



State of Wisconsin
2013 - 2014 LEGISLATURE



LRBs0016/2
JK:kjf:jm

**ASSEMBLY SUBSTITUTE AMENDMENT 1,
TO ASSEMBLY BILL 54**

March 21, 2013 – Offered by Representative STROEBEL.

1 **AN ACT to amend** 6.86 (1) (b); and **to create** 6.86 (1) (bb) of the statutes; **relating**
2 **to:** limiting the times for voting by absentee ballots in person.

Analysis by the Legislative Reference Bureau

Under current law, a person may apply to the municipal clerk in person to vote using an absentee ballot. In-person applications to vote using an absentee ballot may be made beginning on the third Monday preceding the election and ending on the later of 5 p.m. or the close of business on the Friday preceding the election.

Under this substitute amendment, in-person applications to vote using absentee ballots may only be received Monday to Friday between the hours of 7:30 a.m. and 6 p.m., except that an individual may make an appointment with the actual city, town, or village clerk, as appropriate, so that the clerk, not a member of the clerk's staff or a designated agent, may receive the individual's application made in person after 6 p.m. or anytime on Saturday or Sunday, not including the Saturday and Sunday after the Friday preceding the election.

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

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

1 6.86 (1) (b) Except as provided in this section, if application is made by mail,
2 the application shall be received no later than 5 p.m. on the 5th day immediately
3 preceding the election. ~~If Except as provided in par. (bb), if application is made in~~
4 ~~person, the application shall be made no earlier than the opening of business on the~~
5 ~~3rd Monday preceding the election and no later than 5 p.m. or the close of business,~~
6 ~~whichever is later, 6 p.m. on the Friday preceding the election.~~ Except as provided
7 in par. (c), if the elector is making written application for an absentee ballot at the
8 partisan primary, the general election, the presidential preference primary, or a
9 special election for national office, and the application indicates that the elector is
10 a military elector, as defined in s. 6.34 (1), the application shall be received by the
11 municipal clerk no later than 5 p.m. on election day. If the application indicates that
12 the reason for requesting an absentee ballot is that the elector is a sequestered juror,
13 the application shall be received no later than 5 p.m. on election day. If the
14 application is received after 5 p.m. on the Friday immediately preceding the election,
15 the municipal clerk or the clerk's agent shall immediately take the ballot to the court
16 in which the elector is serving as a juror and deposit it with the judge. The judge shall
17 recess court, as soon as convenient, and give the elector the ballot. The judge shall
18 then witness the voting procedure as provided in s. 6.87 and shall deliver the ballot
19 to the clerk or agent of the clerk who shall deliver it to the polling place or, in
20 municipalities where absentee ballots are canvassed under s. 7.52, to the municipal
21 clerk as required in s. 6.88. If application is made under sub. (2) or (2m), the
22 application may be received no later than 5 p.m. on the Friday immediately
23 preceding the election.

24 **SECTION 2.** 6.86 (1) (bb) of the statutes is created to read:

