



State of Wisconsin  
2011 - 2012 LEGISLATURE



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JTK/ARG:cjs/nwn/jld/kjf:rs

**ASSEMBLY SUBSTITUTE AMENDMENT 2,  
TO 2011 ASSEMBLY BILL 7**

May 9, 2011 – Offered by JOINT COMMITTEE ON FINANCE.

1     **AN ACT to repeal** 5.64 (1) (ar) 1. a., 5.91 (2), 6.26 (2) (am), 6.36 (5), 6.56 (5), 7.08  
2           (9), 7.15 (1) (L), 7.50 (2) (a) and 12.13 (3) (v); **to renumber** 6.79 (3) and 343.50  
3           (1); **to renumber and amend** 6.85, 6.86 (2m), 6.87 (4) and 6.97 (3); **to amend**  
4           5.35 (6) (a) 2., 5.35 (6) (a) 4a., 5.37 (1), 5.64 (1) (b), 6.02 (1), 6.02 (2), 6.10 (3), 6.10  
5           (4), 6.15 (1), 6.15 (2) (a), 6.15 (2) (d) 1r., 6.15 (3), 6.18, 6.22 (4) (b), 6.22 (7), 6.24  
6           (4) (c), 6.24 (4) (d), 6.26 (2) (b), 6.26 (2) (c), 6.26 (2) (cm), 6.29 (1), 6.29 (2) (a), 6.33  
7           (1), 6.33 (2) (b), 6.33 (5) (a), 6.34 (2), 6.36 (1) (b) 1. a., 6.36 (2) (a), 6.40 (1) (a) 1.,  
8           6.55 (2) (a) 1., 6.55 (2) (b), 6.55 (2) (c) 1., 6.55 (2) (c) 2., 6.79 (1m), 6.79 (2) (a), 6.79  
9           (2) (d), 6.79 (3) (title), 6.79 (4), 6.79 (6), 6.82 (1) (a), 6.86 (1) (ar), 6.86 (1) (b), 6.86  
10          (3) (a) 1., 6.86 (3) (a) 2., 6.86 (3) (c), 6.869, 6.87 (1), 6.87 (2), 6.87 (3) (d), 6.87 (6),  
11          6.875 (title), 6.875 (2) (a), 6.875 (3) and (4), 6.875 (6) (a) and (b), 6.875 (6) (c) 1.,  
12          6.875 (6) (c) 2., 6.875 (6) (e), 6.875 (7), 6.88 (3) (a), 6.92 (1), 6.94, 6.97 (title), 6.97  
13          (1), 6.97 (2), 7.08 (8) (title), 7.15 (1) (cm), 7.15 (1) (j), 7.23 (1) (e), 7.52 (3) (a), 7.52

1 (6) (b), 10.02 (3) (form) (a), 10.02 (3) (b) 1., 10.02 (3) (c), 12.03 (2) (b) 3., 12.13 (2)  
2 (b) 6m., 343.06 (1) (L), 343.10 (7) (d), 343.11 (1), 343.11 (3), 343.11 (3), 343.14  
3 (3), 343.165 (1) (intro.), 343.165 (2), 343.165 (3) (a), 343.165 (4) (a), 343.165 (4)  
4 (c), 343.165 (4) (d), 343.165 (5), 343.17 (3) (a) 2., 343.17 (5), 343.50 (3), 343.50  
5 (4), 343.50 (5) (a) 1., 343.50 (5m) and 343.50 (6); **to repeal and recreate** 343.17  
6 (5), 343.50 (1), 343.50 (3), 343.50 (4), 343.50 (4g), 343.50 (5) (a) and 343.50 (6);  
7 and **to create** 5.02 (6m), 5.02 (16c), 5.64 (1) (ar) 1m., 6.15 (2) (bm), 6.36 (1) (bm)  
8 and (bn), 6.79 (2) (am), 6.79 (3) (b), 6.79 (7), 6.87 (4) (a), 6.87 (4) (b) 2., 6.87 (4)  
9 (b) 3., 6.87 (4) (b) 4., 6.87 (4) (b) 5., 6.875 (1) (ap) and (asm), 6.875 (2) (d), 6.965,  
10 6.97 (3) (a), 6.97 (3) (c), 7.08 (12), 343.03 (3r), 343.14 (3m), 343.165 (7), 343.17  
11 (3) (a) 14., 343.50 (1) (c), 343.50 (4g) and 343.50 (5) (a) 3. of the statutes;  
12 **relating to:** requiring certain identification in order to vote at a polling place  
13 or obtain an absentee ballot; absentee voting; late voter registration; a  
14 requirement for electors to provide a signature when voting in person at an  
15 election; the duration and location of residency for voting purposes; voting a  
16 straight party ticket; issuance of operator's licenses and identification cards by  
17 the Department of Transportation; voter registration information; the  
18 statewide voter registration list; voter registration activities; granting  
19 rule-making authority; and providing a penalty.

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### ***Analysis by the Legislative Reference Bureau***

#### ***Identification required for voting***

Under current law, any person who is a U.S. citizen, who is at least 18 years of age, and who has resided in a ward or election district in this state for at least ten days before the election at which the person is voting may vote in that ward or election district at that election unless the person is disqualified from voting, in certain cases specified by law, as the result of a felony conviction or an adjudication of incompetency. With limited exceptions, a person must register before voting and

in certain cases must provide proof of residence. With certain limited exceptions, before being permitted to vote at any polling place, an eligible elector currently must provide his or her name and address. If the elector is not registered, the elector must provide a specified form of proof of residence in order to register. If an elector is not able to present any required proof of residence, as an alternative, current law permits an elector's registration information to be corroborated by another qualified elector who resides in the same municipality. In addition, an elector other than a military elector or an overseas elector, as defined by federal law, who registers by mail and who has not voted in an election in this state must provide one of the forms of identification specified by federal law, or a copy thereof if voting by absentee ballot, in order to be permitted to vote. Corroboration may not be substituted for this identification requirement, but an elector who cannot provide the required identification may cast a provisional ballot. The municipal clerk or board of election commissioners must determine whether electors casting provisional ballots are qualified to vote by 4 p.m. on the day after an election.

With certain limited exceptions, this substitute amendment requires each eligible elector who wishes to vote at the polls on election day to present "proof of identification." Under the substitute amendment, "proof of identification" means an identification document that contains the name of the individual to whom the document was issued, which name conforms to the individual's voter registration, if the individual is required to register to vote, and that contains a photograph of the individual, except as otherwise permitted by the substitute amendment (see below). "Identification" means a) one of the following documents issued to the individual that is unexpired or if expired has expired after the date of the most recent general election: an operator's license issued by the Wisconsin Department of Transportation (DOT), an identification card issued by DOT, an identification card issued by a U.S. uniformed service, or a U.S. passport; b) a certificate of U.S. naturalization that was issued not earlier than two years before the date of an election at which it is presented; c) an unexpired driving receipt issued by DOT (see below); d) an unexpired identification card receipt issued by DOT; e) an identification card issued by a federally recognized Indian tribe in this state; or f) an unexpired identification card issued by an accredited university or college in this state that contains the date of issuance and signature of the individual to whom it was issued and that contains an expiration date indicating that the card expires no later than two years after the date of issuance if the individual establishes that he or she is enrolled as a student at the university or college on the date that the card is presented. A person whose address is confidential as a result of domestic abuse, sexual assault, or stalking or in certain cases a person who has been required by a law enforcement officer to surrender his or her license (see below) is exempted from the requirement. If a person has applied to DOT for a driver's license or identification card, the person may also present the unexpired driving receipt or identification card receipt (DOT receipt) that DOT issues to the person while the application is processed. Under the substitute amendment, any person who applies for an absentee ballot, except a military or overseas elector, as defined by federal law, or a person whose address is confidential as a result of domestic abuse, sexual assault, or stalking, must also

provide proof of identification or a copy thereof unless: 1) the person has already provided a copy of his or her proof of identification in connection with an absentee ballot cast at a previous election and has not changed his or her name or address since that election; 2) the person has been required by a law enforcement officer to surrender his or her license (see below); 3) the person is indefinitely confined, in which case the person may submit a statement signed by the person who witnesses his or her absentee ballot verifying his or her identity; 4) the person is an occupant of any nursing home, or is an occupant of a community-based residential facility, retirement home, adult family home, or residential care apartment complex where a municipality sends special voting deputies, in which case the person may submit a statement signed by the deputies verifying his or her identity; or 5) the person is an occupant of such a home, facility, or complex where a municipality does not send special voting deputies, in which case the person may submit a statement signed by the same person who witnesses his or her absentee ballot that contains the certification of an authorized representative of the home, facility, or complex verifying that the person resides at that home, facility, or complex. The substitute amendment continues current requirements for certain electors to verify residence in order to register or to vote, but discontinues the use of corroborating electors to verify residence. If a person receives a citation from a law enforcement officer in any jurisdiction that is dated within 60 days of the date of an election and is required to surrender his or her Wisconsin driver's license at the time the citation is issued, the elector may present an original copy of the citation or notice of intent to revoke or suspend the elector's driver's license in lieu of his or her driver's license or, if the elector is voting an absentee ballot by mail, may enclose a copy of the citation or notice in lieu of a copy of his or her driver's license. In this case, the substitute amendment provides that the elector's ballot is received and counted if otherwise valid, but the ballot is marked so it can be identified during the canvassing and recount process if the validity of the ballot is questioned. Under the substitute amendment, if a person who votes at a polling place fails to provide proof of identification, the person may vote provisionally. If a person votes by absentee ballot and fails to provide proof of identification or a copy thereof, unless exempted from the requirement, the ballot is treated as a provisional ballot. A provisional ballot is marked by the poll workers, who immediately contact the municipal clerk or board of election commissioners. The person may then provide the required proof of identification either at the polling place before the closing hour or at the office of the clerk or board. If the person does not provide the required identification to the clerk or board by 4 p.m. on the Friday following the election, the person's vote is not counted.

The substitute amendment also directs GAB, in conjunction with the first regularly scheduled primary and election at which the voter identification requirements created by the substitute amendment initially apply, to conduct a public informational campaign for the purpose of informing prospective voters of the voter identification requirements created by the substitute amendment. In addition, the substitute amendment directs the board to conduct an ongoing outreach effort to identify and contact groups of electors who may need assistance in obtaining or

renewing documents that constitute proof of identification for voting purposes and to provide assistance in obtaining or renewing those documents.

The voting identification requirement under the substitute amendment initially applies to voting at the 2012 spring primary. The substitute amendment also provides that an elector who votes at a polling place at an election held after the substitute amendment becomes law but before the date of the 2012 spring primary shall be requested to present proof of identification but if the elector fails to do so, his or her ballot will still be counted if the elector is otherwise qualified. The substitute amendment directs election officials to provide information to electors who do not present proof of identification at elections held prior to the date of the 2012 spring primary so that the electors will be prepared to provide proof of identification at future elections.

### ***Issuance of operator's licenses and identification cards***

This substitute amendment also permits an elector who is eligible to obtain a Wisconsin identification card to obtain the card from DOT free of charge if the elector is a U.S. citizen who will be at least 18 years of age on the date of the next election and the elector requests that the card be provided without charge for purposes of voting.

Under 2007 Wisconsin Act 20 (the biennial budget act), certain provisions specified in the federal REAL ID Act are incorporated into state law when DOT provides notice that it is ready to implement the federal REAL ID Act. Among these provisions is the requirement that DOT follow certain procedures in processing applications for driver's licenses and identification cards and that each driver's license and identification card include a photograph.

This substitute amendment allows DOT, upon the implementation of the federal REAL ID Act in Wisconsin, to process applications for driver's licenses and identification cards in a manner other than that required by REAL ID if the driver's licenses and identification cards are marked to indicate that they are not REAL ID compliant and DOT processes the applications in compliance with DOT practices and procedures applicable immediately prior to implementation of REAL ID. An applicant for a REAL ID noncompliant driver's license or identification card will still be required to provide to DOT: 1) an identification document that includes either the applicant's photograph or both the applicant's full legal name and date of birth; 2) documentation showing the applicant's date of birth, which may be the same as item 1); 3) proof of the applicant's social security number or verification that the applicant is not eligible for a social security number; 4) documentation showing the applicant's name and address of principal residence; and 5) documentary proof that the applicant is a U.S. citizen or is otherwise lawfully present in the United States. However, in processing an application for a REAL ID noncompliant driver's license or identification card, DOT is not required to meet the standards for document retention and verification that are imposed for REAL ID compliant products.

Current law provides for limited exceptions allowing DOT to issue a driver's license that does not contain a photograph of the license holder, including, by DOT rule, a religious belief exception. There are no similar photograph exceptions under current law for identification cards. Under current law, after the implementation of

REAL ID, all REAL ID compliant driver's licenses and identification cards must contain a photograph.

Under this substitute amendment, until the implementation of the federal REAL ID Act, the photograph exception for driver's licenses continues and a new religious belief photograph exception is created for identification cards. After the implementation of REAL ID, this substitute amendment creates a religious belief photograph exception for REAL ID noncompliant driver's licenses and identification cards.

### ***Signature requirement for electors voting in person***

This substitute amendment provides, with limited exceptions, that an elector must also enter his or her signature on the poll list or other separate list when voting in person at a polling place at an election. Under the substitute amendment, the election officials must require each elector to enter his or her signature on the poll list or other separate list before being permitted to vote. If an elector registers at a polling place on election day, the officials must require the elector to enter the elector's signature on a separate list. The substitute amendment also provides that if an elector, due to physical disability, authorized another elector to sign his or her registration form on his or her behalf, the elector is exempt from the signature requirement. In addition, if an elector signed his or her registration form but claims to be unable, due to physical disability, to enter his or her signature on the poll list or other separate list when voting at a particular election, the substitute amendment permits the election officials to waive the signature requirement if they find that, due to physical disability, the elector is unable to enter his or her signature.

### ***Durational residency requirement for voting***

Under current law, with certain limited exceptions, an individual must be a resident of this state and of the municipality and ward, if any, where the elector is voting for ten days before an election to be eligible to vote in the election. This substitute amendment increases this durational residency requirement to 28 consecutive days. Under the substitute amendment, if an elector who does not meet this residency requirement formerly resided at another location in this state within the 27-day period preceding an election, the elector may vote at that location if the elector is otherwise qualified to vote at that location.

### ***Voting a straight party ticket***

Under current law, at the general election, an elector may vote a straight party ticket for the candidates of any political party that has a separate ballot or column on the ballot.

This substitute amendment eliminates the authority for any elector, other than an overseas or military elector, to vote a straight party ticket. Under federal law, an overseas or military elector may vote a straight party ticket on a write-in absentee ballot for national offices. The substitute amendment first applies with respect to the 2012 general election.

### ***Late registration and absentee voting in person***

Currently, the deadline for late registration for an election in person at the office of a municipal clerk or board of election commissioners is 5 p.m. or the close of

business, whichever is later, on the day before the election. The deadline for absentee voting in person at the office of a municipal clerk or board of election commissioners is 5 p.m. on the day before the election. This substitute amendment changes the deadline for late registration in person to 5 p.m. or the close of business, whichever is later, on the Friday before the election. The substitute amendment also provides that an elector may vote an absentee ballot in person only during the period beginning with opening of business on the 3rd Monday preceding an election and ending at 5 p.m. or the close of business, whichever is later, on the Friday preceding an election. The changes are effective for elections held on or after the first day of the 2nd month beginning after publication.

***Absentee voting in residential care apartment complexes and adult family homes***

Currently, municipalities must send two special voting deputies (one designated by each major political party if the party wishes) to conduct absentee voting in nursing homes. Municipalities may also send the deputies to conduct absentee voting in community-based residential facilities and retirement homes that qualify for the service in accordance with standards prescribed by law. This substitute amendment permits municipal clerks and boards of election commissioners to send two special voting deputies to conduct absentee voting in adult family homes and residential care apartment complexes that qualify for the service in accordance with similar standards prescribed by law.

***Appointment of special registration deputies***

Currently, GAB or the municipal clerk or board of election commissioners of any municipality may appoint special registration deputies to assist qualified electors in completing their voter registration forms prior to the close of registration at locations other than the office of GAB, the office of a municipal clerk or board of election commissioners, or a polling place. Registration forms that are obtained by a special registration deputy are treated in the same manner as registration forms that are received by mail. Any qualified elector of this state may qualify to serve as a special registration deputy. A deputy who is appointed by a municipality may register any qualified elector of the municipality and a deputy who is appointed by the board may register any qualified elector of this state. GAB or a municipal clerk or board of election commissioners may revoke the appointment of an individual for cause, and no individual whose appointment is revoked is eligible for reappointment. This substitute amendment discontinues appointment and revocation of special registration deputies by GAB.

***Voter registration information***

This substitute amendment requires an elector who registers to vote on or after the day the substitute amendment becomes law to provide, in addition to his or her current residence location as presently required, the location of his or her previous residence immediately before moving to his or her current residence location. The substitute amendment also requires the registration form to include the following statement below the space for the elector's signature: "Falsification of information on this form is punishable under Wisconsin law as a Class I felony."

***Access to voter registration list***

Currently, the statewide voter registration list is open to public inspection. However, only authorized election officials may view certain personal information in the list. This substitute amendment permits a municipal clerk or board of election commissioners to provide a law enforcement agency of the federal government or any state or local government with access to this personal information to be used for law enforcement purposes. The substitute amendment also permits GAB to provide this personal information to a subunit of the state government of another state to be used for official purposes.

***Revision of registration list***

Currently, municipal clerks and boards of election commissioners must enter registration changes received on the date of an election in the statewide voter registration system within 30 days after the date of that election. This substitute amendment permits these updates to be entered within 45 days after a general (November) election and also permits the legal counsel of GAB, upon request of a clerk or board, to permit the clerk or board to enter changes received on the date of the general election within 60 days after the date of that election.

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

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

2           **5.02 (6m)** "Identification" means any of the following documents issued to an  
3 individual:

4           (a) One of the following documents that is unexpired or if expired has expired  
5 after the date of the most recent general election:

- 6           1. An operator's license issued under ch. 343.
- 7           2. An identification card issued under s. 343.50.
- 8           3. An identification card issued by a U.S. uniformed service.
- 9           4. A U.S. passport.

10           (b) A certificate of U.S. naturalization that was issued not earlier than 2 years  
11 before the date of an election at which it is presented.

12           (c) An unexpired driving receipt under s. 343.11.

13           (d) An unexpired identification card receipt issued under s. 343.50.



1 (e) An identification card issued by a federally recognized Indian tribe in this  
2 state.

3 (f) An unexpired identification card issued by a university or college in this  
4 state that is accredited, as defined in s. 39.30 (1) (d), that contains the date of  
5 issuance and signature of the individual to whom it is issued and that contains an  
6 expiration date indicating that the card expires no later than 2 years after the date  
7 of issuance if the individual establishes that he or she is enrolled as a student at the  
8 university or collage on the date that the card is presented.

9 **SECTION 2.** 5.02 (16c) of the statutes is created to read:

10 5.02 (16c) "Proof of identification" means identification that contains the name  
11 of the individual to whom the document was issued, which name conforms to the  
12 individual's voter registration form, if the individual is required to register to vote,  
13 and that contains a photograph of the individual, except as authorized in s. 343.14  
14 (3m) or 343.50 (4g).

15 **SECTION 3.** 5.35 (6) (a) 2. of the statutes is amended to read:

16 5.35 (6) (a) 2. A copy of the election fraud laws provided in s. 12.13 (1) and (3)  
17 (intro), (d), (f), (g), (k), (L), (o), (q), (r), (u), (~~v~~) and (x), together with the applicable  
18 penalties provided in s. 12.60 (1).

19 **SECTION 4.** 5.35 (6) (a) 4a. of the statutes is amended to read:

20 5.35 (6) (a) 4a. Instructions prescribed by the board for electors for whom proof  
21 of identification is required under s. 6.79 (2) or for whom proof of residence under s.  
22 6.34 is required under s. 6.55 (2).

23 **SECTION 5.** 5.37 (1) of the statutes is amended to read:

24 5.37 (1) Voting machines shall give every elector a reasonable opportunity to  
25 vote for any person for any office and on any proposition the elector is entitled to vote

1 on, assure privacy to the elector so no one will know how the elector is voting or has  
2 voted, preclude the electors from voting for persons or propositions upon which they  
3 are not entitled to vote and from voting more than once for the same office or on the  
4 same proposition. Voting machines shall be constructed to lock so they cannot be  
5 manipulated, tampered with, or show the number of votes registered for any  
6 candidate or proposition while voting is in progress. The machines ~~shall provide a~~  
7 ~~method for electors to vote a straight party ticket,~~ shall permit voting a split ticket  
8 and shall record each vote cast.

9 **SECTION 6.** 5.64 (1) (ar) 1. a. of the statutes is repealed.

10 **SECTION 7.** 5.64 (1) (ar) 1m. of the statutes is created to read:

11 5.64 (1) (ar) 1m. When voting for president and vice president, the ballot shall  
12 permit an elector to vote only for the candidates on one ticket jointly or to write in  
13 the names of persons in both spaces.

14 **SECTION 8.** 5.64 (1) (b) of the statutes is amended to read:

15 5.64 (1) (b) The names of the candidates for the offices of president and vice  
16 president that are certified under s. 8.16 (7) or that are contained in nomination  
17 papers filed under s. 8.20 shall appear on the ballot in the form prescribed in s. 7.08  
18 (2) (a). The names of the candidates on the regular party tickets nominated at the  
19 primary or replacements appointed under s. 8.35 (2) shall appear in a separate  
20 column under the party designation. The columns shall be arranged from left to right  
21 according to rank, based on the number of votes received by each party's candidate  
22 for president or governor at the last general election beginning with the party that  
23 received the most votes. To the right of the columns for parties qualifying under s.  
24 5.62 (1) (b) shall be placed the columns for parties qualifying under s. 5.62 (2) in the  
25 same order in which the parties filed petitions with the board. Any column required

1 under par. (e) 2. shall be placed next in order. To the right of the party columns shall  
2 be a column for the names of independent candidates for each office, or more than  
3 one column if the first column does not provide sufficient space for the names of all  
4 such candidates.

5 **SECTION 9.** 5.91 (2) of the statutes is repealed.

6 **SECTION 10.** 6.02 (1) of the statutes is amended to read:

7 6.02 (1) Every U.S. citizen age 18 or older who has resided in an election district  
8 or ward for ~~10~~ 28 consecutive days before any election where the citizen offers to vote  
9 is an eligible elector.

10 **SECTION 11.** 6.02 (2) of the statutes is amended to read:

11 6.02 (2) Any U.S. citizen age 18 or older who moves within this state later than  
12 ~~10~~ 28 days before an election shall vote at his or her previous ward or election district  
13 if the person is otherwise qualified. If the elector can comply with the ~~10-day~~ 28-day  
14 residence requirement at the new address and is otherwise qualified, he or she may  
15 vote in the new ward or election district.

16 **SECTION 12.** 6.10 (3) of the statutes is amended to read:

17 6.10 (3) When an elector moves ~~from one ward to another or~~ his or her residence  
18 from one ward or municipality to another ward or municipality within the state ~~after~~  
19 ~~the last registration day but~~ at least ~~10~~ 28 days before the election, the elector may  
20 vote in and be considered a resident of the new ward or municipality where residing  
21 upon transferring registration under s. 6.40 (1) or upon registering at the proper  
22 polling place or other registration location in the new ward or municipality under s.  
23 6.55 (2) or 6.86 (3) (a) 2. If the elector moves ~~within 10~~ his or her residence later than  
24 28 days of before an election, the elector shall vote in the elector's ~~old~~ former ward  
25 or municipality if otherwise qualified to vote there.

1           **SECTION 13.** 6.10 (4) of the statutes is amended to read:

2           6.10 (4) The residence of an unmarried person sleeping in one ward and  
3           boarding in another is the place where the person sleeps. The residence of an  
4           unmarried person in a transient vocation, a teacher or a student who boards at  
5           different places for part of the week, month, or year, if one of the places is the  
6           residence of the person's parents, is the place of the parents' residence unless through  
7           registration or similar act the person elects to establish a residence elsewhere. If the  
8           person has no parents and if the person has not registered elsewhere, the person's  
9           residence shall be at the place ~~which~~ that the person considered his or her residence  
10          in preference to any other for at least ~~10~~ 28 consecutive days before an election. If  
11          this place is within the municipality, the person is entitled to all the privileges and  
12          subject to all the duties of other citizens having their residence there, including  
13          voting.

14          **SECTION 14.** 6.15 (1) of the statutes is amended to read:

15          6.15 (1) **QUALIFICATIONS.** Any person who was or who is ~~a qualified~~ an eligible  
16          elector under ss. 6.02 and 6.03, except that he or she has been a resident of this state  
17          for less than ~~10~~ 28 consecutive days prior to the date of the presidential election, is  
18          entitled to vote for the president and vice president but for no other offices. The fact  
19          that the person was not registered to vote in the state from which he or she moved  
20          does not prevent voting in this state if the elector is otherwise qualified.

21          **SECTION 15.** 6.15 (2) (a) of the statutes is amended to read:

22          6.15 (2) (a) The elector's request for the application form may be made in person  
23          to the municipal clerk of the municipality where the person resides. Application may  
24          be made not sooner than ~~9~~ 27 days nor later than 5 p.m. on the day before the election,  
25          or may be made at the proper polling place in the ward or election district in which

1 the elector resides. If an elector makes application before election day, the  
2 application form shall be returned to the municipal clerk after the affidavit has been  
3 signed in the presence of the clerk or any officer authorized by law to administer  
4 oaths. The affidavit shall be in substantially the following form:

5 STATE OF WISCONSIN

6 County of ....

7 I, ....., do solemnly swear that I am a citizen of the United States; that prior to  
8 establishing Wisconsin residence, my legal residence was in the .... (town) (village)  
9 (city) of ....., state of ....., residing at .... (street address); that on the day of the next  
10 presidential election, I shall be at least 18 years of age and that I have been a legal  
11 resident of the state of Wisconsin since ....., .... (year), residing at .... (street address),  
12 in the [... ward of the .... aldermanic district of] the (town) (village) (city) of ....., county  
13 of ....; that I have resided in the state less than ~~10~~ 28 consecutive days, that I am  
14 qualified to vote for president and vice president at the election to be held November  
15 ....., .... (year), that I am not voting at any other place in this election and that I hereby  
16 make application for an official presidential ballot, in accordance with section 6.15  
17 of the Wisconsin statutes.

18 Signed ....

19 P.O. Address ....

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

21 ....(Name)

22 ....(Title)

23 **SECTION 16.** 6.15 (2) (bm) of the statutes is created to read:

24 6.15 (2) (bm) Except as authorized in s. 6.79 (7), when making application in  
25 person at the office of the municipal clerk, each applicant shall present proof of

1 identification. If any document presented by the applicant is not proof of residence  
2 under s. 6.34, the applicant shall also present proof of residence under s. 6.34. The  
3 clerk shall verify that the name on the proof of identification presented by the elector  
4 conforms to the name on the elector's application and shall verify that any  
5 photograph appearing on that document reasonably resembles the elector.

6 **SECTION 17.** 6.15 (2) (d) 1r. of the statutes is amended to read:

7 6.15 (2) (d) 1r. Upon proper completion of the application and cancellation card,  
8 the municipal clerk shall ~~require the elector to provide proof of residence under s.~~  
9 ~~6.34. If the elector cannot provide proof of residence, the elector may have his or her~~  
10 ~~residence corroborated in a statement that is signed by another elector of the~~  
11 ~~municipality and that contains the current street address of the corroborating~~  
12 ~~elector. If the residence is corroborated by another elector, that elector shall then~~  
13 ~~provide proof of residence under s. 6.34~~ permit the elector to cast his or her ballot for  
14 president and vice president. The elector shall then mark the ballot in the clerk's  
15 presence in a manner that will not disclose his or her vote. The elector shall then fold  
16 the ballot so as to conceal his or her vote. The clerk or elector shall then place the  
17 ballot in an envelope furnished by the clerk.

18 **SECTION 18.** 6.15 (3) of the statutes is amended to read:

19 6.15 (3) PROCEDURE AT POLLING PLACE. An eligible elector may appear at the  
20 polling place for the ward or election district where he or she resides and make  
21 application for a ballot under sub. (2). Except as otherwise provided in this  
22 subsection, an elector who casts a ballot under this subsection shall follow the same  
23 procedure required for casting a ballot at the municipal clerk's office under sub. (2).  
24 The inspectors shall perform the duties of the municipal clerk, except that the  
25 inspectors shall return the cancellation card under sub. (2) (b) to the municipal clerk

1 and the clerk shall forward the card as provided in sub. (2) (c) if required. Upon  
2 proper completion of the application and cancellation card and ~~submittal of proof of~~  
3 ~~residence under s. 6.34 or providing corroboration of residence~~ verification of the  
4 proof of identification and proof of residence, whenever required, as provided in sub.  
5 (2) (bm), the inspectors shall permit the elector to cast his or her ballot for president  
6 and vice president. The elector shall mark the ballot and, unless the ballot is utilized  
7 with an electronic voting system, the elector shall fold the ballot, and deposit the  
8 ballot into the ballot box or give it to the inspector. The inspector shall deposit it  
9 directly into the ballot box. Voting machines or ballots utilized with electronic voting  
10 systems may only be used by electors voting under this section if they permit voting  
11 for president and vice president only.

12 **SECTION 19.** 6.18 of the statutes is amended to read:

13 **6.18 Former residents.** If ineligible to qualify as an elector in the state to  
14 which the elector has moved, any former qualified Wisconsin elector may vote an  
15 absentee ballot in the ward of the elector's prior residence in any presidential election  
16 occurring within 24 months after leaving Wisconsin by requesting an application  
17 form and returning it, properly executed, to the municipal clerk of the elector's prior  
18 Wisconsin residence. When requesting an application form for an absentee ballot,  
19 the applicant shall specify the applicant's eligibility for only the presidential ballot.  
20 Unless application is made under s. 6.86 (1) (ac), or the applicant is exempted from  
21 providing proof of identification under s. 6.87 (4) (b) 2. or 3., or the applicant is a  
22 military or overseas elector, the elector shall enclose a copy of his or her proof of  
23 identification or any authorized substitute document with his or her application.  
24 The municipal clerk shall verify that the name on the proof of identification conforms  
25 to the name on the application. The clerk shall not issue a ballot to an elector who

1 is required to enclose a copy of proof of identification or an authorized substitute  
2 document with his or her application unless the copy is enclosed and the proof is  
3 verified by the clerk. The application form shall require the following information  
4 and be in substantially the following form:

5 This form shall be returned to the municipal clerk’s office. Application must be  
6 received in sufficient time for ballots to be mailed and returned prior to any  
7 presidential election at which applicant wishes to vote. Complete all statements in  
8 full.

9 APPLICATION FOR PRESIDENTIAL  
10 ELECTOR’S ABSENTEE BALLOT.

11 (To be voted at the Presidential Election  
12 on November ....., .... (year)

13 I, .... hereby swear or affirm that I am a citizen of the United States, formerly  
14 residing at .... in the .... ward .... aldermanic district (city, town, village) of ....., County  
15 of .... for ~~10~~ 28 consecutive days prior to leaving the State of Wisconsin. I, .... do  
16 solemnly swear or affirm that I do not qualify to register or vote under the laws of  
17 the State of ....(State you now reside in) where I am presently residing. A citizen must  
18 be a resident of: State ....(Insert time) County ....(Insert time) City, Town or Village  
19 ....(Insert time), in order to be eligible to register or vote therein. I further swear or  
20 affirm that my legal residence was established in the State of ....(the State where you  
21 now reside) on .... Month .... Day .... Year.

22 Signed ....

23 Address ....(Present address)

24 ....(City) ....(State)

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



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

2 ....(County)

3 My Commission expires

4 MAIL BALLOT TO:

5 NAME ....

6 ADDRESS ....

7 CITY .... STATE .... ZIP CODE ....

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

13 .....(Municipal Clerk)

14 .....(Municipality)

15 **SECTION 20.** 6.22 (4) (b) of the statutes is amended to read:

16 6.22 **(4)** (b) A military elector's application may be received at any time. The  
 17 municipal clerk shall not send or transmit a ballot for an election if the application  
 18 is received later than 5 p.m. on the Friday preceding that election. The municipal  
 19 clerk shall send or transmit a ballot, as soon as available, to each military elector who  
 20 requests files a timely request for a ballot.

21 **SECTION 21.** 6.22 (7) of the statutes is amended to read:

22 6.22 **(7)** EXTENSION OF PRIVILEGE. This section applies to all military electors for  
 23 ~~10~~ 28 days after the date of discharge from a uniformed service or termination of  
 24 services or employment of individuals specified in sub. (1) (b) 1. to 4.

25 **SECTION 22.** 6.24 (4) (c) of the statutes is amended to read:

1           6.24 (4) (c) Upon receipt of a timely application from an individual who  
2           qualifies as an overseas elector and who has registered to vote in a municipality  
3           under sub. (3), the municipal clerk of the municipality shall send or transmit an  
4           absentee ballot to the individual for all subsequent elections for national office to be  
5           held during the year in which the ballot is requested, unless the individual otherwise  
6           requests or until the individual no longer qualifies as an overseas elector.

7           **SECTION 23.** 6.24 (4) (d) of the statutes is amended to read:

8           6.24 (4) (d) An overseas elector who is not registered may request both a  
9           registration form and an absentee ballot at the same time, and the municipal clerk  
10          shall send or transmit the ballot automatically if the registration form is received  
11          within the time prescribed in s. 6.28 (1). The board shall prescribe a special  
12          certificate form for the envelope in which the absentee ballot for overseas electors is  
13          contained, which shall be substantially similar to that provided under s. 6.87 (2). An  
14          overseas elector shall make and subscribe to the special certificate form before a  
15          witness who is an adult U.S. citizen.

16          **SECTION 24.** 6.26 (2) (am) of the statutes is repealed.

17          **SECTION 25.** 6.26 (2) (b) of the statutes is amended to read:

18          6.26 (2) (b) The municipal clerk, or board of election commissioners, ~~or~~  
19          ~~government accountability board~~ may appoint any applicant who qualifies under  
20          this subsection, unless the applicant's appointment has been revoked by a  
21          municipality ~~or by the board~~ for cause. The municipal clerk, or board of election  
22          commissioners, ~~or government accountability board~~ may revoke an appointment  
23          made by the clerk, or board of election commissioners, ~~or government accountability~~  
24          ~~board~~ for cause at any time.

25          **SECTION 26.** 6.26 (2) (c) of the statutes is amended to read:

1           6.26 (2) (c) No individual may serve as a special registration deputy in a  
2           municipality unless the individual is appointed by the municipal clerk or board of  
3           election commissioners of the municipality ~~or the individual is appointed by the~~  
4           ~~government accountability board to serve all municipalities~~ and the individual  
5           completes training required under s. 7.315.

6           **SECTION 27.** 6.26 (2) (cm) of the statutes is amended to read:

7           6.26 (2) (cm) ~~The board and each~~ Each municipal clerk shall maintain a record  
8           of the names and addresses of each individual who is appointed by ~~the board or the~~  
9           clerk to serve as a special registration deputy under this section and who has  
10          complied with the training requirements for service as a special registration deputy  
11          under s. 7.315 (1) (b) 1.

12          **SECTION 28.** 6.29 (1) of the statutes is amended to read:

13          6.29 (1) No names may be added to a registration list for any election after the  
14          close of registration, except as authorized under this section or s. 6.55 (2) or 6.86 (3)  
15          (a) 2. Any person whose name is not on the registration list but who is otherwise a  
16          qualified elector is entitled to vote at the election upon compliance with this section,  
17          if the person complies with all other requirements for voting at the polling place.

18          **SECTION 29.** 6.29 (2) (a) of the statutes is amended to read:

19          6.29 (2) (a) Any qualified elector of a municipality who has not previously filed  
20          a registration form or whose name does not appear on the registration list of the  
21          municipality may register after the close of registration but not later than 5 p.m. or  
22          the close of business, whichever is later, on the day Friday before an election at the  
23          office of the municipal clerk and at the office of the clerk's agent if the clerk delegates  
24          responsibility for electronic maintenance of the registration list to an agent under  
25          s. 6.33 (5) (b). The elector shall complete, in the manner provided under s. 6.33 (2),

1 a registration form containing all information required under s. 6.33 (1). The  
2 registration form shall also contain the following certification: "I, ..., hereby certify  
3 that, to the best of my knowledge, I am a qualified elector, having resided at ... for  
4 at least ~~10~~ 28 consecutive days immediately preceding this election, and I have not  
5 voted at this election". The elector shall also provide proof of residence under s. 6.34.  
6 ~~Alternatively, if the elector is unable to provide proof of residence under s. 6.34, the~~  
7 ~~information contained in the registration form shall be corroborated in a statement~~  
8 ~~that is signed by any other elector of the municipality and that contains the current~~  
9 ~~street address of the corroborating elector. The corroborating elector shall then~~  
10 ~~provide proof of residence under s. 6.34. If the elector is registering after the close~~  
11 ~~of registration for the general election and the elector presents a valid driver's license~~  
12 ~~issued by another state, the municipal clerk or agent shall record on a separate list~~  
13 ~~the name and address of the elector, the name of the state, and the license number~~  
14 ~~and expiration date of the license.~~

15 **SECTION 30.** 6.33 (1) of the statutes is amended to read:

16 6.33 (1) The board shall prescribe the format, size, and shape of registration  
17 forms. All forms shall be printed on cards and each item of information shall be of  
18 uniform font size, as prescribed by the board. The municipal clerk shall supply  
19 sufficient forms to meet voter registration needs. The forms shall be designed to  
20 obtain from each applicant information as to name; date; residence location; location  
21 of previous residence immediately before moving to current residence location;  
22 citizenship; date of birth; age; the number of a current and valid operator's license  
23 issued to the elector under ch. 343 or the last 4 digits of the elector's social security  
24 account number; whether the applicant has resided within the ward or election  
25 district for at least ~~10~~ 28 consecutive days; whether the applicant has been convicted

1 of a felony for which he or she has not been pardoned, and if so, whether the applicant  
2 is incarcerated, or on parole, probation, or extended supervision; whether the  
3 applicant is disqualified on any other ground from voting; and whether the applicant  
4 is currently registered to vote at any other location. The form shall include a space  
5 for the applicant's signature ~~and the signature of any corroborating elector.~~ Below  
6 the space for the signature, the form shall state "Falsification of information on this  
7 form is punishable under Wisconsin law as a Class I felony." The form shall include  
8 a space to enter the name of any special registration deputy under s. 6.26 or 6.55 (6)  
9 or inspector, municipal clerk, or deputy clerk under s. 6.55 (2) who obtains the form  
10 and a space for the deputy, inspector, clerk, or deputy clerk to sign his or her name,  
11 affirming that the deputy, inspector, clerk, or deputy clerk has accepted the form.  
12 The form shall include a space for entry of the ward and aldermanic district, if any,  
13 where the elector resides and any other information required to determine the offices  
14 and referenda for which the elector is certified to vote. The form shall also include  
15 a space where the clerk may record an indication of whether the form is received by  
16 mail, a space where the clerk may record an indication of the type of identifying  
17 document submitted by the elector as proof of residence under s. 6.34, whenever  
18 required, and a space where the clerk, for any applicant who possesses a valid voting  
19 identification card issued to the person under s. 6.47 (3), may record the  
20 identification serial number appearing on the voting identification card. Each  
21 county clerk shall obtain sufficient registration forms for completion by an elector  
22 who desires to register to vote at the office of the county clerk under s. 6.28 (4).

23 **SECTION 31.** 6.33 (2) (b) of the statutes is amended to read:

24 6.33 (2) (b) Except as provided in s. 6.86 (3) (a) 2., the registration form shall  
25 be signed by the registering elector ~~and any corroborating elector under s. 6.29 (2)~~

1 ~~(a) or 6.55 (2)~~ before the clerk, issuing officer or registration deputy. The form shall  
2 contain a certification by the registering elector that all statements are true and  
3 correct.

4 **SECTION 32.** 6.33 (5) (a) of the statutes is amended to read:

5 6.33 (5) (a) Except as provided in par. (b) and this paragraph, whenever a  
6 municipal clerk receives a valid registration or valid change of a name or address  
7 under an existing registration and whenever a municipal clerk changes a  
8 registration from eligible to ineligible status, the municipal clerk shall promptly  
9 enter electronically on the list maintained by the board under s. 6.36 (1) the  
10 information required under that subsection, ~~except that the~~ Except as provided in  
11 par. (b) and this paragraph, the municipal clerk may update any entries that change  
12 on the date of an election ~~in the municipality other than a general election~~ within 30  
13 days after ~~that the~~ date, ~~and the~~ of that election, and may update any entries that  
14 change on the date of a general election within 45 days after the date of that election.  
15 The legal counsel of the board may, upon request of a municipal clerk, permit the  
16 clerk to update entries that change on the date of a general election within 60 days  
17 after that election. The municipal clerk shall provide to the board information that  
18 is confidential under s. 6.47 (2) in such manner as the board prescribes.

19 **SECTION 33.** 6.34 (2) of the statutes is amended to read:

20 6.34 (2) ~~Except as authorized in ss. 6.29 (2) (a) and 6.86 (3) (a) 2., upon~~ Upon  
21 completion of a registration form prescribed under s. 6.33, each eligible elector who  
22 is required to register under s. 6.27, who is not a military elector or an overseas  
23 elector, and who registers after the close of registration under s. 6.29 or 6.86 (3) (a)  
24 2., shall provide an identifying document that establishes proof of residence under  
25 sub. (3). Each eligible elector who is required to register under s. 6.27, who is not a

1 military elector or an overseas elector, who registers by mail, and who has not voted  
2 in an election in this state shall, if voting in person, provide an identifying document  
3 that establishes proof of residence under sub. (3) or, if voting by absentee ballot,  
4 provide a copy of an identifying document that establishes proof of residence under  
5 sub. (3). If the elector registered by mail, the identifying document may not be a  
6 residential lease.

7 **SECTION 34.** 6.36 (1) (b) 1. a. of the statutes is amended to read:

8 6.36 (1) (b) 1. a. ~~No~~ Except as provided in pars. (bm) and (bn), no person other  
9 than an employee of the board, a county clerk, a deputy county clerk, an executive  
10 director of a county board of election commissioners, a deputy designated by the  
11 executive director, a municipal clerk, a deputy municipal clerk, an executive director  
12 of a city board of election commissioners, or a deputy designated by the executive  
13 director may view the date of birth, operator's license number, or social security  
14 account number of an elector, the address of an elector to whom an identification  
15 serial number is issued under s. 6.47 (3), or any indication of an accommodation  
16 required under s. 5.25 (4) (a) to permit voting by an elector.

17 **SECTION 35.** 6.36 (1) (bm) and (bn) of the statutes are created to read:

18 6.36 (1) (bm) The board or any municipal clerk or board of election  
19 commissioners may transfer any information in the registration list to which access  
20 is restricted under par. (b) 1. a. to a law enforcement agency, as defined in s. 165.77  
21 (1) (b), to be used for law enforcement purposes.

22 (bn) The board may transfer any information in the registration list to which  
23 access is restricted under par. (b) 1. a. to a subunit of the state government of another  
24 state to be used for official purposes.

25 **SECTION 36.** 6.36 (2) (a) of the statutes is amended to read:

1           6.36 (2) (a) Except as provided in par. (b), each registration list prepared for use  
2 as a poll list at a polling place or for purposes of canvassing absentee ballots at an  
3 election shall contain the full name and address of each registered elector; a blank  
4 column for the entry of the serial number of the electors when they vote or the poll  
5 list number used by the municipal board of absentee ballot canvassers in canvassing  
6 absentee ballots; an indication next to the name of each elector for whom proof of  
7 residence under s. 6.34 is required; a space for entry of the elector's signature, or if  
8 another person signed the elector's registration form for the elector by reason of the  
9 elector's physical disability, the word "exempt"; and a form of certificate bearing the  
10 certification of the administrator of the elections division of the board stating that  
11 the list is a true and complete registration list of the municipality or the ward or  
12 wards for which the list is prepared. The board shall, by rule, prescribe the space and  
13 location for entry of each elector's signature on the poll list which shall provide for  
14 entry of the signature without changing the orientation of the poll list from the  
15 orientation used by the election officials.

16           **SECTION 37.** 6.36 (5) of the statutes is repealed.

17           **SECTION 38.** 6.40 (1) (a) 1. of the statutes is amended to read:

18           6.40 (1) (a) 1. Any registered elector shall may transfer registration after a  
19 change of residence within the state by filing in person with the municipal clerk of  
20 the municipality where the elector resides or by mailing to the municipal clerk a  
21 signed request stating his or her present address, affirming that this will be his or  
22 her residence for ~~10~~ 28 consecutive days prior to the election and providing the  
23 address where he or she was last registered. Alternatively, the elector may transfer  
24 his or her registration at the proper polling place or other registration location under  
25 s. 6.02 (2) in accordance with s. 6.55 (2) (a). If an elector is voting in the ward or



1 election district where the elector formerly resided, the change shall be effective for  
2 the next election.

3 **SECTION 39.** 6.55 (2) (a) 1. of the statutes is amended to read:

4 6.55 (2) (a) 1. Except where the procedure under par. (c) or (cm) is employed,  
5 any person who qualifies as an elector in the ward or election district where he or she  
6 desires to vote, but has not previously filed a registration form, or was registered at  
7 another location, may request permission to vote at the polling place for that ward  
8 or election district, or at an alternate polling place assigned under s. 5.25 (5) (b).  
9 When a proper request is made, the inspector shall require the person to execute a  
10 registration form prescribed by the board. The registration form shall be completed  
11 in the manner provided under s. 6.33 (2) and shall contain all information required  
12 under s. 6.33 (1), together with the following certification:

13 “I, ....., hereby certify that, to the best of my knowledge, I am a qualified elector,  
14 having resided at .... for at least ~~10~~ 28 consecutive days immediately preceding this  
15 election, and I have not voted at this election.”

16 **SECTION 40.** 6.55 (2) (b) of the statutes is amended to read:

17 6.55 (2) (b) Upon executing the registration form under par. (a), the elector  
18 shall provide proof of residence under s. 6.34. ~~If the elector cannot provide proof of~~  
19 ~~residence, the information contained in the registration form shall be corroborated~~  
20 ~~in a statement that is signed by any elector who resides in the same municipality as~~  
21 ~~the registering elector and that contains the current street address of the~~  
22 ~~corroborating elector. The corroborator shall then provide proof of residence as~~  
23 ~~provided in s. 6.34. If the elector is registering to vote in the general election and the~~  
24 ~~elector presents a valid driver’s license issued by another state, the inspector or~~  
25 ~~deputy shall record on a separate list the name and address of the elector, the name~~

1 of the state, and the license number and expiration date of the license. The signing  
2 by the elector executing the registration form and by any corroborator shall be in the  
3 presence of the special registration deputy or inspector who shall then print his or  
4 her name on and sign the form, indicating that the deputy or inspector has accepted  
5 the form. Upon compliance with this procedure, the elector shall be permitted to cast  
6 his or her vote, if the elector complies with all other requirements for voting at the  
7 polling place.

8 **SECTION 41.** 6.55 (2) (c) 1. of the statutes is amended to read:

9 6.55 (2) (c) 1. As an alternative to registration at the polling place under pars.  
10 (a) and (b), the board of election commissioners, or the governing body of any  
11 municipality may by resolution require a person who qualifies as an elector and who  
12 is not registered and desires to register on the day of an election to do so at another  
13 readily accessible location in the same building as the polling place serving the  
14 elector's residence or at an alternate polling place assigned under s. 5.25 (5) (b),  
15 instead of at the polling place serving the elector's residence. In such case, the  
16 municipal clerk shall prominently post a notice of the registration location at the  
17 polling place. The An eligible elector who desires to register shall execute a  
18 registration form as prescribed under par. (a) and provide proof of residence as  
19 provided under s. 6.34. ~~If the elector cannot provide proof of residence, the~~  
20 ~~information contained in the registration form shall be corroborated in the manner~~  
21 ~~provided in par. (b).~~ If the elector is registering to vote in the general election and  
22 the elector presents a valid driver's license issued by another state, the municipal  
23 clerk, deputy clerk, or special registration deputy shall record on a separate list the  
24 name and address of the elector, the name of the state, and the license number and  
25 expiration date of the license. The signing by the elector person executing the

1 registration form ~~and by any corroborator~~ shall be in the presence of the municipal  
2 clerk, deputy clerk or special registration deputy. The municipal clerk, the deputy  
3 clerk, or the special registration deputy shall then print his or her name and sign the  
4 form, indicating that the clerk, deputy clerk, or deputy has accepted the form. Upon  
5 proper completion of registration, the municipal clerk, deputy clerk or special  
6 registration deputy shall serially number the registration and give one copy to the  
7 elector person for presentation at the polling place serving the elector's person's  
8 residence or an alternate polling place assigned under s. 5.25 (5) (b).

9 **SECTION 42.** 6.55 (2) (c) 2. of the statutes is amended to read:

10 6.55 (2) (c) 2. Upon compliance with the procedures under subd. 1., the  
11 municipal clerk or deputy clerk shall issue a certificate addressed to the inspectors  
12 of the proper polling place directing that the elector be permitted to cast his or her  
13 vote if the elector complies with all requirements for voting at the polling place. The  
14 clerk shall enter the name and address of the elector on the face of the certificate.  
15 ~~If the elector's registration is corroborated, the clerk shall also enter the name and~~  
16 ~~address of the corroborator on the face of the certificate.~~ The certificate shall be  
17 numbered serially and prepared in duplicate. The municipal clerk shall preserve one  
18 copy in his or her office.

19 **SECTION 43.** 6.56 (5) of the statutes is repealed.

20 **SECTION 44.** 6.79 (1m) of the statutes is amended to read:

21 6.79 (1m) SEPARATE POLL LISTS. Two election officials at each election ward shall  
22 be in charge of and shall maintain 2 separate poll lists containing information  
23 relating to all persons voting. The municipal clerk may elect to maintain the  
24 information on the lists manually or electronically. If the lists are maintained  
25 electronically, the board shall prescribe a supplemental list that contains the full

1 name, address, and space for the entry of the signature of each elector, or if the elector  
2 is exempt from the signature requirement under s. 6.36 (2) (a), the word “exempt”.

3 If the lists are maintained electronically, the officials shall enter the information into  
4 an electronic data recording system that enables retrieval of printed copies of the  
5 lists at the polling place. The system employed is subject to the approval of the board.

6 **SECTION 45.** 6.79 (2) (a) of the statutes is amended to read:

7 6.79 (2) (a) Unless information on the poll list is entered electronically, the  
8 municipal clerk shall supply the inspectors with 2 copies of the most current official  
9 registration list or lists prepared under s. 6.36 (2) (a) for use as poll lists at the polling  
10 place. Except as provided in ~~sub.~~ subs. (6) and (7), each ~~person~~ eligible elector, before  
11 receiving a serial number, shall state his or her full name and address and present  
12 to the officials proof of identification. The officials shall verify that the name on the  
13 proof of identification presented by the elector conforms to the name on the poll list  
14 or separate list and shall verify that any photograph appearing on that document  
15 reasonably resembles the elector. The officials shall then require the elector to enter  
16 his or her signature on the poll list, supplemental list, or separate list maintained  
17 under par. (c) unless the elector is exempt from the signature requirement under s.  
18 6.36 (2) (a). The officials shall verify that the name and address provided stated by  
19 ~~the person are the same as~~ elector conform to the person’s elector’s name and address  
20 on the poll list.

21 **SECTION 46.** 6.79 (2) (am) of the statutes is created to read:

22 6.79 (2) (am) If an elector previously signed his or her registration form or is  
23 exempt from a registration requirement and is unable, due to physical disability, to  
24 enter his or her signature at the election, the officials shall waive the signature  
25 requirement if the officials determine that the elector is unable, due to physical

1 disability, to enter his or her signature. In this case, the officials shall enter next to  
2 the name and address of the elector on the poll, supplemental, or separate list the  
3 words “exempt by order of inspectors”. If both officials do not waive the signature  
4 requirement and the elector wishes to vote, the official or officials who do not waive  
5 the requirement shall require the elector to vote by ballot and shall challenge the  
6 elector’s ballot as provided in s. 6.92 and treat the ballot in the manner provided in  
7 s. 6.95. The challenged elector may then provide evidence of his or her physical  
8 disability to the board of canvassers charged with initially canvassing the returns  
9 prior to the completion of the initial canvass.

10 **SECTION 47.** 6.79 (2) (d) of the statutes is amended to read:

11 6.79 (2) (d) If the poll list indicates that proof of residence under s. 6.34 is  
12 required and the document provided by the elector under par. (a) does not constitute  
13 proof of residence under s. 6.34, the officials shall require the elector to provide proof  
14 of residence. If proof of residence is provided, the officials shall verify that the name  
15 and address on the identification document submitted as proof of residence provided  
16 is the same as the name and address shown on the registration list. If proof of  
17 residence is required and not provided, or if the elector does not present proof of  
18 identification under par. (a), whenever required, the officials shall offer the  
19 opportunity for the elector to vote under s. 6.97.

20 **SECTION 48.** 6.79 (3) (title) of the statutes is amended to read:

21 6.79 (3) (title) ~~REFUSAL TO GIVE NAME AND ADDRESS~~ PROVIDE NAME, ADDRESS, OR  
22 PROOF OF IDENTIFICATION.

23 **SECTION 49.** 6.79 (3) of the statutes is renumbered 6.79 (3) (a).

24 **SECTION 50.** 6.79 (3) (b) of the statutes is created to read:

1           6.79 (3) (b) If proof of identification under sub. (2) is not presented by the  
2           elector, if the name appearing on the document presented does not conform to the  
3           name on the poll list or separate list, or if any photograph appearing on the document  
4           does not reasonably resemble the elector, the elector shall not be permitted to vote,  
5           except as authorized under sub. (6) or (7), but if the elector is entitled to cast a  
6           provisional ballot under s. 6.97, the officials shall offer the opportunity for the elector  
7           to vote under s. 6.97.

8           **SECTION 51.** 6.79 (4) of the statutes is amended to read:

9           6.79 (4) SUPPLEMENTAL INFORMATION. When any elector provides proof of  
10          residence under s. 6.15, 6.29 or 6.55 (2), the election officials shall enter the type of  
11          identifying document provided on the poll list, or separate list maintained under sub.  
12          (2) (c). If the document submitted as proof of identity or residence includes a number  
13          which applies only to the individual holding that document, the election officials  
14          shall also enter that number on the list. ~~When any elector corroborates the~~  
15          ~~registration identity or residence of any person offering to vote under s. 6.55 (2) (b)~~  
16          ~~or (c), or the registration identity or residence of any person registering on election~~  
17          ~~day under s. 6.86 (3) (a) 2., the election officials shall also enter the name and address~~  
18          ~~of the corroborator next to the name of the elector whose information is being~~  
19          ~~corroborated on the poll list, or the separate list maintained under sub. (2) (c).~~ When  
20          any person offering to vote has been challenged and taken the oath, following the  
21          person's name on the poll list, the officials shall enter the word "Sworn".

22          **SECTION 52.** 6.79 (6) of the statutes is amended to read:

23          6.79 (6) CONFIDENTIAL NAMES AND ADDRESSES. An elector who has a confidential  
24          listing under s. 6.47 (2) may present his or her identification card issued under s. 6.47  
25          (3), or give his or her name and identification serial number issued under s. 6.47 (3),

1 in lieu of stating his or her name and address and presenting proof of identification  
2 under sub. (2). If the elector's name and identification serial number appear on the  
3 confidential portion of the list, the inspectors shall issue a voting serial number to  
4 the elector, record that number on the poll list and permit the elector to vote.

5 **SECTION 53.** 6.79 (7) of the statutes is created to read:

6 **6.79 (7) LICENSE SURRENDER.** If an elector receives a citation or notice of intent  
7 to revoke or suspend an operator's license from a law enforcement officer in any  
8 jurisdiction that is dated within 60 days of the date of an election and is required to  
9 surrender his or her operator's license or driving receipt issued to the elector under  
10 ch. 343 at the time the citation or notice is issued, the elector may present an original  
11 copy of the citation or notice in lieu of an operator's license or driving receipt issued  
12 under ch. 343. In such case, the elector shall cast his or her ballot under s. 6.965.

13 **SECTION 54.** 6.82 (1) (a) of the statutes is amended to read:

14 **6.82 (1) (a)** When any inspectors are informed that an eligible elector is at the  
15 entrance to the polling place who as a result of disability is unable to enter the polling  
16 place, they shall permit the elector to be assisted in marking a ballot by any  
17 individual selected by the elector, except the elector's employer or an agent of that  
18 employer or an officer or agent of a labor organization which represents the elector.  
19 The Except as authorized in s. 6.79 (6) and (7), the individual selected by the elector  
20 shall present to the inspectors proof of identification and, if the proof of identification  
21 does not constitute proof of residence under s. 6.34, shall also provide proof of  
22 residence under s. 6.34 for the assisted elector, whenever required, and all other  
23 information necessary for the elector to obtain a ballot under s. 6.79 (2). The  
24 inspectors shall verify that the name on the proof of identification presented by the  
25 person assisting the elector conforms to the elector's name on the poll list or separate

1 list and shall verify that any photograph appearing on that document reasonably  
2 resembles the elector. The inspectors shall then issue a ballot to the individual  
3 selected by the elector and shall accompany the individual to the polling place  
4 entrance where the assistance is to be given. If the ballot is a paper ballot, the  
5 assisting individual shall fold the ballot after the ballot is marked by the assisting  
6 individual. The assisting individual shall then immediately take the ballot into the  
7 polling place and give the ballot to an inspector. The inspector shall distinctly  
8 announce that he or she has “a ballot offered by ... (stating person’s name), an elector  
9 who, as a result of disability, is unable to enter the polling place without assistance”.  
10 The inspector shall then ask, “Does anyone object to the reception of this ballot?” If  
11 no objection is made, the inspectors shall record the elector’s name under s. 6.79 and  
12 deposit the ballot in the ballot box, and shall make a notation on the poll list: “Ballot  
13 received at poll entrance”.

14 **SECTION 55.** 6.85 of the statutes is renumbered 6.85 (1) and amended to read:

15 6.85 (1) An absent elector is any otherwise qualified elector who for any reason  
16 is unable or unwilling to appear at the polling place in his or her ward or election  
17 district.

18 **(2)** Any otherwise qualified elector who changes residence within this state by  
19 moving to a different ward or municipality later than ~~10~~ 28 days prior to an election  
20 may vote an absentee ballot in the ward or municipality where he or she was  
21 qualified to vote before moving.

22 **(3)** An elector qualifying under this section may vote by absentee ballot under  
23 ss. 6.86 to 6.89.

24 **SECTION 56.** 6.86 (1) (ar) of the statutes is amended to read:



1           6.86 (1) (ar) Except as authorized in s. 6.875 (6), the municipal clerk shall not  
2 issue an absentee ballot unless the clerk receives a written application therefor from  
3 a qualified elector of the municipality. The clerk shall retain each absentee ballot  
4 application until destruction is authorized under s. 7.23 (1). Except as authorized  
5 in s. 6.79 (6) and (7), if a qualified elector applies for an absentee ballot in person at  
6 the clerk's office, the clerk shall not issue the elector an absentee ballot unless the  
7 elector presents proof of identification. The clerk shall verify that the name on the  
8 proof of identification presented by the elector conforms to the name on the elector's  
9 application and shall verify that any photograph appearing on that document  
10 reasonably resembles the elector. The clerk shall then enter his or her initials on the  
11 certificate envelope indicating that the absentee elector presented proof of  
12 identification to the clerk.

13           **SECTION 57.** 6.86 (1) (b) of the statutes is amended to read:

14           6.86 (1) (b) Except as provided in this section, if application is made by mail,  
15 the application, signed by the elector, shall be received no later than 5 p.m. on the  
16 5th day immediately preceding the election. If application is made in person, the  
17 application shall be made no earlier than the opening of business on the 3rd Monday  
18 preceding the election and no later than 5 p.m. or the close of business, whichever  
19 is later, on the day Friday preceding the election. If Except as provided in par. (c),  
20 if the elector is making written application for an absentee ballot at the September  
21 primary or general election and the application indicates that the elector is a military  
22 elector, as defined in s. 6.36 (2) (e) 6.34 (1), the application shall be received by the  
23 municipal clerk no later than 5 p.m. on election day. If the application indicates that  
24 the reason for requesting an absentee ballot is that the elector is a sequestered juror,  
25 the application shall be received no later than 5 p.m. on election day. If the

1 application is received after 5 p.m. on the Friday immediately preceding the election,  
2 the municipal clerk or the clerk's agent shall immediately take the ballot to the court  
3 in which the elector is serving as a juror and deposit it with the judge. The judge shall  
4 recess court, as soon as convenient, and give the elector the ballot. The judge shall  
5 then witness the voting procedure as provided in s. 6.87 and shall deliver the ballot  
6 to the clerk or agent of the clerk who shall deliver it to the polling place or, in  
7 municipalities where absentee ballots are canvassed under s. 7.52, to the municipal  
8 clerk as required in s. 6.88. If application is made under sub. (2) or (2m), the  
9 application may be received no later than 5 p.m. on the Friday immediately  
10 preceding the election.

11 **SECTION 58.** 6.86 (2m) of the statutes is renumbered 6.86 (2m) (a) and amended  
12 to read:

13 6.86 (2m) (a) ~~An~~ Except as provided in this subsection, any elector other than  
14 an elector who is ~~eligible to receive absentee ballots under sub. (2)~~ receives an  
15 absentee ballot under sub. (2) or s. 6.22 (4) or 6.24 (4) (c) may by written application  
16 filed with the municipal clerk of the municipality where the elector resides require  
17 that an absentee ballot be sent or transmitted to the elector automatically for every  
18 election that is held within the same calendar year in which the application is filed.  
19 The application form and instructions shall be prescribed by the board, and  
20 furnished upon request to any elector by each municipal clerk. The municipal clerk  
21 shall thereupon mail or transmit an absentee ballot to the elector for all elections  
22 that are held in the municipality during the same calendar year that the application  
23 is filed, except that the clerk shall not send an absentee ballot for an election if the  
24 elector's name appeared on the registration list in eligible status for a previous  
25 election following the date of the application but no longer appears on the list in

1 eligible status. The municipal clerk shall ensure that the any envelope containing  
2 the absentee ballot is clearly marked as not forwardable. If an elector who files an  
3 application under this subsection no longer resides at the same address that is  
4 indicated on the application form, the elector shall so notify the municipal clerk. The  
5 municipal clerk shall discontinue mailing or transmitting absentee ballots to an  
6 elector under this subsection upon receipt of reliable information that the elector no  
7 longer qualifies ~~for the service~~ as an elector of the municipality. In addition, the  
8 municipal clerk shall discontinue mailing or transmitting absentee ballots to an  
9 elector under this subsection if the elector fails to return any absentee ballot mailed  
10 or transmitted to the elector. The municipal clerk shall notify the elector of any such  
11 action not taken at the elector's request within 5 days, if possible. An elector who  
12 fails to cast an absentee ballot but who remains qualified to receive absentee ballots  
13 under this subsection may then receive absentee ballots for subsequent elections by  
14 notifying the municipal clerk that the elector wishes to continue receiving absentee  
15 ballots for subsequent elections.

16 (b) If a municipal clerk is notified by an elector that the elector's residence is  
17 changed to another municipality within this state, the ~~municipal~~ clerk shall forward  
18 the request to the municipal clerk of that municipality and that municipal clerk shall  
19 honor the request, except as provided in this subsection.

20 **SECTION 59.** 6.86 (3) (a) 1. of the statutes is amended to read:

21 6.86 (3) (a) 1. Any elector who is registered and who is hospitalized, may apply  
22 for and obtain an official ballot by agent. The agent may apply for and obtain a ballot  
23 for the hospitalized absent elector by presenting a form prescribed by the board and  
24 containing the required information supplied by the hospitalized elector and signed  
25 by that elector ~~and any other elector residing in the same municipality as the~~

1 ~~hospitalized elector, corroborating the information contained therein. The~~  
2 ~~corroborating elector shall state on the form his or her full name and address, unless~~  
3 ~~the elector is unable to sign due to physical disability. In this case, the elector may~~  
4 ~~authorize another elector to sign on his or her behalf. Any elector signing an~~  
5 ~~application on another elector's behalf shall attest to a statement that the~~  
6 ~~application is made on request and by authorization of the named elector, who is~~  
7 ~~unable to sign the application due to physical disability. The agent shall present this~~  
8 ~~statement along with all other information required under this subdivision. Except~~  
9 ~~as authorized for an elector who has a confidential listing under s. 6.47 (2) or as~~  
10 ~~authorized under s. 6.87 (4) (b) 4., the agent shall present any proof of identification~~  
11 ~~required under sub. (1) (ar) and s. 6.87 (4) (b) 1. The form shall include a space for~~  
12 ~~the municipal clerk or deputy clerk to enter his or her initials indicating that the~~  
13 ~~agent presented proof of identification to the clerk on behalf of the elector.~~

14 **SECTION 60.** 6.86 (3) (a) 2. of the statutes is amended to read:

15 6.86 **(3)** (a) 2. If a hospitalized elector is not registered, the elector may register  
16 by agent under this subdivision at the same time that the elector applies for an  
17 official ballot by agent under subd. 1. To register the elector under this subdivision,  
18 the agent shall present a completed registration form that contains the required  
19 information supplied by the elector and the elector's signature, unless the elector is  
20 unable to sign due to physical disability. In this case, the elector may authorize  
21 another elector to sign on his or her behalf. Any elector signing a form on another  
22 elector's behalf shall attest to a statement that the application is made on request  
23 and by authorization of the named elector, who is unable to sign the form due to  
24 physical disability. The agent shall present this statement along with all other  
25 information required under this subdivision. ~~Except as otherwise provided in this~~

1 subdivision, ~~the~~ The agent shall in every case provide proof of the elector's residence  
2 under s. 6.34. ~~If the elector is registering to vote in the general election and the agent~~  
3 ~~presents a valid driver's license issued to the elector by another state, the municipal~~  
4 ~~clerk shall record on a separate list the name and address of the elector, the name~~  
5 ~~of the state, and the license number and expiration date of the license. If the agent~~  
6 ~~cannot present proof of residence, the registration form shall be signed and~~  
7 ~~substantiated by another elector residing in the elector's municipality of residence~~  
8 ~~corroborating the information in the form. The form shall contain the full name and~~  
9 ~~address of the corroborating elector. The agent shall then present proof of the~~  
10 ~~corroborating elector's residence under s. 6.34.~~

11 **SECTION 61.** 6.86 (3) (c) of the statutes is amended to read:

12 6.86 (3) (c) An application under par. (a) 1. may be made and a registration form  
13 under par. (a) 2. may be filed in person at the office of the municipal clerk not earlier  
14 than 7 days before an election and not later than 5 p.m. on the day of the election.  
15 A list of hospitalized electors applying for ballots under par. (a) 1. shall be made by  
16 the municipal clerk and used to check that the electors vote only once, and by  
17 absentee ballot. If the elector is registering for the election after the close of  
18 registration or if the elector registered by mail and has not voted in an election in this  
19 state, the municipal clerk shall inform the agent that proof of residence under s. 6.34  
20 is required and the elector shall enclose proof of residence under s. 6.34 in the  
21 envelope with the ballot. The clerk shall verify that the name on any required proof  
22 of identification presented by the agent conforms to the name on the elector's  
23 application. The clerk shall then enter his or her initials on the carrier envelope  
24 indicating that the agent presented proof of identification to the clerk. The agent is  
25 not required to enter a signature on the registration list. The ballot shall be sealed

1 by the elector and returned to the municipal clerk either by mail or by personal  
2 delivery of the agent; but if the ballot is returned on the day of the election, the agent  
3 shall make personal delivery to the polling place serving the hospitalized elector's  
4 residence before the closing hour or, in municipalities where absentee ballots are  
5 canvassed under s. 7.52, to the municipal clerk no later than 8 p.m. on election day.

6 **SECTION 62.** 6.869 of the statutes is amended to read:

7 **6.869 Uniform instructions.** The board shall prescribe uniform instructions  
8 for municipalities to provide to absentee voters. electors. The instructions shall  
9 include information concerning whether proof of identification is required to be  
10 presented or enclosed under s. 6.86 (1) (ar) or 6.87 (4) (b) 1. The instructions also shall  
11 include information concerning the procedure for correcting errors in marking a  
12 ballot and obtaining a replacement for a spoiled ballot. The procedure shall, to the  
13 extent possible, respect the privacy of each elector and preserve the confidentiality  
14 of each elector's vote.

15 **SECTION 63.** 6.87 (1) of the statutes is amended to read:

16 **6.87 (1)** Upon proper request made within the period prescribed in s. 6.86, the  
17 municipal clerk or a deputy clerk authorized by the municipal clerk shall write on  
18 the official ballot, in the space for official endorsement, the clerk's initials and official  
19 title. Unless application is made under s. 6.86 (1) (ac) or in person under s. 6.86 (1)  
20 (ar), the absent elector is exempted from providing proof of identification under sub.  
21 (4) (b) 2. or 3., or the applicant is a military or overseas elector, the absent elector shall  
22 enclose a copy of his or her proof of identification or any authorized substitute  
23 document with his or her application. The municipal clerk shall verify that the name  
24 on the proof of identification conforms to the name on the application. The clerk shall  
25 not issue an absentee ballot to an elector who is required to enclose a copy of proof

1 of identification or an authorized substitute document with his or her application  
2 unless the copy is enclosed and the proof is verified by the clerk.

3 **SECTION 64.** 6.87 (2) of the statutes is amended to read:

4 6.87 (2) Except as authorized under sub. (3) (d), the municipal clerk shall place  
5 the ballot in an unsealed envelope furnished by the clerk. The envelope shall have  
6 the name, official title and post-office address of the clerk upon its face. The other  
7 side of the envelope shall have a printed certificate which shall include a space for  
8 the municipal clerk or deputy clerk to enter his or her initials indicating that if the  
9 absentee elector voted in person under s. 6.86 (1) (ar), the elector presented proof of  
10 identification to the clerk and the clerk verified the proof presented. The certificate  
11 shall also include a space for the municipal clerk or deputy clerk to enter his or her  
12 initials indicating that the elector is exempt from providing proof of identification  
13 because the individual is a military or overseas elector or is exempted from providing  
14 proof of identification under sub. (4) (b) 2. or 3. The certificate shall be in  
15 substantially the following form:

16 [STATE OF ...

17 County of ...]

18 or

19 [(name of foreign country and city or other jurisdictional unit)]

20 I, ..., certify subject to the penalties of s. 12.60 (1) (b), Wis. Stats., for false  
21 statements, that I am a resident of the [... ward of the] (town) (village) of ..., or of  
22 the ... aldermanic district in the city of ..., residing at ...\* in said city, the county  
23 of ..., state of Wisconsin, and am entitled to vote in the (ward) (election district) at  
24 the election to be held on ...; that I am not voting at any other location in this election;  
25 that I am unable or unwilling to appear at the polling place in the (ward) (election

1 district) on election day or have changed my residence within the state from one ward  
2 or election district to another ~~within 10~~ later than 28 days before the election. I certify  
3 that I exhibited the enclosed ballot unmarked to the witness, that I then in (his) (her)  
4 presence and in the presence of no other person marked the ballot and enclosed and  
5 sealed the same in this envelope in such a manner that no one but myself and any  
6 person rendering assistance under s. 6.87 (5), Wis. Stats., if I requested assistance,  
7 could know how I voted.

8 Signed ....

9 Identification serial number, if any: ....

10 The witness shall execute the following:

11 I, the undersigned witness, subject to the penalties of s. 12.60 (1) (b), Wis.  
12 Stats., for false statements, certify that I am an adult U.S. citizen and that the above  
13 statements are true and the voting procedure was executed as there stated. I am not  
14 a candidate for any office on the enclosed ballot (except in the case of an incumbent  
15 municipal clerk). I did not solicit or advise the elector to vote for or against any  
16 candidate or measure.

17 ....(Name)

18 ....(Address)\*\*

19 \* — An elector who provides an identification serial number issued under s.  
20 6.47 (3), Wis. Stats., need not provide a street address.

21 \*\* — If this form is executed before 2 special voting deputies under s. 6.875 (6),  
22 Wis. Stats., both deputies shall witness and sign.

23 **SECTION 65.** 6.87 (3) (d) of the statutes is amended to read:

24 6.87 (3) (d) A municipal clerk ~~may~~ shall, if the clerk is reliably informed by an  
25 absent elector of a facsimile transmission number or electronic mail address where



1 the elector can receive an absentee ballot, transmit a facsimile or electronic copy of  
2 the absent elector's ballot to that elector in lieu of mailing under this subsection if,  
3 ~~in the judgment of the clerk, the time required to send the ballot through the mail~~  
4 ~~may not be sufficient to enable return of the ballot by the time provided under sub.~~  
5 ~~(6).~~ An elector may receive an absentee ballot ~~under this subsection~~ only if the elector  
6 has filed a valid application for the ballot under s. 6.86 (1). If the clerk transmits an  
7 absentee ballot ~~under this paragraph~~ to an absent elector electronically, the clerk  
8 shall also transmit a facsimile or electronic copy of the text of the material that  
9 appears on the certificate envelope prescribed in sub. (2), together with instructions  
10 prescribed by the board. The instructions shall require the absent elector to make  
11 and subscribe to the certification as required under sub. (4) (b) and to enclose the  
12 absentee ballot in a separate envelope contained within a larger envelope, that shall  
13 include the completed certificate. The elector shall then affix sufficient postage  
14 unless the absentee ballot qualifies for mailing free of postage under federal free  
15 postage laws and shall mail the absentee ballot to the municipal clerk. Except as  
16 authorized in s. 6.97 (2), an absentee ballot received ~~under this paragraph~~ from an  
17 elector who receives the ballot electronically shall not be counted unless it is cast in  
18 the manner prescribed in this paragraph and sub. (4) and in accordance with the  
19 instructions provided by the board.

20 **SECTION 66.** 6.87 (4) of the statutes is renumbered 6.87 (4) (b) 1. and amended  
21 to read:

22 6.87 (4) (b) 1. Except as otherwise provided in s. 6.875, the elector voting  
23 absentee shall make and subscribe to the certification before one witness who is an  
24 adult U.S. citizen. The absent elector, in the presence of the witness, shall mark the  
25 ballot in a manner that will not disclose how the elector's vote is cast. The elector

1 shall then, still in the presence of the witness, fold the ballots so each is separate and  
2 so that the elector conceals the markings thereon and deposit them in the proper  
3 envelope. If a consolidated ballot under s. 5.655 is used, the elector shall fold the  
4 ballot so that the elector conceals the markings thereon and deposit the ballot in the  
5 proper envelope. If proof of residence is required Except as authorized in subds. 2.  
6 to 5. and s. 6.875 (6) and notwithstanding s. 343.43 (1) (f), if the elector has not  
7 enclosed a copy of his or her proof of identification with his or her application, the  
8 elector shall enclose a copy of the proof of identification in the manner provided in  
9 sub. (1) in the envelope, unless the elector is a military elector or an overseas elector  
10 or the elector has a confidential listing under s. 6.47 (2). If proof of residence under  
11 s. 6.34 is required and the document enclosed by the elector under this subdivision  
12 does not constitute proof of residence under s. 6.34, the elector shall also enclose proof  
13 of residence under s. 6.34 in the envelope. Proof of residence is required if the elector  
14 is not a military elector or an overseas elector, ~~as defined in s. 6.34 (1),~~ and the elector  
15 registered by mail and has not voted in an election in this state. If the elector  
16 requested a ballot by means of facsimile transmission or electronic mail under s. 6.86  
17 (1) (ac), the elector shall enclose in the envelope a copy of the request which bears an  
18 original signature of the elector. The elector may receive assistance under sub. (5).  
19 The return envelope shall then be sealed. The witness may not be a candidate. The  
20 envelope shall be mailed by the elector, or delivered in person, to the municipal clerk  
21 issuing the ballot or ballots. If the envelope is mailed from a location outside the  
22 United States, the elector shall affix sufficient postage unless the ballot qualifies for  
23 delivery free of postage under federal law. Failure to return an unused ballot in a  
24 primary does not invalidate the ballot on which the elector's votes are cast. Return  
25 of more than one marked ballot in a primary or return of a ballot prepared under s.

1 5.655 or a ballot used with an electronic voting system in a primary which is marked  
2 for candidates of more than one party invalidates all votes cast by the elector for  
3 candidates in the primary.

4 **SECTION 67.** 6.87 (4) (a) of the statutes is created to read:

5 6.87 (4) (a) In this subsection:

6 1. "Military elector" has the meaning given in s. 6.34 (1) (a).

7 2. "Overseas elector" has the meaning given in s. 6.34 (1) (b).

8 **SECTION 68.** 6.87 (4) (b) 2. of the statutes is created to read:

9 6.87 (4) (b) 2. Unless subd. 3. applies, if the absentee elector has applied for and  
10 qualified to receive absentee ballots automatically under s. 6.86 (2) (a), the elector  
11 may, in lieu of providing a copy of proof of identification as required under subd. 1.,  
12 submit with his or her absentee ballot a statement signed by the same individual who  
13 witnesses voting of the ballot which contains the name and address of the elector and  
14 verifies that the name and address are correct.

15 **SECTION 69.** 6.87 (4) (b) 3. of the statutes is created to read:

16 6.87 (4) (b) 3. If the absentee elector has received an absentee ballot from the  
17 municipal clerk by mail for a previous election, has provided a copy of proof of  
18 identification as required under subd. 1. with that ballot, and has not changed his  
19 or her name or address since providing that proof of identification, the elector is not  
20 required to provide a copy of the proof of identification required under subd. 1.

21 **SECTION 70.** 6.87 (4) (b) 4. of the statutes is created to read:

22 6.87 (4) (b) 4. If the absentee elector has received a citation or notice of intent  
23 to revoke or suspend an operator's license from a law enforcement officer in any  
24 jurisdiction that is dated within 60 days of the date of the election and is required  
25 to surrender his or her operator's license or driving receipt issued to the elector under

1 ch. 343 at the time the citation or notice is issued, the elector may enclose a copy of  
2 the citation or notice in lieu of a copy of an operator's license or driving receipt issued  
3 under ch. 343 if the elector is voting by mail, or may present an original copy of the  
4 citation or notice in lieu of an operator's license or driving receipt under ch. 343 if the  
5 elector is voting at the office of the municipal clerk.

6 **SECTION 71.** 6.87 (4) (b) 5. of the statutes is created to read:

7 6.87 (4) (b) 5. Unless subd. 3. or 4. applies, if the absentee elector resides in a  
8 qualified retirement home, as defined in s. 6.875 (1) (at), a qualified  
9 community-based residential facility, as defined in s. 6.875 (1) (as), a residential care  
10 apartment complex that is certified or registered under s. 50.034 (1), or an adult  
11 family home that is certified under s. 50.032 or licensed under s. 50.033 and the  
12 municipal clerk or board of election commissioners of the municipality where the  
13 complex, facility, or home is located does not send special voting deputies to visit the  
14 complex, facility, or home at the election under s. 6.875, the elector may, in lieu of  
15 providing proof of identification required under subd. 1., submit with his or her  
16 absentee ballot a statement signed by the same individual who witnesses voting of  
17 the ballot that contains the certification of an authorized representative of the  
18 complex, facility, or home that the elector resides in the complex, facility, or home and  
19 the complex, facility, or home is certified or registered as required by law, that  
20 contains the name and address of the elector, and that verifies that the name and  
21 address are correct.

22 **SECTION 72.** 6.87 (6) of the statutes is amended to read:

23 6.87 (6) Except as provided in s. 6.221 (3), the ballot shall be returned so it is  
24 received by the municipal clerk no later than 8 p.m. on election day. Except in  
25 municipalities where absentee ballots are canvassed under s. 7.52, if the municipal

1 clerk receives an absentee ballot on election day, the clerk shall secure the ballot and  
2 cause the ballot to be delivered to the polling place serving the elector's residence  
3 before the closing hour. Except as provided in s. 6.221 (3), ~~the~~ any ballot not mailed  
4 or delivered as provided in this subsection may not be counted.

5 **SECTION 73.** 6.875 (title) of the statutes is amended to read:

6 **6.875** (title) **Absentee voting in nursing and retirement certain homes**  
7 **and certain community-based residential, facilities, and complexes.**

8 **SECTION 74.** 6.875 (1) (ap) and (asm) of the statutes are created to read:

9 6.875 (1) (ap) "Qualified adult family home" means a facility that is certified  
10 or licensed to operate as an adult family home under s. 50.032 or 50.033 that qualifies  
11 under sub. (2) (d) to utilize the procedures under this section.

12 (asm) "Qualified residential care apartment complex" means a facility that is  
13 certified or registered to operate as a residential care apartment complex under s.  
14 50.034 (1) that qualifies under sub. (2) (d) to utilize the procedures under this section.

15 **SECTION 75.** 6.875 (2) (a) of the statutes is amended to read:

16 6.875 (2) (a) The procedures prescribed in this section are the exclusive means  
17 of absentee voting for electors who are occupants of nursing homes, qualified  
18 community-based residential facilities ~~or~~, qualified retirement homes, qualified  
19 residential care apartment complexes, and qualified adult family homes.

20 **SECTION 76.** 6.875 (2) (d) of the statutes is created to read:

21 6.875 (2) (d) The municipal clerk or board of election commissioners of any  
22 municipality where a residential care apartment complex certified or registered  
23 under s. 50.034 (1) or an adult family home certified under s. 50.032 or licensed under  
24 s. 50.033 is located may adopt the procedures under this section for absentee voting  
25 in any such residential care apartment complex or adult family home located in the

1 municipality if the municipal clerk or board of election commissioners finds that  
2 there are a significant number of the occupants of the complex or home who lack  
3 adequate transportation to the appropriate polling place, a significant number of the  
4 occupants of the complex or home may need assistance in voting, there are a  
5 significant number of the occupants of the complex or home aged 60 or over, or there  
6 are a significant number of indefinitely confined electors who are occupants of the  
7 complex or home.

8 **SECTION 77.** 6.875 (3) and (4) of the statutes are amended to read:

9 6.875 (3) An occupant of a nursing home or qualified retirement home ~~or,~~  
10 qualified community-based residential facility, qualified residential care apartment  
11 complex, or qualified adult family home who qualifies as an absent elector and  
12 desires to receive an absentee ballot shall make application under s. 6.86 (1), (2), or  
13 (2m) with the municipal clerk or board of election commissioners of the municipality  
14 in which the elector is a resident. The clerk or board of election commissioners of a  
15 municipality receiving an application from an elector who is an occupant of a nursing  
16 home or qualified retirement home ~~or,~~ qualified community-based residential  
17 facility, qualified residential care apartment complex, or qualified adult family home  
18 located in a different municipality shall, as soon as possible, notify and transmit an  
19 absentee ballot for the elector to the clerk or board of election commissioners of the  
20 municipality in which the home ~~or qualified community-based residential,~~ facility  
21 or complex is located. The clerk or board of election commissioners of a municipality  
22 receiving an application from an elector who is an occupant of a nursing home or  
23 qualified retirement home ~~or,~~ qualified community-based residential facility,  
24 qualified residential care apartment complex, or qualified adult family home located  
25 in the municipality but who is a resident of a different municipality shall, as soon as

1 possible, notify and request transmission of an absentee ballot from the clerk or  
2 board of election commissioners of the municipality in which the elector is a resident.  
3 The clerk or board of election commissioners shall make a record of all absentee  
4 ballots to be transmitted, delivered, and voted under this section.

5 (4) (a) For the purpose of absentee voting in nursing homes ~~and~~, qualified  
6 retirement homes ~~and~~, qualified community-based residential facilities, qualified  
7 residential care apartment complexes, and qualified adult family homes, the  
8 municipal clerk or board of election commissioners of each municipality in which one  
9 or more nursing homes ~~or~~, qualified retirement homes ~~or~~, qualified  
10 community-based residential facilities, qualified residential care apartment  
11 complexes, or qualified adult family homes are located shall appoint at least 2 special  
12 voting deputies for the municipality. Upon application under s. 6.86 (1), (2), or (2m)  
13 by one or more qualified electors who are occupants of a ~~nursing home or qualified~~  
14 ~~retirement home or qualified community-based residential, facility, or complex~~, the  
15 municipal clerk or board of election commissioners of the municipality in which the  
16 home ~~or~~, facility, or complex is located shall dispatch 2 special voting deputies to visit  
17 the home ~~or qualified community-based residential, facility, or complex~~ for the  
18 purpose of supervising absentee voting procedure by occupants of the home ~~or~~  
19 ~~qualified community-based residential, facility, or complex~~. The clerk shall  
20 maintain a list, available to the public upon request, of each ~~nursing home or~~  
21 ~~qualified retirement home or qualified community-based residential, facility, or~~  
22 complex where an elector has requested an absentee ballot. The list shall include the  
23 date and time the deputies intend to visit each home ~~or~~, facility, or complex. The 2  
24 deputies designated to visit each nursing home ~~or~~, qualified retirement home ~~or~~,  
25 qualified community-based residential facility, qualified residential care apartment

1 complex, and qualified adult family home shall be affiliated with different political  
2 parties whenever deputies representing different parties are available.

3 (b) Nominations for the special voting deputy positions described in par. (a)  
4 may be submitted by the 2 recognized political parties whose candidates for governor  
5 or president received the greatest numbers of votes in the municipality at the most  
6 recent general election. The deputies shall be specially appointed to carry out the  
7 duties under par. (a) for the period specified in s. 7.30 (6) (a). The clerk or board of  
8 election commissioners may revoke an appointment at any time. No individual who  
9 is employed or retained, or within the 2 years preceding appointment has been  
10 employed or retained, at a nursing home ~~or~~, qualified retirement home ~~or~~, qualified  
11 community-based residential facility, qualified residential care apartment complex,  
12 or qualified adult family home in the municipality, or any member of the individual's  
13 immediate family, as defined in s. 19.42 (7), may be appointed to serve as a deputy.

14 **SECTION 78.** 6.875 (6) (a) and (b) of the statutes are amended to read:

15 6.875 (6) (a) Special voting deputies in each municipality shall, not later than  
16 5 p.m. on the Friday preceding an election, arrange one or more convenient times  
17 with the administrator of each nursing home, qualified retirement home, and  
18 qualified community-based residential facility, qualified residential care apartment  
19 complex, and qualified adult family home in the municipality from which one or more  
20 occupants have filed an application under s. 6.86 to conduct absentee voting for the  
21 election. The time may be no earlier than the 4th Monday preceding the election and  
22 no later than 5 p.m. on the Monday preceding the election. The municipal clerk shall  
23 post a notice at the home ~~or~~, facility, or complex indicating the date and time that  
24 absentee voting will take place at that home ~~or~~, facility, or complex. The notice shall  
25 be posted as soon as practicable after arranging the visit but in no case less than 24



1 hours before the visit. At the designated time, 2 deputies appointed under sub. (4)  
2 shall visit the home ~~or~~, facility, or complex.

3 (b) The municipal clerk or executive director of the board of election  
4 commissioners shall issue a supply of absentee ballots to the deputies sufficient to  
5 provide for the number of valid applications for an absentee ballot received by the  
6 clerk, and a reasonable additional number of ballots. The deputies may exercise the  
7 authority granted to the chief inspector under s. 7.41 to regulate the conduct of  
8 observers. For purposes of the application of s. 7.41, the home ~~or~~, facility, or complex  
9 shall be treated as a polling place. The municipal clerk or executive director shall  
10 keep a careful record of all ballots issued to the deputies and shall require the  
11 deputies to return every ballot issued to them.

12 **SECTION 79.** 6.875 (6) (c) 1. of the statutes is amended to read:

13 6.875 (6) (c) 1. Upon their visit to the home ~~or~~, facility, or complex under par.  
14 (a), the deputies shall personally offer each elector who has filed a proper application  
15 for an absentee ballot the opportunity to cast his or her absentee ballot. In lieu of  
16 providing a copy of proof of identification under s. 6.87 (4) (b) 1. with his or her  
17 absentee ballot, the elector may submit with his or her ballot a statement signed by  
18 both deputies that contains the name and address of the elector and verifies that the  
19 name and address are correct. The deputies shall enclose the statement in the  
20 certificate envelope. If an elector presents proof of identification under s. 6.87 (4) (b)  
21 1., the deputies shall make a copy of the document presented by the elector and shall  
22 enclose the copy in the certificate envelope. If an elector is present who has not filed  
23 a proper application for an absentee ballot, the 2 deputies may accept an application  
24 from the elector and shall issue a ballot to the elector if the elector is qualified, the  
25 elector presents proof of identification, whenever required, or submits a statement

1 containing his or her name and address under this subdivision, and the application  
2 is proper. The deputies shall each witness the certification and may, upon request  
3 of the elector, assist the elector in marking the elector's ballot. All voting shall be  
4 conducted in the presence of the deputies. Upon request of the elector, a relative of  
5 the elector who is present in the room may assist the elector in marking the elector's  
6 ballot. No individual other than a deputy may witness the certification and no  
7 individual other than a deputy or relative of an elector may render voting assistance  
8 to the elector.

9 **SECTION 80.** 6.875 (6) (c) 2. of the statutes is amended to read:

10 6.875 (6) (c) 2. Upon the request of a relative of an occupant of a nursing home  
11 ~~or~~, qualified retirement home ~~or~~, qualified community-based residential facility,  
12 qualified residential care apartment complex, or qualified adult family home, the  
13 administrator of the home ~~or~~, facility, or complex may notify the relative of the time  
14 or times at which special voting deputies will conduct absentee voting at the home  
15 ~~or~~, facility, or complex and permit the relative to be present in the room where the  
16 voting is conducted.

17 **SECTION 81.** 6.875 (6) (e) of the statutes is amended to read:

18 6.875 (6) (e) If a qualified elector is not able to cast his or her ballot on 2 separate  
19 visits by the deputies to the home ~~or~~, facility, or complex, the deputies shall so inform  
20 the municipal clerk or executive director of the board of election commissioners, who  
21 may then send the ballot to the elector no later than 5 p.m. on the Friday preceding  
22 the election.

23 **SECTION 82.** 6.875 (7) of the statutes is amended to read:

24 6.875 (7) One observer from each of the 2 recognized political parties whose  
25 candidate for governor or president received the greatest number of votes in the

1 municipality at the most recent general election may accompany the deputies to each  
2 home ~~or~~, facility, or complex where absentee voting will take place under this section.  
3 The observers may observe the process of absentee ballot distribution in the common  
4 areas of the home ~~or~~, facility, or complex. Each party wishing to have an observer  
5 present shall submit the name of the observer to the clerk or board of election  
6 commissioners no later than the close of business on the last business day prior to  
7 the visit.

8 **SECTION 83.** 6.88 (3) (a) of the statutes is amended to read:

9 6.88 (3) (a) Except in municipalities where absentee ballots are canvassed  
10 under s. 7.52, at any time between the opening and closing of the polls on election day,  
11 the inspectors shall, in the same room where votes are being cast, in such a manner  
12 that members of the public can hear and see the procedures, open the carrier  
13 envelope only, and announce the name of the absent elector or the identification  
14 serial number of the absent elector if the elector has a confidential listing under s.  
15 6.47 (2). When the inspectors find that the certification has been properly executed,  
16 the applicant is a qualified elector of the ward or election district, and the applicant  
17 has not voted in the election, they shall enter an indication on the poll list next to the  
18 applicant's name indicating an absentee ballot is cast by the elector. They shall then  
19 open the envelope containing the ballot in a manner so as not to deface or destroy the  
20 certification thereon. The inspectors shall take out the ballot without unfolding it  
21 or permitting it to be unfolded or examined. Unless the ballot is cast under s. 6.95,  
22 the inspectors shall verify that the ballot has been endorsed by the issuing clerk. If  
23 the poll list indicates that proof of residence under s. 6.34 is required and no proof  
24 of residence is enclosed or the name or address on the document that is provided is  
25 not the same as the name and address shown on the poll list, or if the elector is not

1 a military elector, as defined in s. 6.34 (1) (a), or an overseas elector, as defined in s.  
2 6.34 (1) (b), and the elector is required to provide a copy of proof of identification  
3 under s. 6.87 (4) (b) 1. and no copy of the proof of identification is enclosed or the name  
4 on the document cannot be verified by the inspectors, the inspectors shall proceed as  
5 provided under s. 6.97 (2). The inspectors shall then deposit the ballot into the proper  
6 ballot box and enter the absent elector's name or voting number after his or her name  
7 on the poll list in the same manner as if the elector had been present and voted in  
8 person.

9 **SECTION 84.** 6.92 (1) of the statutes is amended to read:

10 6.92 (1) Except as provided in sub. (2), each inspector shall challenge for cause  
11 any person offering to vote whom the inspector knows or suspects is not a qualified  
12 elector or who does not adhere to any voting requirement under this chapter. If a  
13 person is challenged as unqualified by an inspector, one of the inspectors shall  
14 administer the following oath or affirmation to the person: "You do solemnly swear  
15 (or affirm) that you will fully and truly answer all questions put to you regarding your  
16 place of residence and qualifications as an elector of this election"; and shall then ask  
17 questions which are appropriate as determined by the board, by rule, to test the  
18 person's qualifications.

19 **SECTION 85.** 6.94 of the statutes is amended to read:

20 **6.94 Challenged elector oath.** If the person challenged refuses to answer  
21 fully any relevant questions put to him or her by the inspector under s. 6.92, the  
22 inspectors shall reject the elector's vote. If the challenge is not withdrawn after the  
23 person offering to vote has answered the questions, one of the inspectors shall  
24 administer to the person the following oath or affirmation: "You do solemnly swear  
25 (or affirm) that: you are 18 years of age; you are a citizen of the United States; you

1 are now and for ~~10~~ 28 consecutive days have been a resident of this ward except under  
2 s. 6.02 (2); you have not voted at this election; you have not made any bet or wager  
3 or become directly or indirectly interested in any bet or wager depending upon the  
4 result of this election; you are not on any other ground disqualified to vote at this  
5 election”. If the person challenged refuses to take the oath or affirmation, the  
6 person’s vote shall be rejected. If the person challenged answers fully all relevant  
7 questions put to the elector by the inspector under s. 6.92, takes the oath or  
8 affirmation, and fulfills the applicable registration requirements, and if the answers  
9 to the questions given by the person indicate that the person meets the voting  
10 qualification requirements, the person’s vote shall be received.

11 **SECTION 86.** 6.965 of the statutes is created to read:

12 **6.965 Voting procedure for electors presenting citation or notice in**  
13 **lieu of license or receipt.** Whenever any elector is allowed to vote at a polling place  
14 under s. 6.79 (7) by presenting a citation or notice of intent to revoke or suspend an  
15 operator’s license in lieu of an operator’s license or driving receipt issued to the  
16 elector under ch. 343, the inspectors shall, before giving the elector a ballot, write on  
17 the back of the ballot the serial number of the elector corresponding to the number  
18 kept at the election on the poll list or other list maintained under s. 6.79 and the  
19 notation “s. 6.965.” If voting machines are used in the municipality where the elector  
20 is voting, the elector’s vote may be received only upon an absentee ballot furnished  
21 by the municipal clerk which shall have the notation “s. 6.965” written on the back  
22 of the ballot by the inspectors before the ballot is given to the elector. If the municipal  
23 clerk receives an absentee ballot from an elector who presents a citation or notice,  
24 or copy thereof, under s. 6.87 (4) (b) 4., the clerk shall enter a notation on the  
25 certificate envelope “Ballot under s. 6.965, stats.” Upon receiving the envelope, the

1 inspectors shall open and write on the back of the ballot the serial number of the  
2 elector corresponding to the number kept at the election on the poll list or other list  
3 maintained under s. 6.79 and the notation “s. 6.965.” The inspectors shall indicate  
4 on the poll list or other list maintained under s. 6.79 the fact that the elector is voting  
5 by using a citation or notice in lieu of a license or driving receipt. The inspectors shall  
6 then deposit the ballot. The ballot shall then be counted under s. 5.85, or under s.  
7 7.51 or 7.52.

8 **SECTION 87.** 6.97 (title) of the statutes is amended to read:

9 **6.97 (title) Voting procedure for individuals not providing required**  
10 **proof of residence or identification.**

11 **SECTION 88.** 6.97 (1) of the statutes is amended to read:

12 6.97 (1) Whenever any individual who is required to provide proof of residence  
13 under s. 6.34 in order to be permitted to vote appears to vote at a polling place and  
14 cannot provide the required proof of residence, the inspectors shall offer the  
15 opportunity for the individual to vote under this section. Whenever any individual,  
16 other than a military elector, as defined in s. 6.34 (1) (a), or an overseas elector, as  
17 defined in s. 6.34 (1) (b), or an elector who has a confidential listing under s. 6.47 (2),  
18 appears to vote at a polling place and does not present proof of identification under  
19 s. 6.79 (2), whenever required, the inspectors or the municipal clerk shall similarly  
20 offer the opportunity for the individual to vote under this section. If the individual  
21 wishes to vote, the inspectors shall provide the elector with an envelope marked  
22 “Ballot under s. 6.97, stats.” on which the serial number of the elector is entered and  
23 shall require the individual to execute on the envelope a written affirmation stating  
24 that the individual is a qualified elector of the ward or election district where he or  
25 she offers to vote and is eligible to vote in the election. The inspectors shall, before

1 giving the elector a ballot, write on the back of the ballot the serial number of the  
2 individual corresponding to the number kept at the election on the poll list or other  
3 list maintained under s. 6.79 and the notation "s. 6.97". If voting machines are used  
4 in the municipality where the individual is voting, the individual's vote may be  
5 received only upon an absentee ballot furnished by the municipal clerk which shall  
6 have the corresponding number from the poll list or other list maintained under s.  
7 6.79 and the notation "s. 6.97" written on the back of the ballot by the inspectors  
8 before the ballot is given to the elector. When receiving the individual's ballot, the  
9 inspectors shall provide the individual with written voting information prescribed  
10 by the board under s. 7.08 (8). The inspectors shall indicate on the list the fact that  
11 the individual is required to provide proof of residence or proof of identification under  
12 s. 6.79 (2) but did not do so. The inspectors shall notify the individual that he or she  
13 may provide proof of residence or proof of identification to the municipal clerk or  
14 executive director of the municipal board of election commissioners. The inspectors  
15 shall also promptly notify the municipal clerk or executive director of the name,  
16 address, and serial number of the individual. The inspectors shall then place the  
17 ballot inside the envelope and place the envelope in a separate carrier envelope.

18 **SECTION 89.** 6.97 (2) of the statutes is amended to read:

19 6.97 (2) Whenever any individual who votes by absentee ballot is required to  
20 provide proof of residence in order to be permitted to vote and does not provide the  
21 required proof of residence under s. 6.34, the inspectors shall treat the ballot as a  
22 provisional ballot under this section. Whenever any individual, other than a military  
23 elector, as defined in s. 6.34 (1) (a), or an overseas elector, as defined in s. 6.34 (1) (b),  
24 an individual who has a confidential listing under s. 6.47 (2), or an individual who  
25 is exempted under s. 6.87 (4) or s. 6.875 (6), votes by absentee ballot and does not

1 enclose a copy of the proof of identification under s. 6.87 (4) (b) 1., the inspectors shall  
2 similarly treat the ballot as a provisional ballot under this section. Upon removing  
3 the ballot from the envelope, the inspectors shall write on the back of the absentee  
4 ballot the serial number of the individual corresponding to the number kept at the  
5 election on the poll list or other list maintained under s. 6.79 and the notation “s.  
6 6.97”. The inspectors shall indicate on the list the fact that the individual is required  
7 to provide proof of residence or to provide, or provide a copy of, proof of identification  
8 as required under s. 6.87 (4) (b) 1. but did not do so. The inspectors shall promptly  
9 notify the municipal clerk or executive director of the municipal board of election  
10 commissioners of the name, address, and serial number of the individual. The  
11 inspectors shall then place the ballot inside an envelope on which the name and  
12 serial number of the elector is entered and shall place the envelope in a separate  
13 carrier envelope.

14 **SECTION 90.** 6.97 (3) of the statutes is renumbered 6.97 (3) (b) and amended to  
15 read:

16 6.97 (3) (b) Whenever the municipal clerk or executive director of the municipal  
17 board of election commissioners is informed by the inspectors that a ballot has been  
18 cast under this section, the clerk or executive director shall promptly provide written  
19 notice to the board of canvassers of each municipality, special purpose district, and  
20 county that is responsible for canvassing the election of the number of ballots cast  
21 under this section in each ward or election district. The municipal clerk or executive  
22 director then shall determine whether each individual voting under this section is  
23 qualified to vote in the ward or election district where the individual’s ballot is cast.  
24 If the elector is required to provide proof of identification or a copy thereof under s.  
25 6.79 (2), 6.86 (1) (ar), or 6.87 (4) (b) 1. and fails to do so, the elector bears the burden



1 of correcting the omission by providing the proof of identification or copy thereof at  
2 the polling place before the closing hour or at the office of the municipal clerk or board  
3 of election commissioners no later than 4 p.m. on the Friday after the election. The  
4 municipal clerk or executive director shall make a record of the procedure used to  
5 determine the validity of each ballot cast under this section. If, prior to 4 p.m. on the  
6 day Friday after the election, the municipal clerk or executive director determines  
7 that the individual is qualified to vote in the ward or election district where the  
8 individual's ballot is cast, the municipal clerk or executive director shall notify the  
9 board of canvassers for each municipality, special purpose district and county that  
10 is responsible for canvassing the election of that fact.

11 **SECTION 91.** 6.97 (3) (a) of the statutes is created to read:

12 6.97 (3) (a) Whenever an elector who votes by provisional ballot under sub. (1)  
13 or (2) because the elector does not provide proof of identification or a copy thereof  
14 under s. 6.79 (2), 6.86 (1) (ar), or 6.87 (4) (b) 1. later appears at the polling place where  
15 the ballot is cast before the closing hour and provides the proof of identification or  
16 a copy thereof, the inspectors shall remove the elector's ballot from the separate  
17 carrier envelope, shall note on the poll list that the elector's provisional ballot is  
18 withdrawn, and shall deposit the elector's ballot in the ballot box. If the inspectors  
19 have notified the municipal clerk or executive director of the board of election  
20 commissioners that the elector's ballot was cast under this section, the inspectors  
21 shall notify the clerk or executive director that the elector's provisional ballot is  
22 withdrawn.

23 **SECTION 92.** 6.97 (3) (c) of the statutes is created to read:

24 6.97 (3) (c) A ballot cast under this section by an elector for whom proof of  
25 identification or a copy thereof is required under s. 6.79 (2), 6.86 (1) (ar), or 6.87 (4)

1 (b) 1. shall not be counted unless the municipal clerk or executive director of the  
2 board of election commissioners provides timely notification that the elector has  
3 provided proof of identification or a copy thereof under this section.

4 **SECTION 93.** 7.08 (8) (title) of the statutes is amended to read:

5 7.08 (8) (title) ELECTORS VOTING WITHOUT PROOF OF RESIDENCE OR IDENTIFICATION  
6 OR PURSUANT TO COURT ORDER.

7 **SECTION 94.** 7.08 (9) of the statutes is repealed.

8 **SECTION 95.** 7.08 (12) of the statutes is created to read:

9 7.08 (12) ASSISTANCE IN OBTAINING PROOF OF IDENTIFICATION. Engage in outreach  
10 to identify and contact groups of electors who may need assistance in obtaining or  
11 renewing a document that constitutes proof of identification for voting under s. 6.79  
12 (2) (a), 6.86 (1) (ar), or 6.87 (4) (b) 1., and provide assistance to the electors in  
13 obtaining or renewing that document.

14 **SECTION 96.** 7.15 (1) (cm) of the statutes is amended to read:

15 7.15 (1) (cm) Prepare official absentee ballots for delivery to electors requesting  
16 them, and send or transmit an official absentee ballot to each elector who has  
17 requested ~~one~~ a ballot by mail, electronic mail, or facsimile transmission no later  
18 than the 30th day before each September primary and general election and no later  
19 than the 21st day before each other primary and election if the request is made before  
20 that day; otherwise, the municipal clerk shall send or transmit an official absentee  
21 ballot within one day of the time the elector's request for such a ballot is received.

22 **SECTION 97.** 7.15 (1) (j) of the statutes is amended to read:

23 7.15 (1) (j) Send or transmit an absentee ballot automatically to each person  
24 making an authorized request therefor in accordance with s. 6.22 (4) or 6.86 (2) or  
25 (2m).

1           **SECTION 98.** 7.15 (1) (L) of the statutes is repealed.

2           **SECTION 99.** 7.23 (1) (e) of the statutes is amended to read:

3           7.23 (1) (e) Poll lists created ~~at a nonpartisan primary or~~ for any election may  
4 be destroyed ~~2 years~~ 22 months after the ~~primary or~~ election at which they were  
5 created and ~~poll lists created at a partisan primary or election may be destroyed 4~~  
6 ~~years after the primary or election at which they were created.~~

7           **SECTION 100.** 7.50 (2) (a) of the statutes is repealed.

8           **SECTION 101.** 7.52 (3) (a) of the statutes is amended to read:

9           7.52 (3) (a) The board of absentee ballot canvassers shall first open the carrier  
10 envelope only, and, in such a manner that a member of the public, if he or she desired,  
11 could hear, announce the name of the absent elector or the identification serial  
12 number of the absent elector if the elector has a confidential listing under s. 6.47 (2).  
13 When the board of absentee ballot canvassers finds that the certification has been  
14 properly executed and the applicant is a qualified elector of the ward or election  
15 district, the board of absentee ballot canvassers shall enter an indication on the poll  
16 list next to the applicant's name indicating an absentee ballot is cast by the elector.  
17 The board of absentee ballot canvassers shall then open the envelope containing the  
18 ballot in a manner so as not to deface or destroy the certification thereon. The board  
19 of absentee ballot canvassers shall take out the ballot without unfolding it or  
20 permitting it to be unfolded or examined. Unless the ballot is cast under s. 6.95, the  
21 board of absentee ballot canvassers shall verify that the ballot has been endorsed by  
22 the issuing clerk. If the poll list indicates that proof of residence is required and no  
23 proof of residence is enclosed or the name or address on the document that is provided  
24 is not the same as the name and address shown on the poll list, or if the elector is not  
25 a military elector, as defined in s. 6.34 (1) (a), or an overseas elector, as defined in s.

1 6.34 (1) (b), and the elector is required to provide, or to provide a copy of, proof of  
2 identification under s. 6.87 (4) (b) 1. and no copy of the proof of identification is  
3 enclosed or the name on the document cannot be verified by the canvassers, the board  
4 of absentee ballot canvassers shall proceed as provided under s. 6.97 (2). The board  
5 of absentee ballot canvassers shall mark the poll list number of each elector who  
6 casts an absentee ballot on the back of the elector's ballot. The board of absentee  
7 ballot canvassers shall then deposit the ballot into the proper ballot box and enter  
8 the absent elector's name or poll list number after his or her name on the poll list.

9 **SECTION 102.** 7.52 (6) (b) of the statutes is amended to read:

10 7.52 (6) (b) Any elector may challenge for cause any absentee ballot. For the  
11 purpose of deciding upon ballots that are challenged for any reason, the board of  
12 absentee ballot canvassers may call before it any person whose absentee ballot is  
13 challenged if the person is available to be called. If the person challenged refuses to  
14 answer fully any relevant questions put to him or her by the board of absentee ballot  
15 canvassers under s. 6.92, the board of absentee ballot canvassers shall reject the  
16 person's vote. If the challenge is not withdrawn after the person offering to vote has  
17 answered the questions, one of the members of the board of absentee ballot  
18 canvassers shall administer to the person the following oath or affirmation: "You do  
19 solemnly swear (or affirm) that: you are 18 years of age; you are a citizen of the United  
20 States; you are now and for ~~10~~ 28 consecutive days have been a resident of this ward  
21 except under s. 6.02 (2), stats.; you have not voted at this election; you have not made  
22 any bet or wager or become directly or indirectly interested in any bet or wager  
23 depending upon the result of this election; you are not on any other ground  
24 disqualified to vote at this election." If the person challenged refuses to take the oath  
25 or affirmation, the person's vote shall be rejected. If the person challenged answers

1 fully all relevant questions put to the elector by the board of absentee ballot  
2 canvassers under s. 6.92, takes the oath or affirmation, and fulfills the applicable  
3 registration requirements, and if the answers to the questions given by the person  
4 indicate that the person meets the voting qualification requirements, the person's  
5 vote shall be received.

6 **SECTION 103.** 10.02 (3) (form) (a) of the statutes is amended to read:

7 10.02 (3) (form) (a) Upon entering the polling place and before being permitted  
8 to vote, an elector shall state his or her name and address. If an elector is not  
9 registered to vote, an elector may register to vote at the polling place serving his or  
10 her residence if the elector presents proof of identification in a form specified by law  
11 unless the elector is exempted from this requirement, and, if the document presented  
12 does not constitute proof of residence, the elector provides proof of residence ~~or the~~  
13 ~~elector's registration is verified by another elector of the same municipality where~~  
14 ~~the elector resides.~~ Where ballots are distributed to electors, the initials of 2  
15 inspectors must appear on the ballot. Upon being permitted to vote, the elector shall  
16 retire alone to a voting booth or machine and cast his or her ballot, except that an  
17 elector who is a parent or guardian may be accompanied by the elector's minor child  
18 or minor ward. An election official may inform the elector of the proper manner for  
19 casting a vote, but the official may not in any manner advise or indicate a particular  
20 voting choice.

21 **SECTION 104.** 10.02 (3) (b) 1. of the statutes is amended to read:

22 10.02 (3) (b) 1. ~~If an elector wishes to vote for all candidates nominated by any~~  
23 ~~party, the elector shall make a cross (X) or depress the lever or button next to the~~  
24 ~~party designation shown at the top of the ballot. Unless a name has been erased or~~  
25 ~~crossed out, another name written in, a cross made next to the name of a candidate~~

1 ~~for the same office in another column or a sticker applied, a cross next to a party~~  
2 ~~designation at the top of the column is a vote for all the party's candidates listed in~~  
3 ~~the column. If an elector does not wish to vote for all the candidates nominated by~~  
4 ~~one party, the~~ The elector shall make a cross ( X ) next to or separately depress the  
5 levers or buttons next to each candidate's name for whom he or she intends to vote,  
6 or shall insert or write in the name of a candidate.

7 **SECTION 105.** 10.02 (3) (c) of the statutes is amended to read:

8 10.02 (3) (c) In presidential elections, ~~unless the elector wishes to vote for all~~  
9 ~~candidates nominated by any party,~~ the elector shall make a cross ( X ) next to or  
10 depress the button or lever next to the set of candidates for president and vice  
11 president for whom he or she intends to vote. A vote for candidates for president and  
12 vice president is a vote for the presidential electors of those candidates.

13 **SECTION 106.** 12.03 (2) (b) 3. of the statutes is amended to read:

14 12.03 (2) (b) 3. No person may engage in electioneering within 100 feet of an  
15 entrance to or within a nursing home ~~or,~~ qualified retirement home or, qualified  
16 community-based residential facility, qualified residential care apartment complex,  
17 or qualified adult family home while special voting deputies are present at the home  
18 or facility.

19 **SECTION 107.** 12.13 (2) (b) 6m. of the statutes is amended to read:

20 12.13 (2) (b) 6m. Obtain an absentee ballot for voting in a nursing home or  
21 qualified retirement home ~~or,~~ qualified community-based residential facility,  
22 qualified residential care apartment complex, or qualified adult family home under  
23 s. 6.875 (6) and fail to return the ballot to the issuing officer.

24 **SECTION 108.** 12.13 (3) (v) of the statutes is repealed.

25 **SECTION 109.** 343.03 (3r) of the statutes is created to read:

1           343.03 **(3r)** REAL ID NONCOMPLIANT LICENSE. If any license described under sub.  
2           (3) is issued based upon the exception specified in s. 343.165 (7), the license shall, in  
3           addition to any legend or label described in sub. (3), be marked in a manner  
4           consistent with requirements under applicable federal law and regulations to  
5           indicate that the license is issued in accordance with P.L. 109-13, section 202 (d) (11),  
6           and is not intended to be accepted by any federal agency for federal identification or  
7           any other official purpose.

8           **SECTION 110.** 343.06 (1) (L) of the statutes, as affected by 2007 Wisconsin Act  
9           20, is amended to read:

10           343.06 **(1)** (L) To any person who does not satisfy the requirements under s.  
11           343.165 (1).

12           **SECTION 111.** 343.10 (7) (d) of the statutes, as affected by 2007 Wisconsin Act  
13           20, is amended to read:

14           343.10 **(7)** (d) An occupational license issued by the department under this  
15           subsection shall be in the form of a license that includes a photograph described in  
16           s. 343.14 (3), unless the exception under s. 343.14 (3m) applies, and any special  
17           restrictions cards under s. 343.17 (4). The license shall clearly indicate that  
18           restrictions on a special restrictions card apply and that the special restrictions card  
19           is part of the person's license.

20           **SECTION 112.** 343.11 (1) of the statutes is amended to read:

21           343.11 **(1)** The department shall not issue a license to a person previously  
22           licensed in another jurisdiction unless such person surrenders to the department all  
23           valid operator's licenses possessed by the person issued by any other jurisdiction,  
24           which surrender operates as a cancellation of the surrendered licenses insofar as the  
25           person's privilege to operate a motor vehicle in this state is concerned. When such

1 applicant surrenders the license to the department, the department shall issue a  
2 receipt therefor, which receipt shall constitute a temporary license to operate a motor  
3 vehicle for a period not to exceed 60 days if the applicant meets the standard required  
4 for eyesight and, in the opinion of the examiner, is not a dangerous hazard to the  
5 applicant and other users of the highways. ~~Except as provided in s. 343.055, the~~  
6 ~~temporary license shall not be valid authorization for the operation of commercial~~  
7 ~~motor vehicles.~~ The temporary license shall be surrendered to the examiner for  
8 cancellation by the department if the 3rd attempt at the driving test is failed and the  
9 applicant shall be required to secure a temporary instruction permit for further  
10 practice driving.

11 **SECTION 113.** 343.11 (3) of the statutes is amended to read:

12 343.11 (3) Except as provided in sub. (1), the department may issue a receipt  
13 to any applicant for a license, which receipt shall constitute a temporary license to  
14 operate a motor vehicle while the application for license is being processed. Such  
15 temporary license shall be valid for a period not to exceed 30 60 days.

16 **SECTION 114.** 343.11 (3) of the statutes, as affected by 2011 Wisconsin Act ...  
17 (this act), is amended to read:

18 343.11 (3) Except as provided in sub. (1), the department may issue a receipt  
19 to any applicant for a license, which receipt shall constitute a temporary license to  
20 operate a motor vehicle while the application for license is being processed. Such  
21 temporary license shall be valid for a period not to exceed 60 days. If the application  
22 for a license is processed under the exception specified in s. 343.165 (7), the receipt  
23 shall include the marking specified in s. 343.03 (3r).

24 **SECTION 115.** 343.14 (3) of the statutes, as affected by 2007 Wisconsin Act 20,  
25 is amended to read:



1           343.14 (3) The Except as provided in sub. (3m), the department shall, as part  
2 of the application process, take a digital photograph including facial image capture  
3 of the applicant to comply with s. 343.17 (3) (a) 2. No Except as provided in sub. (3m),  
4 no application may be processed without the photograph being taken. Except as  
5 provided in sub. (3m) and s. 343.165 (4) (d), in the case of renewal licenses, the  
6 photograph shall be taken once every 8 years, and shall coincide with the appearance  
7 for examination which is required under s. 343.16 (3).

8           **SECTION 116.** 343.14 (3m) of the statutes is created to read:

9           343.14 (3m) If the application for a license is processed under the exception  
10 specified in s. 343.165 (7), the application may be processed and the license issued  
11 or renewed without a photograph being taken of the applicant if the applicant  
12 provides to the department an affidavit stating that the applicant has a sincerely  
13 held religious belief against being photographed; identifying the religion to which he  
14 or she belongs or the tenets of which he or she adheres to; and stating that the tenets  
15 of the religion prohibit him or her from being photographed.

16           **SECTION 117.** 343.165 (1) (intro.) of the statutes, as created by 2007 Wisconsin  
17 Act 20, is amended to read:

18           343.165 (1) (intro.) The Subject to ss. 343.14 (3m) and 343.50 (4g), the  
19 department may not complete the processing of an application for initial issuance or  
20 renewal of an operator's license or identification card received by the department  
21 after May 10, 2008 the effective date of this subsection .... [LRB inserts date], and no  
22 such license or identification card may be issued or renewed, unless the applicant  
23 presents or provides, and, subject to sub. (7), the department verifies under sub. (3),  
24 all of the following information:

1           **SECTION 118.** 343.165 (2) of the statutes, as created by 2007 Wisconsin Act 20,  
2 is amended to read:

3           343.165 (2) (a) The Subject to sub. (7), the department shall, in processing any  
4 application for an operator's license or identification card under sub. (1), capture a  
5 digital image of each document presented or provided to the department by an  
6 applicant. Images captured under this paragraph shall be maintained, in electronic  
7 storage and in a transferable format, in the applicant's file or record as provided  
8 under ss. 343.23 (2) (a) and 343.50 (8) (a).

9           (b) The Subject to sub. (7), the department shall record in the applicant's file  
10 under s. 343.23 (2) (a) or record under s. 343.50 (8) (a) the date on which verification  
11 under subs. (1) and (3) is completed.

12           **SECTION 119.** 343.165 (3) (a) of the statutes, as created by 2007 Wisconsin Act  
13 20, is amended to read:

14           343.165 (3) (a) Except as provided in pars. (b) and (c) and subject to sub. (7),  
15 the department shall verify, in the manner and to the extent required under federal  
16 law, each document presented or provided to the department that is required to be  
17 presented or provided to the department by an applicant under sub. (1).

18           **SECTION 120.** 343.165 (4) (a) of the statutes, as created by 2007 Wisconsin Act  
19 20, is amended to read:

20           343.165 (4) (a) Subsection (1) does not apply to an application for renewal of  
21 an operator's license or identification card received by the department after ~~May 10,~~  
22 ~~2008~~ the effective date of this paragraph .... [LRB inserts date], if in connection with  
23 a prior application after ~~May 10, 2008~~ the effective date of this paragraph .... [LRB  
24 inserts date], the applicant previously presented or provided, and the department  
25 verified under sub. (3) or (7), the information specified in sub. (1) and, if verified

1 under sub. (3), the department recorded the date on which the verification  
2 procedures were completed as described in sub. (2) (b).

3 **SECTION 121.** 343.165 (4) (c) of the statutes, as created by 2007 Wisconsin Act  
4 20, is amended to read:

5 343.165 (4) (c) Notwithstanding pars. (a) and (b), no operator's license  
6 displaying the legend required under s. 343.03 (3m) or identification card displaying  
7 the legend required under s. 343.50 (3) (a) may be renewed unless the applicant  
8 presents or provides valid documentary proof under sub. (1) (e) and this proof shows  
9 that the status by which the applicant qualified for the license or identification card  
10 has been extended by the secretary of the federal department of homeland security.

11 **SECTION 122.** 343.165 (4) (d) of the statutes, as created by 2007 Wisconsin Act  
12 20, is amended to read:

13 343.165 (4) (d) With any license or identification card renewal following a  
14 license or identification card expiration established under s. 343.20 (1m) or 343.50  
15 (5) (c) at other than an 8-year interval, the department may determine whether the  
16 applicant's photograph is to be taken, or if the renewal is for a license the applicant  
17 is to be examined, or both, at the time of such renewal, so long as the applicant's  
18 photograph is taken, and if the renewal is for a license the applicant is examined,  
19 with a license or card renewal at least once every 8 years and the applicant's license  
20 or identification card at all times includes a photograph unless an exception under  
21 s. 343.14 (3m) or 343.50 (4g) applies.

22 **SECTION 123.** 343.165 (5) of the statutes, as created by 2007 Wisconsin Act 20,  
23 is amended to read:

24 343.165 (5) The department may, by rule, require that applications for  
25 reinstatement of operator's licenses or identification cards, issuance of occupational

1 licenses, reissuance of operator's licenses, or issuance of duplicate operator's licenses  
2 or identification cards, received by the department after ~~May 10, 2008~~ the effective  
3 date of this subsection .... [LRB inserts date], be processed in a manner consistent  
4 with the requirements established under this section for applications for initial  
5 issuance or renewal of operator's licenses and identification cards.

6 **SECTION 124.** 343.165 (7) of the statutes is created to read:

7 343.165 (7) (a) The department may process an application for, and issue or  
8 renew, an operator's license or identification card without meeting the requirements  
9 under subs. (2) and (3) if all of the following apply:

10 1. The operator's license contains the marking specified in s. 343.03 (3r) or the  
11 identification card contains the marking specified in s. 343.50 (3) (b).

12 2. The operator's license or identification card is processed and issued or  
13 renewed in compliance with applicable department practices and procedures that  
14 were in effect immediately prior to the effective date of this subdivision .... [LRB  
15 inserts date].

16 (b) In addition to other instances of original issuance or renewal, this  
17 subsection specifically applies to renewals occurring after the effective date of this  
18 paragraph .... [LRB inserts date], of operator's licenses or identification cards  
19 originally issued prior to the effective date of this paragraph .... [LRB inserts date].

20 **SECTION 125.** 343.17 (3) (a) 2. of the statutes is amended to read:

21 343.17 (3) (a) 2. A color photograph of the person, unless the exception under  
22 s. 343.14 (3m) applies.

23 **SECTION 126.** 343.17 (3) (a) 14. of the statutes is created to read:

24 343.17 (3) (a) 14. If the license contains the marking specified in s. 343.03 (3r),  
25 a distinctive appearance specified by the department that clearly distinguishes the

1 license from other operator's licenses or identification cards issued by the  
2 department and that alerts federal agency and other law enforcement personnel that  
3 the license may not be accepted for federal identification or any other official  
4 purpose.

5 **SECTION 127.** 343.17 (5) of the statutes is amended to read:

6 343.17 (5) NO PHOTOS ON TEMPORARY LICENSES. The temporary licenses issued  
7 under ss. 343.10, 343.11 (1) and (3), 343.16 (6) (b), and 343.305 (8) (a) shall be on  
8 forms provided by the department and shall contain the information required by sub.  
9 (3), except the license is that temporary licenses under ss. 343.16 (6) (b) and 343.305  
10 (8) (a), and temporary licenses subject to any photograph exception under s. 343.14  
11 (3), are not required to include a photograph of the licensee.

12 **SECTION 128.** 343.17 (5) of the statutes, as affected by 2007 Wisconsin Act 20  
13 and 2011 Wisconsin Act .... (this act), is repealed and recreated to read:

14 343.17 (5) NO PHOTOS ON TEMPORARY LICENSES. The temporary licenses issued  
15 under ss. 343.10, 343.11 (1) and (3), 343.16 (6) (b), and 343.305 (8) (a) shall be on  
16 forms provided by the department and shall contain the information required by sub.  
17 (3), except that temporary licenses under ss. 343.16 (6) (b) and 343.305 (8) (a) are not  
18 required to include a photograph of the licensee. This subsection does not apply to  
19 a noncitizen temporary license, as described in s. 343.03 (3m).

20 **SECTION 129.** 343.50 (1) of the statutes is renumbered 343.50 (1) (a).

21 **SECTION 130.** 343.50 (1) of the statutes, as affected by 2007 Wisconsin Act 20  
22 and 2011 Wisconsin Act .... (this act), is repealed and recreated to read:

23 343.50 (1) (a) Subject to par. (b) and s. 343.165, the department shall issue to  
24 every qualified applicant, who has paid all required fees, an identification card as  
25 provided in this section.

1 (b) The department may not issue an identification card to a person previously  
2 issued an operator's license in another jurisdiction unless the person surrenders to  
3 the department any valid operator's license possessed by the person issued by  
4 another jurisdiction, which surrender operates as a cancellation of the license insofar  
5 as the person's privilege to operate a motor vehicle in this state is concerned. Within  
6 30 days following issuance of the identification card under this section, the  
7 department shall destroy any operator's license surrendered under this paragraph  
8 and report to the jurisdiction that issued the surrendered operator's license that the  
9 license has been destroyed and the person has been issued an identification card in  
10 this state.

11 (c) The department may issue a receipt to any applicant for an identification  
12 card, which receipt shall constitute a temporary identification card while the  
13 application is being processed and shall be valid for a period not to exceed 60 days.  
14 If the application for an identification card is processed under the exception specified  
15 in s. 343.165 (7), the receipt shall include the marking specified in sub. (3) (b).

16 **SECTION 131.** 343.50 (1) (c) of the statutes is created to read:

17 343.50 (1) (c) The department may issue a receipt to any applicant for an  
18 identification card, which receipt shall constitute a temporary identification card  
19 while the application is being processed and shall be valid for a period not to exceed  
20 60 days.

21 **SECTION 132.** 343.50 (3) of the statutes is amended to read:

22 343.50 (3) DESIGN AND CONTENTS OF CARD. The card shall be the same size as  
23 an operator's license but shall be of a design which is readily distinguishable from  
24 the design of an operator's license and bear upon it the words "IDENTIFICATION  
25 CARD ONLY". The information on the card shall be the same as specified under s.

1 343.17 (3). The card may serve as a record of gift under s. 157.06 (2) (t) and the holder  
2 may affix a sticker thereto as provided in s. 343.175 (3). The card may also serve as  
3 a record of refusal under s. 157.06 (2) (u). ~~The Except as provided in sub. (4g), the~~  
4 card shall contain the holder's photograph and, if applicable, shall be of the design  
5 specified under s. 343.17 (3) (a) 12.

6 **SECTION 133.** 343.50 (3) of the statutes, as affected by 2007 Wisconsin Act 20  
7 and 2011 Wisconsin Act .... (this act), is repealed and recreated to read:

8 343.50 (3) DESIGN AND CONTENTS OF CARD. (a) The card shall be the same size as  
9 an operator's license but shall be of a design which is readily distinguishable from  
10 the design of an operator's license and bear upon it the words "IDENTIFICATION  
11 CARD ONLY." The information on the card shall be the same as specified under s.  
12 343.17 (3). If the issuance of the card requires the applicant to present any  
13 documentary proof specified in s. 343.14 (2) (es) 4. to 7., the card shall display, on the  
14 front side of the card, a legend identifying the card as temporary. The card shall  
15 contain physical security features consistent with any requirement under federal  
16 law. The card may serve as a record of gift under s. 157.06 (2) (t) and the holder may  
17 affix a sticker thereto as provided in s. 343.175 (3). The card may also serve as a  
18 record of refusal under s. 157.06 (2) (u). Except as provided in sub. (4g), the card shall  
19 contain the holder's photograph and, if applicable, shall be of the design specified  
20 under s. 343.17 (3) (a) 12.

21 (b) If an identification card is issued based upon the exception specified in s.  
22 343.165 (7), the card shall, in addition to any other required legend or design, be of  
23 the design specified under s. 343.17 (3) (a) 14. and include a marking similar or  
24 identical to the marking described in s. 343.03 (3r).

25 **SECTION 134.** 343.50 (4) of the statutes is amended to read:

1           343.50 (4) APPLICATION. The application for an identification card shall include  
2 any information required under ss. 85.103 (2) and 343.14 (2) (a), (b), (bm), (br), (em),  
3 and (er), and such further information as the department may reasonably require to  
4 enable it to determine whether the applicant is entitled by law to an identification  
5 card. The Except as provided in sub. (4g), the department shall, as part of the  
6 application process, take a photograph of the applicant to comply with sub. (3). ~~No~~  
7 Except as provided in sub. (4g), no application may be processed without the  
8 photograph being taken. Misrepresentations in violation of s. 343.14 (5) are  
9 punishable as provided in s. 343.14 (9).

10           **SECTION 135.** 343.50 (4) of the statutes, as affected by 2007 Wisconsin Act 20  
11 and 2011 Wisconsin Act .... (this act), is repealed and recreated to read:

12           343.50 (4) APPLICATION. The application for an identification card shall include  
13 any information required under ss. 85.103 (2) and 343.14 (2) (a), (b), (bm), (br), (em),  
14 and (es), and such further information as the department may reasonably require to  
15 enable it to determine whether the applicant is entitled by law to an identification  
16 card. Except with respect to renewals described in s. 343.165 (4) (d) and except as  
17 provided in sub. (4g), the department shall, as part of the application process, take  
18 a digital photograph including facial image capture of the applicant to comply with  
19 sub. (3) (a). Except with respect to renewals described in s. 343.165 (4) (d) and except  
20 as provided in sub. (4g), no application may be processed without the photograph  
21 being taken. Misrepresentations in violation of s. 343.14 (5) are punishable as  
22 provided in s. 343.14 (9).

23           **SECTION 136.** 343.50 (4g) of the statutes is created to read:

24           343.50 (4g) PHOTOGRAPH REQUIREMENT; EXCEPTION. An application for an  
25 identification card may be processed and the identification card issued or renewed



1 without a photograph being taken of the applicant if the applicant provides to the  
2 department an affidavit stating that the applicant has a sincerely held religious  
3 belief against being photographed; identifying the religion to which he or she belongs  
4 or the tenets of which he or she adheres to; and stating that the tenets of the religion  
5 prohibit him or her from being photographed.

6 **SECTION 137.** 343.50 (4g) of the statutes, as created by 2011 Wisconsin Act ....  
7 (this act), is repealed and recreated to read:

8 343.50 (4g) PHOTOGRAPH REQUIREMENT; EXCEPTION. If the application for an  
9 identification card is processed under the exception specified in s. 343.165 (7), the  
10 application may be processed and the identification card issued or renewed without  
11 a photograph being taken of the applicant if the applicant provides to the department  
12 an affidavit stating that the applicant has a sincerely held religious belief against  
13 being photographed; identifying the religion to which he or she belongs or the tenets  
14 of which he or she adheres to; and stating that the tenets of the religion prohibit him  
15 or her from being photographed.

16 **SECTION 138.** 343.50 (5) (a) of the statutes, as affected by 2009 Wisconsin Act  
17 28, sections 2958 and 2959, and 2011 Wisconsin Act .... (this act), is repealed and  
18 recreated to read:

19 343.50 (5) (a) 1. Except as provided in subds. 2. and 3., the fee for an original  
20 card, for renewal of a card, and for the reinstatement of an identification card after  
21 cancellation under sub. (10) shall be \$18.

22 2. The department may not charge a fee to an applicant for the initial issuance  
23 of an identification card if any of the following apply:

24 a. The department has canceled the applicant's valid operator's license after  
25 a special examination under s. 343.16 (5) and, at the time of cancellation, the

1 expiration date for the canceled license was not less than 6 months after the date of  
2 cancellation.

3 b. The department has accepted the applicant's voluntary surrender of a valid  
4 operator's license under s. 343.265 (1) and, at the time the department accepted  
5 surrender, the expiration date for the surrendered license was not less than 6 months  
6 after the date that the department accepted surrender.

7 3. The department may not charge a fee to an applicant for the initial issuance,  
8 renewal, or reinstatement of an identification card if the applicant is a U.S. citizen  
9 who will be at least 18 years of age on the date of the next election and the applicant  
10 requests that the identification card be provided without charge for purposes of  
11 voting.

12 **SECTION 139.** 343.50 (5) (a) 1. of the statutes is amended to read:

13 343.50 (5) (a) 1. Except as provided in ~~subd.~~ subds. 2. and 3., the fee for an  
14 original card and for the reinstatement of an identification card after cancellation  
15 under sub. (10) shall be \$18.

16 **SECTION 140.** 343.50 (5) (a) 3. of the statutes is created to read:

17 343.50 (5) (a) 3. The department may not charge a fee to an applicant for the  
18 initial issuance or reinstatement of an identification card if the applicant is a U.S.  
19 citizen who will be at least 18 years of age on the date of the next election and the  
20 applicant requests that the identification card be provided without charge for  
21 purposes of voting.

22 **SECTION 141.** 343.50 (5m) of the statutes is amended to read:

23 343.50 (5m) CARD ISSUANCE FEE. In addition to any other fee under this section,  
24 for the issuance of an original identification card or duplicate identification card or  
25 for the renewal or reinstatement of an identification card after cancellation under

1 sub. (10), a card issuance fee of \$10 shall be paid to the department. The fee under  
2 this subsection does not apply to an applicant if the department may not charge the  
3 applicant a fee under sub. (5) (a) 2. or 3.

4 **SECTION 142.** 343.50 (6) of the statutes is amended to read:

5 343.50 (6) RENEWAL. At least 30 days prior to the expiration of the card, the  
6 department shall mail a renewal application to the last-known address of each  
7 identification card holder. The department shall include with the application  
8 information, as developed by all organ procurement organizations in cooperation  
9 with the department, that promotes anatomical donations and which relates to the  
10 anatomical donation opportunity available under s. 343.175. The fee for a renewal  
11 identification card shall be \$18, which except that, if the identification card holder  
12 satisfies the requirements for an applicant specified in sub. (5) (a) 3., there shall be  
13 no fee for renewal of the identification card. The renewal identification card shall  
14 be valid for 8 years, except that a card that is issued to a person who is not a United  
15 States citizen and who provides documentary proof of legal status as provided under  
16 s. 343.14 (2) (er) shall expire on the date that the person's legal presence in the United  
17 States is no longer authorized. If the documentary proof as provided under s. 343.14  
18 (2) (er) does not state the date that the person's legal presence in the United States  
19 is no longer authorized, then the card shall be valid for 8 years.

20 **SECTION 143.** 343.50 (6) of the statutes, as affected by 2007 Wisconsin Act 20,  
21 section 3383, and 2011 Wisconsin Act ... (this act), is repealed and recreated to read:

22 343.50 (6) RENEWAL NOTICE. At least 30 days prior to the expiration of an  
23 identification card, the department shall mail a renewal application to the  
24 last-known address of the card holder. If the card was issued or last renewed based  
25 upon the person's presenting of any documentary proof specified in s. 343.14 (2) (es)

1 4. to 7., the notice shall inform the card holder of the requirement under s. 343.165  
2 (4) (c). The department shall include with the application information, as developed  
3 by all organ procurement organizations in cooperation with the department, that  
4 promotes anatomical donations and which relates to the anatomical donation  
5 opportunity available under s. 343.175.

6 **SECTION 144. Nonstatutory provisions.**

7 (1) PUBLIC INFORMATIONAL CAMPAIGN. In conjunction with the first regularly  
8 scheduled primary and election at which the voter identification requirements of this  
9 act initially apply, the government accountability board shall conduct a public  
10 informational campaign for the purpose of informing prospective voters of the voter  
11 identification requirements of this act.

12 (2) SPECIAL PROCEDURE AT ELECTIONS HELD PRIOR TO 2012 SPRING PRIMARY.  
13 Notwithstanding sections 6.15 (3), 6.18, 6.79 (2) (a), 6.82 (1) (a), 6.86 (1) (ar) and (3)  
14 (a) 1., 6.87 (1), (2), and (4) (b) 1., and 6.97 (1), (2), and (3) (b) of the statutes, as affected  
15 by this act, and sections 6.15 (2) (bm) and 6.97 (3) (a) and (c) of the statutes, as created  
16 by this act, no elector who votes by absentee ballot at an election held prior to the  
17 2012 spring primary is required to provide proof of identification, and an elector who  
18 votes at a polling place at an election held prior to the date of the 2012 spring primary  
19 shall be requested by the election officials to present proof of identification, but if the  
20 elector does not present proof of identification, and the elector is otherwise qualified,  
21 the elector's ballot shall be counted without the necessity of presenting proof of  
22 identification and without the necessity of casting a provisional ballot. If any elector  
23 who votes at a polling place at such an election does not provide proof of identification  
24 and would be required to provide proof of identification but for the exemption under  
25 this subsection, the election official who provides that elector with a ballot shall also

1 provide to the elector written information prescribed by the government  
2 accountability board briefly describing the voter identification requirement created  
3 by this act and informing the elector that he or she will be required to comply with  
4 that requirement when voting at future elections beginning with the 2012 spring  
5 primary unless an exemption applies.

6 (3) SPECIAL REGISTRATION DEPUTY APPOINTMENTS. Notwithstanding section 6.26  
7 (2) (am), 2009 stats., the appointment of each individual who serves as a special  
8 registration deputy under section 6.26 (2) of the statutes on the effective date of this  
9 subsection solely as the result of action of the government accountability board is  
10 revoked.

11 **SECTION 145. Initial applicability.**

12 (1) PARTY TICKET VOTING. The treatment of sections 5.37 (1), 5.64 (1) (ar) 1. a.  
13 and 1m. and (b), 5.91 (2), 7.50 (2) (a), and 10.02 (3) (b) 1. and (c) of the statutes first  
14 applies with respect to voting at the 2012 general election.

15 (2) ABSENTEE VOTING. The treatment of section 6.86 (1) (b) of the statutes first  
16 applies with respect to requests for absentee ballots made for voting at elections held  
17 on or after the first day of the 2nd month beginning after publication.

18 (3) DEADLINE FOR LATE REGISTRATION. The treatment of sections 6.29 (2) (a) (with  
19 respect to the deadline for late registration) first applies with respect to late  
20 registration for elections held on the first day of the 2nd month beginning after  
21 publication.

22 (4) VOTER REGISTRATION INFORMATION. The treatment of section 6.33 (1) of the  
23 statutes first applies with respect to registration of electors occurring on the effective  
24 date of this subsection.

