned by the board, the number of a valid operator's license issued to the elector under ch. 343, if any, or the last 4 digits of the elector's social security account number, if any, any identification serial number issued to the elector under s. 6.47 (3), the date of any election in which the elector votes, an indication of whether the elector is an overseas elector, as defined in s. 6.24 (1), an indication of any accommodation required under s. 5.25 (4) (a) to permit voting by the elector, an indication of the method by which the elector's registration form was received, and such other information as may be determined by the board to facilitate administration of elector registration requirements.

(b) 1. The list shall be open to public inspection under s. 19.35 (1) and shall be electronically accessible by any person, except that:

a. No person other than an employee of the board, a municipal clerk, a deputy clerk, an executive director of a city board of election commissioners, or a deputy designated by the executive director may view the date of birth, registration identification number, operator's license number, or social security account number of an elector, the address of an elector to whom an identification serial number is issued under s. 6.47 (3), or any indication of an accommodation required under s. 5.25 (4) (a) to permit voting by an elector.

b. No person other than an employee of the board, a municipal clerk, or an election official who is authorized by a municipal clerk may make a change in the list.

2. The list shall be electronically accessible by name and shall also be accessible in alphabetical order of the electors' names for the entire state and for each county, municipality, ward, and combination of wards authorized under s. 5.15 (6) (b).

(c) The list shall be designed in such a way that the municipal clerk or board of election commissioners of any municipality and any election official who is authorized by the clerk or executive director of the board of



election commissioners may, by electronic transmission, add entries to or change entries on the list for any elector who resides in, or who the list identifies as residing in, that municipality and no other municipality.

(d) Upon receipt of official notification by the appropriate election administrative authority of another state, territory, or possession that an elector whose name appears on the list has registered to vote in that state, territory, or possession, the board or the municipal clerk of the municipality where the elector formerly resided shall change the elector's registration from eligible to ineligible status.

(e) If the board adds the name of any elector to the list, the board shall promptly notify the municipal clerk of the municipality where the elector resides. If the board changes the registration of any elector from eligible to ineligible status, the board shall promptly notify the municipal clerk of the municipality where the elector resides or, if the elector has changed his or her residence from one municipality to another municipality in this state, shall promptly notify the municipal clerk of the municipality where the elector resided prior to the change. Notification shall be made in writing or by electronic transmission. If the board changes the registration of any elector from eligible to ineligible status, the board shall make an entry on the list giving the date of and the reason for the change.

(f) The board shall make all reasonable efforts to ensure that the list is maintained in a manner that precludes unauthorized persons from making alterations to the list.

**SECTION 58a.** 6.36 (2) (a) of the statutes is amended to read:

6.36 (2) (a) Except as provided in ~~par. (b), the and (c), each~~ registration lists list prepared for use as a poll list at a polling place shall contain the full name and address of each registered elector; a blank column for the entry of the serial number of the electors when they vote; ~~if the list is prepared for use at an election for national office, an indication next to the name of each elector for whom identification is required under par. (c) 2.;~~ and a form of a certificate stating that each the list is a true and complete ~~combined check and~~ registration list of the respective municipality or the ward or wards for which the list is prepared.

**SECTION 58b.** 6.36 (2) (a) of the statutes, as affected by 2003 Wisconsin Act .... (this act), is amended to read:

6.36 (2) (a) Except as provided in pars. (b) and (c), each registration list prepared for use as a poll list at a polling place shall contain the full name and address of each registered elector; a blank column for the entry of the serial number of the electors when they vote; if the list is prepared for use at an election for national office, an indication next to the name of each elector for whom identification is required under par. (c) 2.; and a form of certificate bearing the certification of the executive

director of the board stating that the list is a true and complete registration list of the municipality or the ward or wards for which the list is prepared.

**SECTION 59.** 6.36 (2) (c) 1. of the statutes is created to read:

6.36 (2) (c) 1. In this paragraph:

a. "Military elector" means a member of a uniformed service on active duty who, by reason of that duty, is absent from the residence where the member is otherwise qualified to vote; a member of the merchant marine, as defined in s. 6.22 (1) (a), who by reason of service in the merchant marine, is absent from the residence where the member is otherwise qualified to vote; or the spouse or dependent of any such member who, by reason of the duty or service of the member, is absent from the residence where the spouse or dependent is otherwise qualified to vote.

b. "Overseas elector" means an elector who resides outside the United States and who is qualified under federal law to vote in elections for national office in this state because the elector was last domiciled in this state immediately prior to the elector's departure from the United States.

**SECTION 59a.** 6.36 (2) (c) 2. of the statutes is created to read:

6.36 (2) (c) 2. If the registration list is prepared for use at an election for national office, the list shall contain, next to the name of each elector, an indication of whether identification is required for the elector to be permitted to vote. Identification is required if the elector is not a military elector or an overseas elector and the elector registers by mail and has not previously voted in an election for national office in the municipality where the elector is voting.

**SECTION 59b.** 6.36 (2) (c) 2. of the statutes, as created by 2003 Wisconsin Act .... (this act), is amended to read:

6.36 (2) (c) 2. If the registration list is prepared for use at an election for national office, the list shall contain, next to the name of each elector, an indication of whether identification is required for the elector to be permitted to vote. Identification is required if the elector is not a military elector or an overseas elector and the elector registers by mail and has not previously voted in an election for national office in ~~the municipality where the elector is voting~~ this state.

**SECTION 60.** 6.36 (3) of the statutes is amended to read:

6.36 (3) ~~Municipalities shall prepare at least 2 copies of the registration list for each ward and bind them in book form. The original registration forms constitute the official registration list and shall be controlling whenever discrepancies occur in entering information from the forms under s. 6.33 (5).~~

**SECTION 61.** 6.40 (1) (a) (title) of the statutes is repealed and recreated to read:

6.40 (1) (a) (title) *Change of residence.*

**SECTION 62.** 6.40 (1) (a) of the statutes is renumbered 6.40 (1) (a) 1. and amended to read:

6.40 (1) (a) 1. Any registered elector shall transfer registration after a change of residence within the municipality in which he or she is registered state by appearing filing in person with the municipal clerk or by mailing to the municipal clerk a signed request stating his or her present address, affirming that this will be ~~the elector's his or her~~ residence for 10 days prior to the election and providing the address where he or she was last registered. Alternatively, the elector may transfer his or her registration at the proper polling place or other registration location under s. 6.02 (2) in accordance with s. 6.55 (2) (a). If an elector is voting ~~at a former in the~~ ward or election district where the elector formerly resided, the change shall be effective for the next election.

**SECTION 63.** 6.40 (1) (a) 2. and 3. of the statutes are created to read:

6.40 (1) (a) 2. If a municipal clerk receives a request from an elector to transfer his or her registration to another municipality in this state, the clerk shall change the elector's registration and shall notify the municipal clerk of the municipality to which the elector is changing his or her residence.

3. If a municipal clerk receives a request from an elector who is registered in another municipality to transfer his or her registration to the municipality served by the clerk, the clerk shall change the elector's registration and shall notify the municipal clerk of the municipality where the elector formerly resided of the elector's change of residence.

**SECTION 64.** 6.40 (1) (b) of the statutes is repealed.

**SECTION 65.** 6.40 (2) (b) of the statutes is amended to read:

6.40 (2) (b) In addition to the revision which is required under s. 6.50, municipal clerks may conduct door-to-door and mail registration canvasses at any time. The door-to-door canvass shall consist of both the ~~deletion from the registration list of the names~~ identification of electors who no longer reside at the address for which they are registered and the addition to the registration list of the names of electors who reside at that address. The mail canvass shall consist of ~~the municipal clerk examining the registration records and canceling the registration of~~ verification that eligible electors continue to reside at the addresses shown on the registration list after the mailing of notices in accordance with s. 6.50 (1) and (2) ~~or (2m)~~. The mail canvass may also consist of adding to the registration list the names of eligible electors whose names do not appear on the list. Both door-to-door and mail canvasses whenever made shall be made throughout the municipality in a uniform manner. An elector who wishes to obtain a confidential listing under s. 6.47 (2) shall register at the office of the municipal clerk of the municipality where the elector resides.

**SECTION 66.** 6.47 (2) of the statutes is amended to read:

6.47 (2) Except as authorized in sub. (8), the board, each municipal clerk, each agent designated under s. 6.33 (5) (b), and each election official shall withhold from public inspection under s. 19.35 (1) the name and address of any eligible individual whose name appears on a poll list or registration list if the individual files provides the municipal clerk with a valid written request ~~with the clerk~~ to protect the individual's confidentiality. To be valid, a request under this subsection must be accompanied by a copy of a protective order that is in effect, an affidavit under sub. (1) (a) 2. that is dated within 30 days of the date of the request or a statement signed by the operator or an authorized agent of the operator of a shelter that is dated within 30 days of the date of the request and that indicates that the operator operates the shelter and that the individual making the request resides in the shelter. A physically disabled individual who appears personally at the office of the municipal clerk accompanied by another elector of this state may designate that elector to make a request under this subsection on his or her behalf.

**SECTION 67.** 6.47 (3) of the statutes is amended to read:

6.47 (3) Upon ~~listing of~~ receiving a valid written request from an elector under sub. (2), the municipal clerk shall issue to the elector a voting identification card on a form prescribed by the board that shall contain the name of the elector's municipality ~~issuing the card of residence~~ and, in the case of a town, the county in which the town is located, the elector's name, the ward in which the elector resides, if any, and a unique identification serial number issued by the board. The number issued to an elector under this subsection shall not be changed for so long as the elector continues to qualify for a listing under sub. (2).

**SECTION 68.** 6.47 (6) of the statutes is amended to read:

6.47 (6) Upon expiration of a confidential listing on a registration list under sub. (2), the municipal clerk shall ~~cancel~~ change the registration of the protected individual to ineligible status unless the individual files a new request and qualifies under sub. (2) to obtain a renewal of the listing or unless the individual applies for and qualifies to obtain a nonconfidential voter registration. Except as authorized in sub. (8), the municipal clerk shall withhold from public inspection under s. 19.35 (1) the name and address of any individual whose registration is ~~cancelled~~ changed under this subsection if the individual qualified for a confidential listing at the time of that listing.

**SECTION 69.** 6.48 (1) (d) of the statutes is amended to read:

6.48 (1) (d) If the clerk determines that the challenged elector is not qualified, the clerk shall ~~cancel~~ change the challenged elector's registration, ~~make the~~

necessary change in from eligible to ineligible status on the registration list and notify the inspectors for the ward or election district where the elector was registered.

**SECTION 70.** 6.48 (2) (b) of the statutes is amended to read:

6.48 (2) (b) Upon appearing in person, objectors shall be examined, under oath, by the commissioners and testimony taken. Judgment rests with the board of election commissioners and decisions shall be rendered as soon as heard. All cases are heard and decided summarily. The commissioners shall determine whether the person objected to is qualified. If they determine that a person is not qualified, the name executive director of the board of election commissioners shall be ~~stricken from change the elector from eligible to ineligible status on~~ the registration list and shall notify the proper ward officials notified of the change immediately.

**SECTION 71.** 6.50 (1) of the statutes is amended to read:

6.50 (1) Within 90 days following each general election, the municipal clerk or board of election commissioners of each municipality in which registration is required shall examine the registration records and identify each elector who has not voted within the previous 4 years if qualified to do so during that entire period and shall mail a notice to the elector in substantially the following form:

“NOTICE OF SUSPENSION OF  
REGISTRATION

You are hereby notified that your voter registration will be ~~canceled~~ suspended, according to state law, for failure to vote within the previous 4-year period, unless you apply for continuation of your registration within 30 days. You may continue your registration by signing the statement below and returning it to this office by mail or in person.

APPLICATION FOR CONTINUATION  
OF REGISTRATION

I hereby certify that I still reside at the address at which I am registered and apply for continuation of registration.

Signed ....

Present Address ....

If you have ~~moved~~ changed your residence within this municipality or changed your name, please contact this office to complete a change of name or address form.

[Office of clerk or board of election commissioners  
Address

Telephone]”.

**SECTION 72.** 6.50 (2) of the statutes is amended to read:

6.50 (2) The municipal clerk or board of election commissioners shall ~~cancel~~ change the registration of all notified electors under sub. (1) who have not applied for continuation of registration within 30 days of the date of

mailing of the notice of suspension from eligible to ineligible status.

**SECTION 73.** 6.50 (2m) of the statutes is repealed.

**SECTION 74.** 6.50 (3) to (6) of the statutes are amended to read:

6.50 (3) Upon receipt of reliable information that a registered elector has changed his or her residence to a location outside of the municipality, the municipal clerk or board of election commissioners shall notify the elector by mailing a notice by 1st class mail to the elector’s registration address stating the source of the information. All municipal departments and agencies receiving information that a registered elector has changed his or her residence shall notify the clerk or board of election commissioners. If the elector no longer resides in the municipality or fails to apply for continuation of registration within 30 days of the date the notice is mailed, the clerk or board of election commissioners shall ~~cancel~~ change the elector’s registration from eligible to ineligible status. Upon receipt of reliable information that a registered elector has changed his or her residence within the municipality, the municipal clerk or board of election commissioners shall transfer the elector’s registration and mail the elector a notice of the transfer under s. 6.40 (2). This subsection does not restrict the right of an elector to challenge any registration under s. 6.325, 6.48, 6.925 or 6.93.

(4) The municipal clerk or board of election commissioners shall ~~cancel~~ change the registration of deceased electors from eligible to ineligible status by means of checking vital statistics reports. No notice need be sent of ~~registrations canceled~~ registration changes made under this subsection.

(5) The registration of any elector whose address is listed at a building which has been condemned for human habitation by the municipality under s. 66.0413 (1) (j) shall be investigated by the municipal clerk or board of election commissioners. If the clerk or board of election commissioners can find no reason why the registration of such an elector should not be ~~stricken~~ changed from the registration list eligible to ineligible status, the clerk or board of election commissioners shall change the elector’s registration ~~shall be canceled~~ status. If the elector has left a forwarding address with the U.S. postal service, a notice of ~~cancellation~~ change in status shall be mailed by the clerk or board of election commissioners to the forwarding address.

(6) The municipal clerk, upon authorization by an elector, shall ~~cancel~~ change the elector’s registration from eligible to ineligible status.

**SECTION 75.** 6.50 (7) of the statutes is amended to read:

6.50 (7) When an elector’s registration is ~~canceled~~ changed from eligible to ineligible status, the municipal clerk shall make an entry ~~upon~~ on the registration card

list, giving the date of and cause of cancellation reason for the change.

**SECTION 76.** 6.50 (8) of the statutes is amended to read:

6.50 (8) Any municipal governing body may direct the municipal clerk or board of election commissioners to arrange with the U.S. postal service pursuant to applicable federal regulations, to receive change of address information with respect to individuals residing within the municipality for revision of the elector registration list. If required by the U.S. postal service, the governing body may create a registration commission consisting of the municipal clerk or executive director of the board of election commissioners and 2 other electors of the municipality appointed by the clerk or executive director for the purpose of making application for address changes and processing the information received. The municipal clerk or executive director shall act as chairperson of the commission. Any authorization under this subsection shall be for a definite period or until the municipal governing body otherwise determines. The procedure shall apply uniformly to the entire municipality whenever used. The procedure shall provide for receipt of complete change of address information on an automatic basis, or not less often than once every 2 years during the 60 days preceding the close of registration for the September primary. If a municipality adopts the procedure for obtaining address corrections under this subsection, it need not comply with the procedure for mailing address verification cards under subs. (1) and (2) ~~or (2m).~~

**SECTION 77.** 6.50 (9) of the statutes is repealed.

**SECTION 78.** 6.50 (10) of the statutes is amended to read:

6.50 (10) Any qualified elector whose registration is ~~canceled~~ changed from eligible to ineligible status under this section may ~~have his or her registration reinstated by filing a new registration form~~ reregister as provided under s. 6.28 (1), 6.29 (2), or 6.55 (2).

**SECTION 79.** 6.55 (2) (a) 1. (intro.) of the statutes is amended to read:

6.55 (2) (a) 1. (intro.) Except where the procedure under par. (c) or (cm) is employed, any person who qualifies as an elector in the ward or election district where he or she desires to vote, but has not previously filed a registration form, or was registered at another location ~~in a municipality where registration is required,~~ may request permission to vote at the polling place for that ward or election district, or at an alternate polling place assigned under s. 5.25 (5) (b). When a proper request is made, the inspector shall require the person to execute a registration form prescribed by the board ~~that.~~ The registration form shall be completed in the manner provided under s. 6.33 (2) and shall contain all information required under s. 6.33 (1), together with the following certification:

**SECTION 80.** 6.55 (2) (a) 2. of the statutes is amended to read:

6.55 (2) (a) 2. If a change of address is made from outside the municipality, the elector municipal clerk shall file ~~a cancellation~~ the notice required under s. 6.40 (1) ~~(b) (a) 3.~~

**SECTION 81.** 6.55 (2) (b) of the statutes is amended to read:

6.55 (2) (b) Upon executing the registration form under par. (a), the person elector shall ~~be required by a special registration deputy or inspector to present provide acceptable proof of residence under sub. (7).~~ If the person elector cannot ~~supply such~~ provide acceptable proof of residence, the information contained in the registration form shall be substantiated and signed corroborated in a statement that is signed by one other any elector who resides in the same municipality as the registering elector, ~~corroborating all the material statements therein and that contains the current street address of the corroborating elector.~~ The corroborator shall then provide acceptable proof of residence as provided in sub. (7). The signing by the elector executing the registration form and by any elector who corroborates the information in the ~~form~~ corroborator shall be in the presence of the special registration deputy or inspector. Upon compliance with this procedure, ~~such person shall then be given the right to vote~~ the elector shall be permitted to cast his or her vote, if the elector complies with all other requirements for voting at the polling place.

**SECTION 82.** 6.55 (2) (c) 1. of the statutes is amended to read:

6.55 (2) (c) 1. As an alternative to registration at the polling place under pars. (a) and (b), the board of election commissioners, or the governing body of any municipality ~~in which registration is required~~ may by resolution require a person who qualifies as an elector and who is not registered and desires to register on the day of an election to do so at another readily accessible location in the same building as the polling place serving the elector's residence or at an alternate polling place assigned under s. 5.25 (5) (b), instead of at the polling place serving the elector's residence. In such case, the municipal clerk shall prominently post a notice of the registration location at the polling place. The municipal clerk, deputy clerk or special registration deputy at the registration location shall require such person to execute a registration form as prescribed under par. (a) and to provide acceptable proof of residence as provided under sub. (7). If the person elector cannot ~~supply such~~ provide acceptable proof of residence, the information contained in the registration form shall be corroborated in the manner provided in par. (b). The signing by the elector executing the registration form and by any ~~corroborating elector~~ corroborator shall be in the presence of the municipal clerk, deputy clerk or special registration deputy. Upon proper

completion of registration, the municipal clerk, deputy clerk or special registration deputy shall serially number the registration and give one copy to the elector for presentation at the polling place serving the elector's residence or an alternate polling place assigned under s. 5.25 (5) (b).

**SECTION 83.** 6.55 (2) (c) 2. of the statutes is amended to read:

6.55 (2) (c) 2. Upon compliance with the procedures under subd. 1., the municipal clerk or deputy clerk shall issue a certificate addressed to the inspectors of the proper polling place directing that the elector be permitted to cast his or her vote if the elector complies with all requirements for voting at the polling place. The clerk shall enter the name and address of the elector on the face of the certificate. If the elector's registration is corroborated, the clerk shall also enter the name and address of the corroborator on the face of the certificate. The certificate shall be numbered serially and prepared in duplicate. The municipal clerk shall preserve one copy in his or her office.

**SECTION 84.** 6.55 (2) (d) of the statutes is amended to read:

6.55 (2) (d) A registered elector who has changed his or her name but resides at the same address, and has not notified the municipal clerk under s. 6.40 (1) (c), shall notify the inspector of the change before voting. The inspector shall then notify the municipal clerk at the time which when materials are returned under s. 6.56 (1). If an elector changes has changed both a name and address, the elector shall complete a registration form register at the polling place or other registration location under pars. (a) and (b).

**SECTION 85.** 6.55 (3) of the statutes is amended to read:

6.55 (3) Any qualified elector in the ward or election district where the elector desires to vote whose name does not appear on the registration list ~~where registration is required~~ but who claims to be registered to vote in the election may request permission to vote at the polling place for that ward or election district. When the request is made, the inspector shall require the person to give his or her name and address. If the elector is not at the polling place which serves the ward or election district where the elector resides, the inspector shall provide the elector with directions to the correct polling place. If the elector is at the correct polling place, the elector shall then execute the following written statement: "I, ....., hereby certify that to the best of my knowledge, I am a qualified elector, having resided at .... for at least 10 days immediately preceding this election, and that I am not disqualified on any ground from voting, and I have not voted at this election and am properly registered to vote in this election." The person shall be required to provide acceptable proof of residence as provided under sub. (7) and shall then be given the right to vote. ~~If acceptable proof~~

~~is presented, the elector need not have the information corroborated by any other elector. If acceptable the elector cannot provide acceptable proof is not presented of residence, the statement shall be certified by the elector and shall be corroborated in a statement that is signed by another any other elector who resides in the municipality and that contains the current street address of the corroborating elector.~~ The corroborator shall then provide acceptable proof of residence as provided in sub. (7). Whenever the question of identity or residence cannot be satisfactorily resolved and the elector cannot be permitted to vote, an inspector shall telephone the office of the municipal clerk to reconcile the records at the polling place with those at the office.

**SECTION 86.** 6.55 (7) (a) (intro.) of the statutes is amended to read:

6.55 (7) (a) (intro.) For purposes of this section, ~~a form of identification an identifying document~~ constitute acceptable proof of residence if it includes:

**SECTION 87.** 6.55 (7) (b) of the statutes is amended to read:

6.55 (7) (b) If an elector's address has changed since ~~a piece of identification an identifying document~~ was issued, the new information may be typed or printed on the identification document by hand, in ink.

**SECTION 88.** 6.55 (7) (c) (intro.) of the statutes is amended to read:

6.55 (7) (c) (intro.) ~~Forms of identification~~ Identifying documents which constitute acceptable proof of residence under this section, when they contain the information specified in par. (a), include the following:

**SECTION 89.** 6.55 (7) (c) 1. of the statutes is amended to read:

6.55 (7) (c) 1. ~~A Wisconsin motor vehicle~~ An operator's license issued under ch. 343.

**SECTION 90.** 6.55 (7) (c) 2. of the statutes is amended to read:

6.55 (7) (c) 2. ~~A Wisconsin~~ An identification card issued under s. ~~125.08, 1987 stats~~ s. 343.50.

**SECTION 91.** 6.55 (7) (d) of the statutes is amended to read:

6.55 (7) (d) ~~Forms of identification~~ Identifying documents specified in par. (c) which are valid for use during a specified period shall be valid on the day of an election in order to constitute acceptable proof of residence at that election.

**SECTION 92.** 6.56 (2) to (4) of the statutes are amended to read:

6.56 (2) Upon receipt of the list, the municipal clerk shall make a check to determine whether each person who has been allowed to vote under s. 6.55 (3) is properly registered. If so, the clerk shall correct the registration list. If the address on the registration list is not correct, the clerk shall correct the address. The clerk shall then notify the elector by postcard when he or she is properly registered. If such person is found not to be properly reg-

istered, the clerk shall send the person a 1st class letter with that information, containing a mail registration form under s. 6.30 (4). The letter shall be marked "~~ADDRESS CORRECTION REQUESTED~~" in accordance with postal regulations to ensure that it will be returned to the clerk if the elector does not reside at the address given on the postcard. If such letter is returned undelivered, or if the U.S. postal service notifies the clerk of an improper address which was apparently improper on the day of the election, the clerk shall notify the district attorney.

(3) Upon receipt of the list under sub. (1), the municipal clerk or board of election commissioners shall make an audit of all electors registering to vote at the polling place or other registration location under s. 6.55 (2) and all electors registering by agent on election day under s. 6.86 (3) (a) 2. The audit shall be made by 1st class postcard. The postcard shall be labeled "~~ADDRESS CORRECTION REQUESTED~~" or "~~DO NOT FORWARD - RETURN POSTAGE GUARANTEED~~" marked in accordance with postal regulations to ensure that it will be returned to the clerk or board of election commissioners if the elector does not reside at the address given on the postcard. If any postcard is returned undelivered, or if the clerk or board of election commissioners is informed of a different address than the one specified by the elector which was apparently improper on the day of the election, the clerk or board shall ~~remove the elector's name from~~ change the status of the elector from eligible to ineligible on the registration list, and mail the elector a notice of the removal change in status and provide the name to the district attorney for the county where the polling place is located.

(4) After each election, the municipal clerk shall carefully check to assure that no person has been allowed to vote more than once. Whenever the municipal clerk has good reason to believe that a person has voted more than once in an election, the clerk shall send the person a 1st class letter ~~with return receipt and address correction requested, informing him or her~~ marked in accordance with postal regulations to ensure that it will be returned to the clerk if the elector does not reside at the address given on the letter. The letter shall inform the person that all registrations relating to that person may be ~~anceled~~ changed from eligible to ineligible status within 7 days unless the person contacts the office of the clerk to clarify the matter. A copy of ~~such~~ the letter and ~~of~~ any subsequent information received from or about the addressee shall be sent to the district attorney.

**SECTION 93.** 6.57 of the statutes is repealed and recreated to read:

**6.57 Registration list for special elections.** The municipal clerk of each municipality where a special election is held nonconcurrently with a regularly scheduled election shall obtain a copies of the current registration list from the board for use in the special election.

**SECTION 94.** 6.79 (intro.) (except 6.79 (title)) of the statutes is renumbered 6.79 (1m) and amended to read:

**6.79 (1m) SEPARATE POLL LISTS.** Two election officials at each election ward shall be in charge of and shall maintain 2 separate poll lists of containing information relating to all persons voting. The municipal clerk may elect to maintain the information on the ~~poll list~~ lists manually or electronically. If the ~~list is~~ lists are maintained electronically, the officials shall enter the information into an electronic data recording system that enables retrieval of ~~a printed copy~~ copies of the ~~poll list~~ lists at the polling place. The system employed is subject to the approval of the board.

**SECTION 95.** 6.79 (1) of the statutes is repealed.

**SECTION 95g.** 6.79 (2) of the statutes is renumbered 6.79 (2) (a).

**SECTION 96.** 6.79 (2) of the statutes, as affected by 2003 Wisconsin Act ... (this act), is repealed and recreated to read:

**6.79 (2) VOTING PROCEDURE.** (a) Unless information on the poll list is entered electronically, the municipal clerk shall supply the inspectors with 2 copies of the most current official registration list or lists prepared under s. 6.36 (2) (a) for use as poll lists at the polling place. Except as provided in sub. (6), each person, before receiving a serial number, shall state his or her full name and address. The officials shall verify that the name and address provided by the person are the same as the person's name and address on the poll list.

(b) Upon the poll list, after the name of each elector, the officials shall enter a serial number for each elector in the order that votes are cast, beginning with number one.

(c) The officials shall maintain separate lists for electors who are voting under s. 6.15, 6.29, or 6.55 (2) or (3) and electors who are reassigned from another polling place under s. 5.25 (5) (b) and shall enter the full name, address, and serial number of each of these electors on the appropriate separate list. Alternatively, if the poll list is maintained electronically, the officials may enter on the poll list the information that would otherwise appear on a separate list if the information that would be obtainable from a separate list is entered on the poll list.

(d) If the poll list indicates that identification is required, the officials shall require the elector to provide identification. If identification is provided, the officials shall verify that the name and address on the identification provided is the same as the name and address shown on the registration list. If identification is required and not provided, the officials shall offer the opportunity for the elector to vote under s. 6.97.

(e) The officials shall then provide each elector with a slip bearing the same serial number as is recorded for the elector upon the poll list or separate list.

**SECTION 96g.** 6.79 (2) (b) of the statutes is created to read:

**6.79 (2) (b)** If the poll list is to be used at an election for national office, the municipal clerk shall enter on the

poll list an indication next to the name of each elector for whom identification is required. If the poll list indicates that identification is required, the officials shall require the elector to provide identification. If identification is provided, the officials shall verify that the name and address on the identification provided is the same as the name and address shown on the registration list. If identification is required and not provided, the officials shall offer the opportunity for the elector to vote under s. 6.97.

**SECTION 97.** 6.79 (4) of the statutes is amended to read:

6.79 (4) SUPPLEMENTAL INFORMATION. When any elector provides identification acceptable proof of residence under ~~sub. (4) of~~ s. 6.15, 6.29 or 6.55 (2) or (3), the election officials shall enter the type of identification identifying document provided on the poll ~~or registration~~ list, or supplemental separate list maintained under sub. (2) (c). If the form of identification document submitted as proof of identity or residence includes a number which applies only to the individual holding that ~~piece of identification document~~, the election officials shall also enter that number on the list. When any elector corroborates the registration identity or residence of any person offering to vote under ~~sub. (4) of~~ s. 6.55 (2) (b) or (c) or (3), or the registration identity or residence of any person registering on election day under s. 6.86 (3) (a) 2., the election officials shall also enter the name and address of the corroborator ~~shall also be entered~~ next to the name of the elector whose information is being corroborated on the ~~registration or~~ poll list, or the separate list maintained under sub. (2) (c). When any person offering to vote has been challenged and taken the oath, following the person's name on the ~~registration or~~ poll list, the officials shall enter the word "Sworn".

**SECTION 98.** 6.79 (5) of the statutes is repealed.

**SECTION 99.** 6.79 (6) (a) of the statutes is repealed.

**SECTION 100.** 6.79 (6) (b) of the statutes is renumbered 6.79 (6) and amended to read:

6.79 (6) CONFIDENTIAL NAMES AND ADDRESSES. ~~In municipalities where registration is required, an~~ An elector who has a confidential listing under s. 6.47 (2) may present his or her identification card issued under s. 6.47 (3), ~~or may give his or her name and identification serial number issued under s. 6.47 (3),~~ in lieu of stating his or her name and address under sub. (2). If the elector's name and identification serial number appear on the confidential portion of the list, the inspectors shall issue a voting serial number to the elector, record that number on the ~~registration poll~~ list and permit the elector to vote.

**SECTION 101.** 6.82 (1) (a) of the statutes is amended to read:

6.82 (1) (a) When any inspectors are informed that an elector is at the entrance to the polling place who as a result of disability is unable to enter the polling place, they shall permit the elector to be assisted in marking a ballot by any individual selected by the elector, except the

elector's employer or an agent of that employer or an officer or agent of a labor organization which represents the elector. The individual selected by the elector shall provide identification for the assisted elector, whenever required, and all other information necessary for the elector to obtain a ballot under s. 6.79 (2). The inspectors shall issue a ballot to the individual selected by the elector and shall accompany the individual to the polling place entrance where the assistance is to be given. If the ballot is a paper ballot, the assisting individual shall fold the ballot after the ballot is marked by the assisting individual. The assisting individual shall then immediately take the ballot into the polling place and give the ballot to an inspector. The inspector shall distinctly announce that he or she has "a ballot offered by .... (stating person's name), an elector who, as a result of disability, is unable to enter the polling place without assistance". The inspector shall then ask, "Does anyone object to the reception of this ballot?" If no objection is made, the inspectors shall record the elector's name under s. 6.79 and deposit the ballot in the ballot box, and shall make a notation on the ~~registration or~~ poll list: "Ballot received at poll entrance".

**SECTION 102.** 6.86 (3) (a) 1. of the statutes is amended to read:

6.86 (3) (a) 1. Any elector who is registered, ~~or otherwise qualified where registration is not required,~~ and who is hospitalized, may apply for and obtain an official ballot by agent. The agent may apply for and obtain a ballot for the hospitalized absent elector by presenting a form prescribed by the board and containing the required information supplied by the hospitalized elector and signed by that elector and any other elector residing in the same municipality as the hospitalized elector, corroborating the information contained therein. The corroborating elector shall state on the form his or her full name and address.

**SECTION 103.** 6.86 (3) (a) 2. of the statutes is amended to read:

6.86 (3) (a) 2. If a hospitalized elector is not registered ~~where registration is required,~~ the elector may register by agent under this subdivision at the same time that the elector applies for an official ballot by agent under subd. 1. To register the elector under this subdivision, the agent shall present a completed registration form that contains the required information supplied by the elector and the elector's signature, unless the elector is unable to sign due to physical disability. In this case, the elector may authorize another elector to sign on his or her behalf. Any elector signing a form on another elector's behalf shall attest to a statement that the application is made on request and by authorization of the named elector, who is unable to sign the form due to physical disability. The agent shall present this statement along with all other information required under this subdivision. Except as otherwise provided in this subdivision, the agent shall in every case ~~present~~ provide acceptable proof of the elec-

tor's residence under s. 6.55 (7). If the agent cannot present this proof, the registration form shall be signed and substantiated by another elector residing in the elector's municipality of residence, corroborating the information in the form. The form shall contain the full name and address of the corroborating elector. The agent shall then present acceptable proof of the corroborating elector's residence under s. 6.55 (7).

**SECTION 104.** 6.86 (3) (b) of the statutes is amended to read:

6.86 (3) (b) When each properly executed form and statement required under par. (a) is presented to the municipal clerk, if the elector who proposes to vote is qualified, an absentee ballot shall be issued and the name of such hospitalized elector shall be recorded by the clerk or special registration deputy. An agent who is issued an absentee ballot under this section shall present ~~identification~~ documentation of his or her identity, provide his or her name and address, and attest to a statement that the ballot is received solely for the benefit of a named elector who is hospitalized, and the agent will promptly transmit the ballot to such person.

**SECTION 105.** 6.86 (3) (c) of the statutes is amended to read:

6.86 (3) (c) An application under par. (a) 1. may be made and a registration form under par. (a) 2. may be filed in person at the office of the municipal clerk not earlier than 7 days before an election and not later than 5 p.m. on the day of the election. A list of hospitalized electors applying for ballots under par. (a) 1. shall be made by the municipal clerk and used to check that the electors vote only once, and by absentee ballot. If identification is required, the municipal clerk shall so inform the agent and the elector shall enclose identification in the envelope with the ballot. The ballot shall be sealed by the elector and returned to the municipal clerk either by mail or by personal delivery of the agent; but if the ballot is returned on the day of the election, the agent shall make personal delivery at the polling place serving the hospitalized elector's residence before the closing hour for the ballot to be counted.

**SECTION 106.** 6.865 (title) of the statutes is amended to read:

**6.865 (title) Federal postcard request form absentee ballot requests.**

**SECTION 107.** 6.865 of the statutes is renumbered 6.865 (2).

**SECTION 108.** 6.865 (1) of the statutes is created to read:

6.865 (1) In this section, "military elector" and "overseas elector" have the meanings given under s. 6.36 (2) (c).

**SECTION 109.** 6.865 (3) and (4) of the statutes are created to read:

6.865 (3) If the elector making a timely request for an absentee ballot is a military elector or an overseas elec-

tor and the elector requests that he or she be sent an absentee ballot for the next 2 general elections, the municipal clerk or board of election commissioners shall comply with the request except that no ballot shall be sent for a succeeding general election if the elector's name appeared on the registration list for a previous general election and no longer appears on the registration list for the succeeding general election. If the elector's address for the succeeding general election is in a municipality that is different from the municipality in which the elector resided for the first general election, the clerk or board of election commissioners shall forward the request to the clerk or board of election commissioners of the municipality where the elector resides.

(4) If the municipal clerk or board of election commissioners rejects a request for an absentee ballot from a military elector or an overseas elector, the clerk or board of election commissioners shall promptly inform the elector of the reason for the rejection.

**SECTION 110.** 6.869 of the statutes is created to read:

**6.869 Uniform instructions.** The board shall prescribe uniform instructions for absentee voters. The instructions shall include information concerning the procedure for correcting errors in marking a ballot and obtaining a replacement for a spoiled ballot. The procedure shall, to the extent possible, respect the privacy of each elector and preserve the confidentiality of each elector's vote.

**SECTION 111.** 6.87 (3) (d) of the statutes is amended to read:

6.87 (3) (d) A municipal clerk of a municipality may, if the clerk is reliably informed by an absent elector of a facsimile transmission number or electronic mail address where the elector can receive an absentee ballot, transmit a facsimile or electronic copy of the absent elector's ballot to that elector in lieu of mailing under this subsection if, in the judgment of the clerk, the time required to send the ballot through the mail may not be sufficient to enable return of the ballot by the time provided under sub. (6). An elector may receive an absentee ballot under this subsection only if the elector has filed a valid application for the ballot under sub. (1). If the clerk transmits an absentee ballot under this paragraph, the clerk shall also transmit a facsimile or electronic copy of the text of the material that appears on the certificate envelope prescribed in sub. (2), together with instructions prescribed by the board. The instructions shall require the absent elector to make and subscribe to the certification as required under sub. (4) and to enclose the absentee ballot in a separate envelope contained within a larger envelope, that shall include the completed certificate. The elector shall then mail the absentee ballot with postage prepaid to the municipal clerk. ~~An~~ Except as authorized in s. 6.97 (2), an absentee ballot received under this paragraph shall not be counted unless it is cast in the manner prescribed in



this paragraph and in accordance with the instructions provided by the board.

**SECTION 112.** 6.87 (4) of the statutes is amended to read:

6.87 (4) Except as otherwise provided in s. 6.875, the elector voting absentee shall make and subscribe to the certification before one witness. The absent elector, in the presence of the witness, shall mark the ballot in a manner that will not disclose how the elector's vote is cast. The elector shall then, still in the presence of the witness, fold the ballots ~~if they are paper ballots~~ so each is separate and so that the elector conceals the markings thereon and deposit them in the proper envelope. If a consolidated ballot under s. 5.655 is used, the elector shall fold the ballot ~~if it is a paper ballot~~ so that the elector conceals the markings thereon and deposit the ballot in the proper envelope. If the elector has registered by mail and has not, or is not certain whether the elector has, previously voted in an election for national office in this state, the elector shall enclose identification in the envelope. Identification is required if the elector is not a military elector or an overseas elector, as defined in s. 6.36 (2) (c), and the elector registered by mail and has not voted in an election for national office in the municipality where the elector is voting. The elector may receive assistance under sub. (5). The return envelope shall then be sealed. The witness may not be a candidate. The envelope shall be mailed by the elector, postage prepaid, or delivered in person, to the municipal clerk issuing the ballot or ballots. Failure to return an unused ballot in a primary does not invalidate the ballot on which the elector's votes are cast. Return of more than one marked ballot in a primary or return of a ballot prepared under s. 5.655 or a ballot used with an electronic voting system in a primary which is marked for candidates of more than one party invalidates all votes cast by the elector for candidates in the primary.

**SECTION 112a.** 6.87 (4) of the statutes, as affected by 2003 Wisconsin Act ... (this act), is amended to read:

6.87 (4) Except as otherwise provided in s. 6.875, the elector voting absentee shall make and subscribe to the certification before one witness. The absent elector, in the presence of the witness, shall mark the ballot in a manner that will not disclose how the elector's vote is cast. The elector shall then, still in the presence of the witness, fold the ballots so each is separate and so that the elector conceals the markings thereon and deposit them in the proper envelope. If a consolidated ballot under s. 5.655 is used, the elector shall fold the ballot so that the elector conceals the markings thereon and deposit the ballot in the proper envelope. If the elector has registered by mail and has not, or is not certain whether the elector has, previously voted in an election for national office in this state, the elector shall enclose identification in the envelope. Identification is required if the elector is not a military elector or an overseas elector, as defined in s.

6.36 (2) (c), and the elector registered by mail and has not voted in an election for national office ~~in the municipality where the elector is voting this state~~. The elector may receive assistance under sub. (5). The return envelope shall then be sealed. The witness may not be a candidate. The envelope shall be mailed by the elector, postage prepaid, or delivered in person, to the municipal clerk issuing the ballot or ballots. Failure to return an unused ballot in a primary does not invalidate the ballot on which the elector's votes are cast. Return of more than one marked ballot in a primary or return of a ballot prepared under s. 5.655 or a ballot used with an electronic voting system in a primary which is marked for candidates of more than one party invalidates all votes cast by the elector for candidates in the primary.

**SECTION 113.** 6.88 (3) (a) of the statutes is amended to read:

6.88 (3) (a) Any time between the opening and closing of the polls on election day, the inspectors shall open the carrier envelope only, and announce the name of the absent elector or the identification serial number of the absent elector if the elector has a confidential listing under s. 6.47 (2). When the inspectors find that the certification has been properly executed, the applicant is a qualified elector of the ward or election district, and the applicant has not voted in the election, they shall enter an indication on the poll ~~or registration~~ list next to the applicant's name indicating an absentee ballot is cast by the elector. They shall then open the envelope containing the ballot in a manner so as not to deface or destroy the certification thereon. The inspectors shall take out the ballot without unfolding it or permitting it to be unfolded or examined. Unless the ballot is cast under s. 6.95, the inspectors shall verify that the ballot has been endorsed by the issuing clerk. If the poll list indicates that identification is required and no identification is enclosed or the name or address on the document that is provided is not the same as the name and address shown on the poll list, the inspectors shall proceed as provided under s. 6.97 (2). The inspectors shall then deposit the ballot into the proper ballot box and enter the absent elector's name or voting number after his or her name on the poll ~~or registration~~ list in the same manner as if the elector had been present and voted in person.

**SECTION 114.** 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 18 years of age; you are a citizen of the United States; you are now and for 10 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, ~~where applicable,~~ 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 115.** 6.95 of the statutes is amended to read:

**6.95 Voting procedure for challenged electors.**

Whenever the inspectors under ss. 6.92 to 6.94 receive the vote of a person offering to vote who has been challenged, ~~they shall give the elector a ballot. Before depositing the inspectors shall, before giving the elector a ballot, the inspectors shall write on the back of the ballot the serial number of the challenged person corresponding to the number kept at the election on the registration or poll list, or other list maintained under s. 6.79, and the notation "s. 6.95".~~ If voting machines are used in the municipality where the person is voting, the person's vote may be received only upon an absentee ballot furnished by the municipal clerk which shall have the corresponding serial number from the registration or poll list or other list maintained under s. 6.79 and the notation "s. 6.95" written on the back of the ballot ~~before the ballot is deposited by the inspectors before the ballot is given to the elector.~~ The inspectors shall indicate on the list the reason for the challenge. The inspectors shall then deposit the ballot. The challenged ballots shall be counted under s. 5.85 or 7.51. The municipal board of canvassers may decide any challenge when making its canvass under s. 7.53. If the returns are reported under s. 7.60, a challenge may be reviewed by the county board of canvassers. If the returns are reported under s. 7.70, a challenge may be reviewed by the chairperson of the board or the chairperson's designee. The decision of any board of canvassers or of the chairperson or chairperson's designee may be appealed under s. 9.01. The standard for disqualification specified in s. 6.325 shall be used to determine the validity of challenged ballots.

**SECTION 116.** 6.96 of the statutes is created to read:

**6.96 Voting procedure for electors voting pursuant to federal court order.** Whenever any elector is allowed to vote at a polling place pursuant to a federal court order after the closing time provided under s. 6.78, the inspectors shall, before giving the elector a ballot, write on the back of the ballot the notation "s. 6.96". If voting machines are used in the municipality where the elector is voting, the elector's vote may be received only upon an absentee ballot furnished by the municipal clerk which shall have the notation "s. 6.96" written on the back of the ballot by the inspectors before the ballot is

given to the elector. When receiving the elector's ballot, the inspectors shall provide the elector with the written voting information prescribed by the board under s. 7.08 (8). The inspectors shall indicate on the list the fact that the elector is voting pursuant to a federal court order. The inspectors shall then deposit the ballot. The ballot shall be counted under s. 5.85 or 7.51 unless the order is vacated. If the order is vacated after the ballot is counted, the appropriate board or boards of canvassers or the chairperson of the board or his or her designee shall reopen the canvass to discount any ballots that were counted pursuant to the vacated order and adjust the statements, certifications, and determinations accordingly.

**SECTION 117.** 6.97 of the statutes is created to read:

**6.97 Voting procedure for individuals not providing required identification. (1)**

Whenever any individual who is required to provide identification in order to be permitted to vote appears to vote at a polling place and cannot provide the required identification, the inspectors shall offer the opportunity for the individual to vote under this section. If the individual wishes to vote, the inspectors shall provide the elector with an envelope marked "Ballot under s. 6.97, stats." on which the serial number of the elector is entered and shall require the individual to execute on the envelope a written affirmation stating that the individual is a qualified elector of the ward or election district where he or she offers to vote and is eligible to vote in the election. The inspectors shall, before giving the elector a ballot, write on the back of the ballot the serial number of the individual corresponding to the number kept at the election on the poll list or other list maintained under s. 6.79 and the notation "s. 6.97". If voting machines are used in the municipality where the individual is voting, the individual's vote may be received only upon an absentee ballot furnished by the municipal clerk which shall have the corresponding number from the poll list or other list maintained under s. 6.79 and the notation "s. 6.97" written on the back of the ballot by the inspectors before the ballot is given to the elector. When receiving the individual's ballot, the inspectors shall provide the individual with written voting information prescribed by the board under s. 7.08 (8). The inspectors shall indicate on the list the fact that the individual is required to provide identification but did not do so. The inspectors shall notify the individual that he or she may provide identification to the municipal clerk or executive director of the municipal board of election commissioners. The inspectors shall also promptly notify the municipal clerk or executive director of the name, address, and serial number of the individual. The inspectors shall then place the ballot inside the envelope and place the envelope in a separate carrier envelope.

**(2)** Whenever any individual who votes by absentee ballot is required to provide identification in order to be permitted to vote and does not provide the required iden-

tification, the inspectors shall write on the back of the absentee ballot the serial number of the individual corresponding to the number kept at the election on the poll list or other list maintained under s. 6.79 and the notation "s. 6.97". The inspectors shall indicate on the list the fact that the individual is required to provide identification but did not do so. The inspectors shall promptly notify the municipal clerk or executive director of the municipal board of election commissioners of the name, address, and serial number of the individual. The inspectors shall then place the ballot inside an envelope on which the name and serial number of the elector is entered and shall place the envelope in a separate carrier envelope.

(3) Whenever the municipal clerk or executive director of the municipal board of election commissioners is informed by the inspectors that a ballot has been cast under this section, the clerk or executive director shall promptly provide written notice to the board of canvassers of each municipality, special purpose district, and county that is responsible for canvassing the election of the number of ballots cast under this section in each ward or election district. The municipal clerk or executive director then shall determine whether each individual voting under this section is qualified to vote in the ward or election district where the individual's ballot is cast. The municipal clerk or executive director shall make a record of the procedure used to determine the validity of each ballot. If, prior to 4 p.m. on the day after the election, the municipal clerk or executive director determines that the individual is qualified to vote in the ward or election district where the individual's ballot is cast, the municipal clerk or executive director shall notify the board of canvassers for each municipality, special purpose district and county that is responsible for canvassing the election of that fact.

(4) Whenever a board of canvassers receives timely notification from the municipal clerk or executive director of the board of election commissioners under sub. (3) that an individual who has voted under this section is qualified to vote in the ward or election district where the individual's ballot is cast, the board of canvassers shall promptly reconvene and, if the ballot cast by the individual is otherwise valid, shall count the ballot and adjust the statements, certifications and determinations accordingly. If the municipal clerk or executive director transmits returns of the election to the county clerk or board of election commissioners, the municipal clerk or executive director shall transmit to the county clerk or board of election commissioners a copy of the amended returns together with all additional ballots counted by each board of canvassers.

**SECTION 118.** 7.08 (1) (c) of the statutes is amended to read:

7.08 (1) (c) Prescribe forms required by ss. 6.24 (3) and (4), 6.30 (4), 6.33 (1), 6.40 (1) ~~(b)~~ (a), 6.47 (1) (a) 2. and (3), 6.55 (2) and (3), ~~6.79 (5)~~ and 6.86 (2) and (3).

All such forms shall contain a statement of the penalty applicable to false or fraudulent registration or voting through use of the form. Forms are not required to be furnished by the board.

**SECTION 119.** 7.08 (6) and (8) of the statutes are created to read:

7.08 (6) ENFORCEMENT OF FEDERAL VOTING SYSTEM STANDARDS. Following each general election, audit the performance of each voting system used in this state to determine the error rate of the system in counting ballots that are validly cast by electors. If the error rate exceeds the rate permitted under standards of the federal election commission in effect on October 29, 2002, the board shall take remedial action and order remedial action to be taken by affected counties and municipalities to ensure compliance with the standards. Each county and municipality shall comply with any order received under this subsection.

(8) ELECTORS VOTING WITHOUT IDENTIFICATION OR PURSUANT TO COURT ORDER. Prescribe a written notice to be distributed to electors who vote under s. 6.96 or 6.97 that informs an elector how to obtain information regarding whether his or her vote has been counted, and if the vote will not be counted, the reason that the vote will not be counted.

**SECTION 120.** 7.10 (1) (b) of the statutes is amended to read:

7.10 (1) (b) The county clerk shall supply sufficient ~~poll list forms for municipalities that do not have elector registration and other~~ election supplies for national, state and county elections to municipalities within the county. The ~~poll list forms and other~~ election supplies shall be enclosed in the sealed package containing the official ballots and delivered to the municipal clerk.

**SECTION 121.** 7.10 (7) to (9) of the statutes are created to read:

7.10 (7) VOTER EDUCATION. Each county clerk shall assist the board in conducting educational programs under s. 5.05 (12) to inform electors about the voting process.

(8) FREE ELECTION INFORMATION EXCHANGE. Each county clerk shall assist the board and municipal clerks in maintaining toll-free telephone lines and other free access systems under s. 5.05 (13) for exchange of voting information.

(9) TRAINING OF ELECTION OFFICIALS. Each county clerk shall assist the board in the training of election officials under ss. 5.05 (7) and 7.31.

**SECTION 122.** 7.10 (10) of the statutes is created to read:

7.10 (10) INFORMATION TO BOARD. Each county clerk shall provide to the board any information requested under s. 5.05 (14).

**SECTION 123.** 7.15 (1) (c) of the statutes is amended to read:

7.15 (1) (c) Prepare ballots for municipal elections, and distribute ballots and provide other supplies for conducting all elections. The municipal clerk shall deliver ~~poll list forms received from the county clerk to the polling places with the ballots~~ to the polling places before the polls open.

**SECTION 124.** 7.15 (4) of the statutes is amended to read:

7.15 (4) RECORDING ELECTORS. ~~After Within 30 days after each election where registration is used, the municipal clerk shall make a record of enter on the registration list under the name of each elector of the municipality who has voted at the election by stamping or writing the date of the election in the appropriate space on the original registration form of the elector. Municipalities employing data processing may, in lieu of this requirement, record voting information in such a manner that it is readily available for retrieval by computer~~ an indication of the date of the election in which the elector voted.

**SECTION 125.** 7.15 (9) to (14) of the statutes are created to read:

7.15 (9) VOTER EDUCATION. Each municipal clerk shall assist the board in conducting educational programs under s. 5.05 (12) to inform electors about the voting process.

(10) FREE ELECTION INFORMATION EXCHANGE. Each municipal clerk shall assist the board in maintaining toll-free telephone lines and any other free access systems under s. 5.05 (13) for exchange of voting information.

(11) TRAINING OF ELECTION OFFICIALS. Each municipal clerk shall assist the board in the training of election officials under ss. 5.05 (7) and 7.31.

(12) FREE VOTE COUNTING INFORMATION. Each municipal clerk shall maintain a free access information system under which an elector who votes under s. 6.96 or 6.97 may ascertain current information concerning whether the elector's vote has been counted, and if the vote will not be counted, the reason that it will not be counted.

(13) INFORMATION TO BOARD. Each municipal clerk shall provide to the board any information requested under s. 5.05 (14).

(14) VOTING ACCOMMODATIONS FOR INDIVIDUALS WITH DISABILITIES. Each municipal clerk shall make reasonable efforts to comply with requests for voting accommodations made by individuals with disabilities whenever feasible.

**SECTION 126.** 7.23 (1) (c) of the statutes is amended to read:

7.23 (1) (c) ~~Registration cards which are canceled forms of electors whose registrations are changed to ineligible status under s. 6.50 (7) may be destroyed 4 years after cancellation the change, unless an elector becomes eligible again during that period.~~

**SECTION 127.** 7.23 (1) (e) of the statutes is amended to read:

7.23 (1) (e) ~~Registration and poll~~ Poll lists created at a nonpartisan primary or election may be destroyed 2 years after the primary or election at which they were created and ~~registration and~~ poll lists created at a partisan primary or election may be destroyed 4 years after the primary or election at which they were created.

**SECTION 128.** 7.37 (7) of the statutes is amended to read:

7.37 (7) ~~REGISTRATION AND POLL~~ POLL LISTS. Two inspectors shall be assigned to have charge of the ~~registration or~~ poll lists at each election.

**SECTION 129.** 7.51 (2) (a) of the statutes is amended to read:

7.51 (2) (a) The inspectors shall first compare the poll ~~or registration~~ lists, correcting any mistakes until the poll ~~or registration~~ lists agree. The chief inspector and the inspectors who are responsible for recording electors under s. 6.79 shall verify the correctness of the poll ~~or registration~~ lists after the polls close by each signing their name thereto. Where ballots are distributed to electors, the inspectors shall then open the ballot box and remove and count the number of ballots therein without examination except as is necessary to ascertain that each is a single ballot. If 2 or more ballots are folded together so as to appear as a single ballot, the inspectors shall lay them aside until the count is completed; and if, after a comparison of the count and the appearance of the ballots it appears to a majority of the inspectors that the ballots folded together were voted by the same person they may not be counted but the inspectors shall mark them as to the reason for removal, set them aside and carefully preserve them. The inspectors shall then proceed under par. (b).

**SECTION 130.** 7.51 (2) (c) of the statutes is amended to read:

7.51 (2) (c) Whenever the number of ballots exceeds the number of voting electors as indicated on the poll ~~or registration~~ list, the inspectors shall place all ballots face up to check for blank ballots. In this paragraph, "blank ballot" means a ballot on which no votes are cast for any office or question. The inspectors shall mark, lay aside and preserve any blank ballots. If the number of ballots still exceeds the number of voting electors, the inspectors shall place all ballots face down and proceed to check for the initials. The inspectors shall mark, lay aside and preserve any ballot not bearing the initials of 2 inspectors or any absentee ballot not bearing the initials of the municipal clerk. During the count the inspectors shall count those ballots cast by challenged electors the same as the other ballots.

**SECTION 131.** 7.51 (2) (e) of the statutes is amended to read:

7.51 (2) (e) If, after any ballots have been laid aside, the number of ballots still exceeds the total number of electors recorded on the ~~registration or~~ poll list, the inspectors shall separate the absentee ballots from the

other ballots. If there is an excess number of absentee ballots, the inspectors shall place the absentee ballots in the ballot box and one of the inspectors shall publicly and without examination draw therefrom by chance the number of ballots equal to the excess number of absentee ballots. If there is an excess number of other ballots, the inspectors shall place those ballots in the ballot box and one of the inspectors shall publicly and without examination draw therefrom by chance the number of ballots equal to the excess number of those ballots. All ballots so removed may not be counted but shall be specially marked as having been removed by the inspectors on original canvass due to an excess number of ballots, set aside and preserved. When the number of ballots and total shown on the poll ~~or registration~~ list agree, the inspectors shall return all ballots to be counted to the ballot box and shall turn the ballot box in such manner as to thoroughly mix the ballots. The inspectors shall then open, count and record the number of votes. When the ballots are counted, the inspectors shall separate them into piles for ballots similarly voted. Objections may be made to placement of ballots in the piles at the time the separation is made.

**SECTION 132.** 7.51 (3) (a) of the statutes is amended to read:

7.51 (3) (a) The inspectors shall place together all ballots counted by them which relate to any national, state or county office or any state, county or technical college district referendum and secure them together so that they cannot be untied or tampered with without breaking the seal. The secured ballots together with any ballots marked "Defective" shall then be secured by the inspectors in the ballot container in such a manner that the container cannot be opened without breaking the seals or locks, or destroying the container. The inspectors shall place the ballots cast under s. 6.97 in a separate, securely sealed carrier envelope which is clearly marked "Section 6.97 ballots". The chief inspector and 2 other inspectors shall sign the carrier envelope. The carrier envelope shall not be placed in the ballot container. The inspectors shall then deliver the ballots to the municipal clerk in the ballot container and carrier envelope.

**SECTION 133.** 7.51 (4) (a) of the statutes is amended to read:

7.51 (4) (a) The tally sheets shall state the total number of votes cast for each office and for each individual receiving votes for that office, whether or not the individual's name appears on the ballot, and shall state the vote for and against each proposition voted on. Upon completion of the tally sheets, the inspectors shall immediately complete inspectors' statements in duplicate. The inspectors shall state the excess, if any, by which the number of ballots exceeds the number of electors voting as shown by the poll ~~or registration~~ list, if any, and shall state the number of the last elector as shown by the ~~registration or~~ poll lists. At least 3 inspectors, including the

chief inspector and, unless election officials are appointed under s. 7.30 (4) (c) without regard to party affiliation, at least one inspector representing each political party, shall then certify to the correctness of the statements and tally sheets and sign their names. All other election officials assisting with the tally shall also certify to the correctness of the tally sheets. When the tally is complete, the inspectors shall publicly announce the results from the statements.

**SECTION 134.** 7.51 (5) (a) of the statutes is amended to read:

7.51 (5) (a) The inspectors shall make full and accurate return of the votes cast for each candidate and proposition on tally sheet forms provided by the municipal clerk for that purpose. Each tally sheet shall record the returns for each office or referendum by ward, unless combined returns are authorized in accordance with s. 5.15 (6) (b) in which case the tally sheet shall record the returns for each group of combined wards. After recording the votes, the inspectors shall seal in a carrier envelope outside the ballot bag or container one inspectors' statement under sub. (4) (a), one tally sheet, and one poll ~~or registration~~ list for delivery to the county clerk, unless the election relates only to municipal or school district offices or referenda. The inspectors shall also similarly seal one inspectors' statement, one tally sheet, and one poll ~~or registration~~ list for delivery to the municipal clerk. For school district elections, except in 1st class cities, the inspectors shall similarly seal one inspectors' statement, one tally sheet, and one poll ~~or registration~~ list for delivery to the school district clerk. The inspectors shall immediately deliver all ballots, statements, tally sheets, lists, and envelopes to the municipal clerk.

**SECTION 135.** 8.17 (1) (a) of the statutes is amended to read:

8.17 (1) (a) Political parties qualifying for a separate ballot under s. 5.62 (1) (b) or (2) shall elect their party committeemen and committeewomen as provided under sub. (5) (b). The function of committeemen and committeewomen is to represent their neighborhoods in the structure of a political party. Committeemen and committeewomen shall act as liaison representatives between their parties and the residents of the election districts in which they serve. Activities of committeemen and committeewomen shall include, but not be limited to, ~~voter identification~~ identifying voters; assistance in voter registration drives; increasing voter participation in political parties; polling and other methods of passing information from residents to political parties and elected public officials; and dissemination of information from public officials to residents. For assistance in those and other activities of interest to a political party, each committeeman and committeewoman may appoint a captain to engage in these activities in each ward, if the election district served by the committeeman or committeewoman includes more than one ward. In an election district

which includes more than one ward, the committeeman or committeewoman shall coordinate the activities of the ward captains in promoting the interests of his or her party.

**SECTION 136.** 9.01 (1) (b) 1. of the statutes is amended to read:

9.01 (1) (b) 1. The board of canvassers shall first compare the registration or poll lists and determine the number of voting electors.

**SECTION 137.** 10.02 (3) (a) of the statutes is amended to read:

10.02 (3) (a) Upon entering the polling place and before being permitted to vote, an elector shall give state his or her name and address before being permitted to vote and provide identification if required by federal law. Where ballots are distributed to electors, the initials of 2 inspectors must appear on the ballot. Upon being permitted to vote, the elector shall retire alone to a voting booth or machine and cast his or her ballot, except that an elector who is a parent or guardian may be accompanied by the elector's minor child or minor ward. An election official may inform the elector of the proper manner for casting a vote, but the official may not in any manner advise or indicate a particular voting choice.

**SECTION 138.** 11.30 (title) of the statutes is amended to read:

**11.30 (title) Identification Attribution of political contributions, disbursements and communications.**

**SECTION 139.** 12.13 (3) (u) of the statutes is amended to read:

12.13 (3) (u) ~~Present~~ Provide false identification documentation of identity for the purpose of inducing an election official to permit the person or another person to vote.

**SECTION 140.** 15.617 of the statutes is created to read:

**15.617 Same; council. (1) ELECTION ADMINISTRATION COUNCIL.** There is created in the elections board an election administration council consisting of members appointed by the executive director of the elections board, including the clerk or executive director of the board of election commissioners of the 2 counties or municipalities in this state having the largest population, one or more election officials of other counties or municipalities, representatives of organizations that advocate for the interests of individuals with disabilities and organizations that advocate for the interests of the voting public, and other electors of this state.

**SECTION 141.** 19.69 (4) of the statutes is created to read:

19.69 (4) **NONAPPLICABILITY.** This section does not apply to any matching program established between the secretary of transportation and the commissioner of the federal social security administration pursuant to an agreement specified under s. 85.61 (2).

**SECTION 144.** 59.05 (2) of the statutes is amended to read:

59.05 (2) If a petition conforming to the requirements of s. 8.40 is filed with the board by at least two-fifths of the legal voters of any county, to be determined by the registration or poll lists of list for the last previous general election held in the county at the time of filing, the names of which voters shall appear on some one of the registration or poll lists of list for such election, present to the board a petition conforming to the requirements of s. 8.40 asking for a change of the county seat to some other place designated in the petition, the board shall submit the question of removal of the county seat to a vote of the qualified voters of the county. The board shall file the question as provided in s. 8.37. The election shall be held only on the day of the general election, notice of the election shall be given and the election shall be conducted as in the case of the election of officers on that day, and the votes shall be canvassed, certified and returned in the same manner as other votes at that election. The question to be submitted shall be "Shall the county seat of ... county be removed to ...?"

**SECTION 145.** 85.61 of the statutes is created to read:

**85.61 Compliance with federal Help America Vote Act. (1)** The secretary of transportation and the executive director of the elections board shall enter into an agreement to match personally identifiable information on the official registration list maintained by the elections board under s. 6.36 (1) with personally identifiable information in the operating record file database under ch. 343 and vehicle registration records under ch. 341 to the extent required to enable the secretary of transportation and the executive director of the elections board to verify the accuracy of the information provided for the purpose of voter registration.

(2) The secretary of transportation shall enter into an agreement with the commissioner of the federal social security administration for the purpose of verifying whether the name, date of birth, and social security number of an individual in the operating record file database under ch. 343 or vehicle registration records under ch. 341 match the information contained in the records of the social security administration. The agreement shall include safeguards to ensure the maintenance of the confidentiality of any personally identifiable information disclosed and procedures to permit the secretary of transportation to use any applicable personally identifiable information disclosed for purposes related to maintenance of departmental records.

**SECTION 146.** 117.20 (2) of the statutes is amended to read:

117.20 (2) The clerk of each affected school district shall publish notice, as required under s. 8.55, in the territory of that school district. The procedures for school board elections under s. 120.06 ~~(5)~~, (9), (11), (13) and (14) apply to a referendum held under this section. The school board and school district clerk of each affected school district shall each perform, for that school district,

the functions assigned to the school board and the school district clerk, respectively, under those subsections. The form of the ballot shall correspond to the form prescribed by the elections board under ss. 5.64 (2) and 7.08 (1) (a). The clerk of each affected school district shall file with the secretary of the board a certified statement prepared by the school district board of canvassers of the results of the referendum in that school district.

**SECTION 147.** 120.06 (5) of the statutes is repealed.

**SECTION 148.** 125.05 (2) (h) of the statutes is amended to read:

125.05 (2) (h) *Number of electors.* The number of electors in a residence district shall equal not less than the number of names with residences in the district which appear on a the registration list, as defined in s. 5.02 (17). ~~If there is no registration list, the number of electors shall equal the number of names with residences in the district which appear on a poll list as defined in s. 5.02 (14) compiled at the last gubernatorial or presidential election, whichever is most recent, for the residence district on the date that the remonstrance, consent, or counter petition is filed.~~ A person whose name does not appear on a registration list ~~or poll list~~ may not sign a protest petition, consent or counter petition.

**SECTION 149. Nonstatutory provisions.**

(1) The legislative audit bureau is directed to perform a program evaluation audit relating to compliance by the state and local governments with election laws and the appropriateness of procedures used to implement those laws. In its audit, the bureau shall address compliance by the state and local governments with the requirements of this act, specifically including the polling place accessibility requirements under section 5.25 (4) (a) of the statutes, as affected by this act. The bureau shall also address the treatment of any complaints of electors concerning alleged violations of the law, specifically including complaints relating to denial of the right to vote and denial of the right to corroborate registration information on behalf of electors; any attempts to require electors to provide identification that is not authorized by law; any incidence of an inadequate availability of ballots for all electors who wish to vote; any allegations of elector fraud and the treatment of those allegations; and the appropriateness and legality of procedures used to identify ineligible electors whose names may appear on the registration list. The bureau shall file a report of its findings as described under section 13.94 (1) (b) of the statutes within an

appropriate time period following the effective date of this subsection that is determined by the bureau upon consultation with the elections board.

**SECTION 150. Initial applicability.**

(1) The treatment of sections 5.02 (17), 5.05 (15), 6.20, 6.24 (3), (4) (a) and (c), and (8), 6.26 (1) and (2) (am), (b), and (c), 6.27, 6.275 (1) (b) to (d), 6.28 (2) (b) and (3), 6.29 (2) (a) and (b), 6.32 (4), 6.33 (1) and (2) (a) (by SECTION 49b), (3), (4), and (5), 6.36 (1), (2) (a) (by SECTION 58b), and (3), 6.40 (1) (b) and (2) (b), 6.47 (6), 6.48 (1) (d) and (2) (b), 6.50 (1), (2), (2m), (3) to (6), (7), (9), and (10), 6.55 (2) (a) 1. (intro.) and 2., (b), and (c) 1. and 2., (3), and (7) (c) 2., 6.56 (3) and (4), 6.57, 6.79 (intro.), (1), (4), (5), and (6) (a) and (b), 6.86 (3) (a) 1. and 2., 6.87 (4) (by SECTION 112a), 6.94, 6.95, 7.08 (1) (c), 7.10 (1) (b), 7.15 (1) (c) and (4), 7.23 (1) (c), 7.37 (7), 7.51 (2) (a), (c), and (e), (4) (a), and (5) (a), 9.01 (1) (b) 1., 59.05 (2), 117.20 (2), 120.06 (5), and 125.05 (2) (h) of the statutes, the renumbering and amendment of section 6.40 (1) (a) of the statutes, the amendment of section 6.36 (2) (c) 2. of the statutes, the repeal and recreation of section 6.79 (2) of the statutes, and the creation of section 6.40 (1) (a) 2. and 3. of the statutes first apply with respect to the 2006 spring primary election.

**SECTION 151. Effective dates.** This act takes effect on the day after publication, except as follows:

(1) The treatment of sections 5.02 (24w), 5.05 (12), 5.25 (4) (a) and (c), 5.91 (15) to (18), 6.869, 7.08 (6), 7.10 (7) and 7.15 (9) of the statutes, the renumbering of section 5.87 of the statutes, and the creation of section 5.87 (2) of the statutes take effect on January 1, 2006.

(2) The treatment of sections 5.02 (6m), 5.05 (13), 5.35 (6) (a) 2m., 4., 4a., and 4b., 6.33 (1), 6.36 (2) (a) (by SECTION 58a), 6.36 (2) (c) 1., 6.82 (1) (a), 6.86 (3) (c), 6.87 (3) (d), and (4) (by SECTION 112), 6.88 (3) (a), 6.96, 6.97, 7.08 (8), 7.10 (8), 7.15 (10) and (12), 7.51 (3) (a), and 10.02 (3) (a) of the statutes, the renumbering of section 6.79 (2) of the statutes, and the creation of sections 6.36 (2) (c) 2. and 6.79 (2) (b) of the statutes take effect on January 1, 2004, or on the day after publication, whichever is later.

(3) The treatment of sections 6.33 (1) and (2) (a) (by SECTION 49b), 6.36 (2) (a) (by SECTION 58b), and 6.87 (4) (by SECTION 112a) of the statutes, the amendment of section 6.36 (2) (c) 2. of the statutes, and the repeal and recreation of section 6.79 (2) of the statutes take effect on January 1, 2006.