



WISCONSIN LEGISLATIVE COUNCIL ACT MEMO

2003 Wisconsin Act 265 [2003 Assembly Bill 600]	Election Administration
2003 Acts: www.legis.state.wi.us/2003/data/acts/	Act Memos: www.legis.state.wi.us/lc/act_memo/act_memo.htm

2003 Wisconsin Act 265 makes numerous changes to Wisconsin's election laws. The Act was initiated by the state Elections Board in response to federal requirements imposed upon the state by the Federal Help America Vote Act of 2002 (HAVA).

Three of the many changes made by the Act are summarized here. For a more complete description of the Act, see Information Memorandum, IM 2004-2, *2003 Wisconsin Act 265, New Law Relating to Election Administration*, at http://www.legis.state.wi.us/lc/jlc04/im_2004_2.pdf.

STATEWIDE VOTER REGISTRATION

Currently, voter registration is required in municipalities with a population greater than 5,000. Other municipalities may require registration. The Act requires voter registration in every municipality regardless of the size of the municipality. This mandatory registration requirement first applies to the spring primary in 2006.

STATEWIDE VOTER REGISTRATION LIST

The state does not currently maintain a statewide voter registration list. The Act establishes a centralized, statewide voter registration list. The list is to be designed and maintained by the state Elections Board. The board is directed to require all municipalities to use the list in every election and may require any municipality to adhere to procedures established by the board for property maintenance of the list. Among other things, the list must contain the name and address of each registered elector in the state, the date of birth of the elector, the ward and aldermanic district of the elector, a unique registration identification number assigned to the elector by the Elections Board, and certain other identification related information. The list must be electronically accessible by name and must also be accessible in alphabetical order of the elector's names for the entire state and for each county, municipality, and ward. The list must also be designed in such a way that the municipal clerk or board

This memo provides a brief description of the Act. For more detailed information, consult the text of the law and related legislative documents.

of election commissioners of any municipality and any authorized election official may electronically add entries to or change entries on the list for any elector who resides in, or who the list identifies is residing in, only that municipality. The use of the statewide voter registration list first applies to the spring primary in 2006.

VOTER IDENTIFICATION

Generally, under current law, before being permitted to vote, an elector must provide his or her name and address to the poll workers. Under the Act, if an elector who seeks to vote in an election for national office, other than a military or overseas elector, registers to vote by mail and has never voted in an election for national office in the state, the elector must provide either: (1) a current and valid piece of identification containing a photograph of the elector; or (2) a copy of a utility bill, bank statement, paycheck, or a check or other document issued by a unit of government that shows the current name and address of the elector. If the elector votes by absentee ballot, the elector must provide a copy of one of the above forms of identification. If the identification provided by the elector is acceptable and contains the name and address of the elector as shown in the poll lists, the inspector is required to accept the identification unless the inspector challenges the ballot of the elector under current electorate challenge provisions. An elector under the Act who votes in a polling place and who is required to provide identification and who fails to do so, may vote a provisional ballot. This identification requirement generally applies to elections held after the general effective date of the bill.

Effective Date: The general effective date of the Act is April 30, 2004. However, a number of provisions of the Act do not take effect until January 1, 2006.

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RJC:rv:tlu