



State of Wisconsin
2001 - 2002 LEGISLATURE

LRB-3273/1
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ENGROSSED 2001 SENATE BILL 110

May 14, 2001 - Printed by direction of ASSEMBLY CHIEF CLERK.

1 **AN ACT** *to repeal* 6.78 (3); *to renumber* 7.33 (5) and 973.09 (4); *to renumber*
2 *and amend* 973.033 and 973.034; *to amend* 5.02 (15), 5.05 (1) (e), 5.25 (4) (a),
3 5.25 (4) (c), 5.35 (5), 5.35 (6) (a) (intro.), 5.35 (6) (a) 3., 6.28 (1), 6.29 (1), 6.32 (3),
4 6.33 (1), 6.33 (2) (b), 6.40 (1) (a), 6.40 (1) (c), 6.55 (2) (d), 6.56 (1), 6.77 (1), 6.78
5 (1), 6.78 (2), 6.79 (2), 6.86 (1) (a) 5., 6.86 (1) (ar), 6.87 (3) (a), 6.88 (3) (a), 7.03 (1)
6 (d), 7.15 (1) (e), 7.30 (2) (a), 7.30 (2) (b), 7.30 (6) (c), 7.33 (3), 7.33 (4), 7.37 (2),
7 7.41 (1), 7.41 (2), 7.41 (3) (intro.), 7.41 (3) (a), 7.41 (3) (b), 12.03 (title), 12.03 (1),
8 12.07 (2), 12.13 (3) (x), 17.29, 19.32 (1c), 20.921 (2) (b), 67.05 (3) (f), 111.93 (3),
9 120.06 (9) (a), 303.09 (1), 303.09 (2), 946.42 (1) (a), 946.425 (1r) (a), 946.425 (1r)
10 (b), 946.425 (2), 968.255 (7) (d), 973.09 (1) (d) (intro.), 973.09 (7m) (a), 973.11 (1)
11 (b) and 977.05 (6) (g) 2.; *to repeal and recreate* 6.28 (title); and *to create* 5.35
12 (6) (a) 4., 6.285, 6.873, 7.08 (5), 7.33 (5) (b), 12.03 (1m), 12.03 (2m), 302.117,
13 973.09 (4) (b) and 973.176 (title) and (2) of the statutes; **relating to:** polling
14 hours, time off from work for service as an election official, training of election

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1 officials, voting by felons and immigrants, requiring studies and
2 recommendations with regard to voter registration, polling place staffing
3 needs, use of separate locations for registration of electors on election day, and
4 voting needs of multilingual and physically disabled electors, establishing
5 satellite stations for purposes of conducting voter registration and absentee
6 voting, and granting rule-making authority.

Analysis by the Legislative Reference Bureau

Engrossment information:

The text of Engrossed 2001 Senate Bill 110 consists of the bill, as passed by the senate on May 8, 2001, as affected by the following documents adopted in the senate on May 8, 2001: Senate Amendment 1, Senate Amendment 4 (as affected by Senate Amendment 2 thereto), and Senate Amendment 5. The text also includes the May 15, 2001, chief clerk's correction to senate amendment 1 to the bill.

Content of Engrossed 2001 Senate Bill 110:

This bill makes various changes in election laws and requires various election-related studies. Significant provisions include:

Absentee voting and voter registration at satellite locations

This bill makes several changes to the election laws and requires studies and recommendations with regard to certain election-related issues. The changes include:

Currently, unless an elector votes by absentee ballot, the elector must appear at the polling place serving his or her residence to vote. Polling places are staffed by inspectors who, with limited exceptions, are appointed from nominations submitted by the party committeemen or committeewomen of the two major political parties. If nominations are not submitted, inspectors may be appointed without regard to party affiliation. With limited exceptions, inspectors must be residents of the area served by the polling place where they are employed. Inspectors are public officers who serve for two-year terms and must file an oath of office. Inspectors must be compensated by the municipality where they serve.

Current law permits any qualified elector who for any reason is unable or unwilling to appear at his or her polling place to vote by absentee ballot. With certain limited exceptions, the elector must apply for and obtain an absentee ballot from the appropriate municipal clerk or board of election commissioners by 5 p.m. on the day before the election. The elector may cast the absentee ballot either by mail or in person at the office of the municipal clerk or board of election commissioners of the municipality where the elector resides. Current law also contains a special procedure that permits certain residents of nursing or retirement homes or community-based residential facilities to apply for and obtain an absentee ballot

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from a special voting deputy who is appointed by the municipal clerk or board of election commissioners and who personally visits the home or facility. These electors give their absentee ballots directly to the special voting deputy, who then delivers the ballots to the municipal clerk or board of election commissioners.

With certain limited exceptions, this bill authorizes the municipal clerk or board of election commissioners of any municipality to designate any location as a temporary, satellite station for absentee voting by electors of the municipality. The location may be inside a building or outdoors and need not be contained in a room separated from other activities. The bill permits any qualified elector of a municipality to obtain and cast an absentee ballot at a satellite station. A satellite station may be open for absentee voting at any time, but only after the official absentee ballots are prepared and before 5 p.m. on the day before the election.

Under the bill, a satellite station must be staffed by at least one special voting deputy who is appointed on a nonpartisan basis by the municipal clerk or board of election commissioners. The bill permits any qualified elector of the state to be appointed as a special voting deputy. The bill specifies certain minimum qualifications for the special voting deputy, such as knowledge of the English language. The municipal clerk or board of election commissioners must instruct the special voting deputy in his or her duties. The special voting deputy may be compensated at the option of the applicable municipality. The special voting deputy is required to supervise the proceedings at the satellite station to which he or she is assigned and to enforce certain election laws that apply to the satellite station. The special voting deputy is under the supervision of the municipal clerk or board of election commissioners. Under the bill, a special voting deputy is a public officer and must file an oath of office.

If voter registration is required in the municipality, the bill also requires the municipal clerk or board of election commissioners to appoint at least one special registration deputy to staff each satellite station. The bill specifies certain minimum qualifications for the special registration deputy. The bill permits an elector to register at any satellite station at any time during which the station is open for absentee voting. With certain limited exceptions, the elector must follow the registration procedure that would otherwise apply to the elector under current law.

The bill applies certain provisions of current law relating to the operation of polling places to a satellite station established under the bill. For example, the bill requires a satellite station to meet current standards with regard to the accessibility of polling places and requires the posting of information at a satellite station that is generally the same as the information required to be posted at a polling place. However, whereas current law prohibits electioneering on public property within 100 feet of the entrance to a polling place, this bill generally prohibits electioneering in any building in which a satellite station is located at any time during which the satellite station is open. Also, if a satellite station is located outside of a building, the bill generally prohibits electioneering within 100 feet of the satellite station at any time during which the satellite station is open. The restriction does not apply on private property that is not owned or controlled by the same person as the property where the satellite station is located and does not apply to bumper stickers.

ENGROSSED SENATE BILL 110***Polling hours***

Under current law, the polls at an election in a first, second, or third class city must generally be open from 7 a.m. to 8 p.m. In a village, town, or fourth class city the polls must be open from 9 a.m. to 8 p.m., unless the village, town, or city determines to extend the opening hour to not earlier than 7 a.m. In addition, under current law, certain school district elections are not subject to either of these polling hour requirements. This bill requires the polls at every election to be open from 7 a.m. to 8 p.m. in all municipalities with a population of 8,000 or more.

Leave for service as an election official

Currently, every public and private employer must grant an employee a leave for service as an election official. In addition, state employees are entitled to time off without loss of pay, fringe benefits, or seniority privileges for service as an election official. Currently, when a state employee receives a leave of absence for service as an election official, the amount of the employee's pay for that service is deducted from the employee's regular paycheck for the leave period. This law applies to state employees who are members of collective bargaining units to the extent provided in any applicable collective bargaining agreement. If a public employee is a member of a collective bargaining unit, the employer must first bargain in good faith with any representative of that unit before making a change in leave policy.

This bill provides that the law entitling state employees to a leave, without loss of pay, fringe benefits, or seniority privileges, for service as an election official and requiring a paycheck deduction for the amount received for that service applies automatically to represented state employees unless otherwise provided in a collective bargaining agreement.

The bill also provides that if a local government employer grants a local government employee a leave of absence for service as an election official, the local government either must deduct the amount that the employee receives for that service from the employee's regular paycheck for the leave period or, if the employee's service was for that same local governmental employer, must require the employee to assign to the local governmental employer the employee's interest in any compensation for that service. The change applies to both represented and nonrepresented employees irrespective of any applicable collective bargaining agreement. However, the change does not apply to employees who are members of a collective bargaining unit covered by a current collective bargaining agreement until the expiration, extension, modification, or renewal of any collective bargaining agreement containing inconsistent provisions, whichever first occurs. The bill also specifies that these provisions relating to leave for service as an election official do not apply to service at a satellite station established under the bill.

Voting by felons and immigrants

Current law requires a court to provide a defendant certain information at sentencing. For example, when a court sentences a person or places a person on probation for a felony, the court must inform the person that he or she is prohibited from possessing a firearm. Under this bill, whenever a court imposes a sentence or places a person on probation for a conviction that disqualifies the person from voting, the court must inform the person of that disqualification. The bill also requires the

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department of corrections to inform the person of the disqualification if the person is released to parole or extended supervision or, if the person is confined as a condition of probation, upon the person's release to probation.

In addition, this bill requires the standard voter registration form to include a notice advising each registering elector of the law with regard to the voting eligibility of felons and requires each registering elector to certify that, to the best of the elector's knowledge, he or she is a qualified elector. The bill also requires every municipality to post a uniform sign on election day at the entrance to each polling place that advises electors of the voting eligibility requirements under the laws of this state, including the voting eligibility requirements applicable to felons and immigrants.

Under current law, the municipal clerk is required to supervise elections and registration in each applicable municipality. Among other things, the municipal clerk must instruct election officials in their duties. This bill specifies that the municipal clerk must also instruct election officials with regard to the voting eligibility requirements under the laws of this state, including the voting eligibility requirements applicable to felons and immigrants.

Elections board studies and recommendations

Under current law, every municipality with a population of greater than 5,000 is required to maintain a voter registration list. This bill directs the elections board to study the costs, benefits, and feasibility of and to prepare recommendations with regard to requiring voter registration in every municipality. If the board recommends statewide voter registration, the board must also study the costs, benefits, and feasibility of and prepare recommendations with regard to creating and maintaining a statewide voter registration list. This study must address several issues, which are specified in the bill. The board must submit the results of these studies and all recommendations to the legislature for distribution to the appropriate standing committees of both houses no later than approximately nine months after the bill becomes law.

The bill also requires the board to study polling place staffing needs at general elections and the use of separate registration locations on election day. The board must submit the results of these studies and all recommendations to the legislature no later than approximately six months after the bill becomes law.

Special legislative committee for the study of multilingual voting needs

Under current law, ballots for elections held in this state are printed in English, and election inspectors (poll workers) generally must be literate in English. This bill creates a special legislative committee to study multilingual voting needs in this state. The bill specifies the qualifications for membership on the committee. The bill requires the committee to study whether federal law requires the use of ballots printed in languages other than English or requires the use of bilingual or multilingual inspectors in this state and, if so, the extent to which the federal law is being followed. The committee must also study whether and the extent to which the exclusive use of English language ballots and inspectors who are literate only in English prevents electors who are members of particular language minorities in this state and who have no ability, or limited abilities, to speak English from voting. By

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approximately nine months after the bill becomes law, the committee must submit to the legislature its findings and must submit recommendations with regard to maximizing voting in this state by these electors. Under the bill, the committee terminates after making this submission.

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

1 **SECTION 1.** 5.02 (15) of the statutes is amended to read:

2 5.02 (15) "Polling place" means the actual location wherein the elector's vote
3 is cast. "Polling place" does not include a satellite absentee voting station designated
4 under s. 6.873 (1) or a nursing home, qualified retirement home, or qualified
5 community-based residential facility where absentee voting is conducted under s.
6 6.875 (6).

7 **SECTION 2.** 5.05 (1) (e) of the statutes is amended to read:

8 5.05 (1) (e) Delegate to its executive director the authority to issue a subpoena
9 under par. (b), apply for a search warrant under par. (b), commence an action under
10 par. (d), intervene in an action or proceeding under sub. (9), issue an order under s.
11 5.06, exempt a polling place or exempt a satellite absentee voting station designated
12 under s. 6.873 (1) from accessibility requirements under s. 5.25 (4) (a), exempt a
13 municipality from the requirement to use voting machines or an electronic voting
14 system under s. 5.40 (5m), approve an electronic data recording system for
15 maintaining poll lists under s. 6.79, or authorize nonappointment of an individual
16 who is nominated to serve as an election official under s. 7.30 (4) (e), subject to such
17 limitations as the board deems appropriate.

18 **SECTION 3.** 5.25 (4) (a) of the statutes is amended to read:

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1 5.25 (4) (a) Each polling place and each satellite absentee voting station
2 designated under s. 6.873 (1) shall be accessible to elderly and handicapped
3 individuals.

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

5 5.25 (4) (c) The board may exempt a polling place or may exempt a satellite
6 absentee voting station designated under s. 6.873 (1) from the requirement of par.
7 (a) in accordance with guidelines prescribed by rule of the board.

8 **SECTION 5.** 5.35 (5) of the statutes is amended to read:

9 5.35 (5) ACTIVITIES RESTRICTED. No polling place or satellite absentee voting
10 station designated under s. 6.873 (1) may be situated so as to interfere with or
11 distract election officials from carrying out their duties. The municipal clerk and
12 election inspectors shall prevent interference with and distraction of electors at
13 polling places, and the special voting deputies shall prevent interference with and
14 distraction of electors at satellite absentee voting stations designated under s. 6.873
15 (1).

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

17 5.35 (6) (a) (intro.) At each polling place and at each satellite absentee voting
18 station designated under s. 6.873 (1) in the state, the municipal clerk or board of
19 election commissioners shall ~~post~~ ensure that all of the following materials are
20 posted, positioned so that they may be readily observed by electors entering the
21 polling place, approaching the satellite station, or waiting in line to vote:

22 **SECTION 7.** 5.35 (6) (a) 3. of the statutes is amended to read:

23 5.35 (6) (a) 3. Two sample ballots prepared under s. 5.66 (2), in the case of a
24 polling place, and one sample ballot prepared under s. 5.66 (2), in the case of a
25 satellite absentee voting station designated under s. 6.873 (1).

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1 **SECTION 8.** 5.35 (6) (a) 4. of the statutes is created to read:

2 5.35 **(6)** (a) 4. A sign containing all information required under s. 7.08 (5).

3 **SECTION 9.** 6.28 (title) of the statutes is repealed and recreated to read:

4 **6.28** (title) **Open registration.**

5 **SECTION 10.** 6.28 (1) of the statutes is amended to read:

6 **6.28 (1) REGISTRATION LOCATIONS; DEADLINE.** Except as authorized in ss. 6.285,
7 6.29, and 6.55 (2), registration in person for any election shall close at 5 p.m. on the
8 2nd Wednesday preceding the election. Registrations made by mail under s. 6.30 (4)
9 must be delivered to the office of the municipal clerk or postmarked no later than the
10 2nd Wednesday preceding the election. An application for registration in person or
11 by mail may be accepted for placement on the registration list after the specified
12 deadline, if the municipal clerk determines that the registration list can be revised
13 to incorporate the registration in time for the election. All applications for
14 registration corrections and additions may be made throughout the year at the office
15 of the city board of election commissioners, at the office of the municipal clerk, at the
16 office of any register of deeds or at other locations permitted under s. 6.285 or
17 provided by the board of election commissioners or the common council in cities over
18 500,000 population or by either or both the municipal clerk, or the common council,
19 village or town board in all other municipalities and may also be made during the
20 school year at any high school by qualified persons under sub. (2) (a). Other
21 registration locations may include but are not limited to fire houses, police stations,
22 public libraries, institutions of higher education, supermarkets, community centers,
23 plants and factories, banks, savings and loan associations and savings banks.
24 Special registration deputies shall be appointed for all locations. An elector who

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1 wishes to obtain a confidential listing under s. 6.47 (2) shall register at the office of
2 the municipal clerk of the municipality where the elector resides.

3 **SECTION 11.** 6.285 of the statutes is created to read:

4 **6.285 Registration at satellite absentee voting stations. (1) SPECIAL**
5 **REGISTRATION DEPUTY.** Every municipal clerk or board of election commissioners that
6 designates a satellite absentee voting station under s. 6.873 (1) shall appoint at least
7 one qualified elector as a special registration deputy for the satellite location if
8 registration is required in the municipality. The special registration deputy shall be
9 able to read and write the English language, be capable, and be of good
10 understanding, and may not be a candidate for any office to be voted for at an election
11 at which he or she serves. The municipal clerk or board of election commissioners
12 shall instruct the special registration deputy in the deputy's duties and
13 responsibilities. The municipal clerk or board of election commissioners may revoke
14 the deputy's appointment at any time.

15 **(2) REGISTRATION PROCEDURE.** (a) *Generally.* Except as provided under par. (c),
16 any qualified elector of a municipality where registration is required who is not
17 registered or whose name does not appear on the registration list of the municipality
18 may register in person at any satellite absentee voting station designated by the
19 municipal clerk or board of election commissioners under s. 6.873 (1) at any time
20 during which absentee ballots may be cast at the station. At the time of making a
21 registration application under this subsection, an elector shall provide the special
22 registration deputy with any authorization to cancel registration required under s.
23 6.40 (1) (b).

24 (b) *During late registration.* 1. 'Proof of residence.' Any elector who makes a
25 registration application under par. (a) after the close of registration under s. 6.28 (1)

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1 shall present acceptable proof of residence as provided in s. 6.55 (7). If the elector
2 does not present this proof, the elector's registration information shall be
3 corroborated in a separate statement by another elector of the municipality. The
4 corroborating elector shall then provide acceptable proof of residence under s. 6.55
5 (7). The statement shall be signed by the corroborating elector in the presence of the
6 special registration deputy.

7 2. 'Voting procedure.' A qualified elector who completes a registration form
8 under par. (a) and satisfies subd. 1. after the close of registration under s. 6.28 (1) may
9 immediately vote by absentee ballot at the satellite absentee voting station under s.
10 6.873. If the registering elector does not wish to immediately vote by absentee ballot,
11 the special registration deputy shall issue a certificate addressed to the inspectors
12 of the proper ward or election district directing that the elector be permitted to cast
13 his or her vote, unless the municipal clerk or board of election commissioners
14 determines that the registration list will be revised to incorporate the registration
15 in time for the election. The certificate shall be numbered serially and prepared in
16 duplicate. At the time that he or she appears at the correct polling place, the elector
17 shall deliver any certificate issued under this subdivision to the inspectors. Any
18 certificate shall be annexed to any absentee ballot voted by the elector, other than
19 an absentee ballot voted at the satellite absentee voting station immediately after
20 completing the registration, and shall be delivered to the office of the municipal clerk
21 along with the absentee ballot. The inspectors shall record the names of electors who
22 present certificates in person or for whom certificates are presented with absentee
23 ballots on the list maintained under s. 6.56 (1). These names shall then be added to
24 the registration list if the electors are qualified.

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1 (c) *Confidential registration.* Any elector who wishes to obtain a confidential
2 listing under s. 6.47 (2) shall register at the office of the municipal clerk of the
3 municipality where the elector resides.

4 **(3) COMPLETED REGISTRATION FORMS, AUTHORIZATIONS, AND CERTIFICATES.** The
5 special registration deputy shall promptly arrange the completed registration forms,
6 authorizations to cancel registration, and certificates issued under sub. (2) (b) 2. in
7 the manner specified by the municipal clerk or board of election commissioners. The
8 special absentee voting deputy that has supervision under s. 6.873 (2) (d) over the
9 satellite absentee voting station shall ensure that the registration forms,
10 authorizations, and certificates are properly kept and shall promptly forward the
11 forms, authorizations, and certificates to the municipal clerk or board of election
12 commissioners in the manner specified by the municipal clerk or board of election
13 commissioners. The municipal clerk or board of election commissioners shall file the
14 registration forms as provided under s. 6.35, shall forward the authorizations as
15 required under s. 6.40 (1) (b), and shall preserve the certificates in the same manner
16 as certificates issued under s. 6.29 (2) (b). The municipal clerk or board of election
17 commissioners may reject any incomplete or defective registration form or
18 authorization received under this subsection and shall promptly notify each
19 individual whose registration is rejected of the rejection and the reason for the
20 rejection. A person whose registration is rejected under this subsection may reapply
21 for registration if he or she is qualified.

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

23 6.29 (1) No names may be added to a registration list for any election after the
24 close of registration, except as authorized under this section or s. 6.28 (1), 6.285, or

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1 6.55 (2). Any person whose name is not on the registration list but who is otherwise
2 a qualified elector is entitled to vote at the election upon compliance with this section.

3 **SECTION 13.** 6.32 (3) of the statutes is amended to read:

4 6.32 (3) If the form is submitted later than the close of registration, the clerk
5 shall make a good faith effort to notify the elector that he or she may register at the
6 clerk's office under s. 6.29 ~~or~~, at the proper polling place or other location designated
7 under s. 6.55 (2), or, if applicable, at a satellite absentee voting station designated
8 under s. 6.873 (1).

9 **SECTION 14.** 6.33 (1) of the statutes is amended to read:

10 6.33 (1) The municipal clerk shall supply sufficient registration forms as
11 prescribed by the board printed on loose-leaf sheets or cards to obtain from each
12 applicant information as to name, date, residence location, citizenship, age, whether
13 the applicant has resided within the ward or election district for at least 10 days,
14 whether the applicant has lost his or her right to vote, and whether the applicant is
15 currently registered to vote at any other location, and the forms shall provide a space
16 for the applicant's signature. The forms shall also include a space for the
17 identification serial number of any elector who is issued such a number under s. 6.47
18 (3). The forms shall also include a notice advising each elector of the effect of s. 6.03
19 (1) (b) and the fact that an elector who is disqualified from voting under that statute
20 may not vote until his or her civil rights are restored. Each register of deeds shall
21 obtain sufficient registration forms at the expense of the unit of government by which
22 he or she is employed for completion by any elector who desires to register to vote.

23 **SECTION 15.** 6.33 (2) (b) of the statutes is amended to read:

24 6.33 (2) (b) The registration form shall be signed by the registering elector and
25 any corroborating elector under s. 6.29 (2) (a) or 6.55 (2) before the clerk, issuing

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1 officer, or registration deputy. The form shall contain a certification by the
2 registering elector that all statements are true and correct, and that the elector, to
3 the best of his or her knowledge, is eligible to vote.

4 **SECTION 16.** 6.40 (1) (a) of the statutes is amended to read:

5 6.40 (1) (a) *Within municipality.* Any registered elector shall transfer
6 registration after a change of residence within the municipality in which he or she
7 is registered by appearing in person at the office of the municipal clerk or by mailing
8 to the municipal clerk a signed request stating his or her present address, affirming
9 that this will be the elector's residence for 10 days prior to the election, and providing
10 the address where he or she was last registered. Alternatively, the elector may
11 transfer his or her registration at a satellite absentee voting station designated
12 under s. 6.873 (1) or at the proper polling place or other registration location under
13 s. 6.02 (2) in accordance with s. 6.55 (2) (a). If an elector is voting at a former ward
14 or election district, the change shall be effective for the next election.

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

16 6.40 (1) (c) *Name change.* Whenever an elector's name is legally changed,
17 including a change by marriage or divorce, the elector shall transfer his or her
18 registration to his or her legal name by appearing in person at the office of the
19 municipal clerk or mailing to the municipal clerk a signed request for a transfer of
20 registration to such name. Alternatively, a registered elector may make notification
21 of a name change at a satellite absentee voting station designated under s. 6.873 (1)
22 or at his or her polling place under s. 6.55 (2) (d).

23 **SECTION 18.** 6.55 (2) (d) of the statutes is amended to read:

24 6.55 (2) (d) A registered elector who has changed his or her name but resides
25 at the same address, and has not ~~notified the municipal clerk~~ transferred his or her

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1 registration to his or her legal name under s. 6.40 (1) (c), shall notify the inspector
2 of the change before voting. The inspector shall then notify the municipal clerk at
3 the time which materials are returned under s. 6.56 (1). If an elector changes both
4 a name and address, the elector shall complete a registration form at the polling
5 place or other registration location under pars. (a) and (b).

6 **SECTION 19.** 6.56 (1) of the statutes is amended to read:

7 6.56 (1) The list containing the names of persons voting under ss. ~~6.29 and s.~~
8 6.55 (2) and or (3) or persons voting after presenting a certificate issued under s.
9 6.285 (2) (b) 2. or 6.29 (2) (b) shall be returned together with all forms and certificates
10 to the municipal clerk.

11 **SECTION 20.** 6.77 (1) of the statutes is amended to read:

12 6.77 (1) An elector may vote only at the polling place for his or her residence
13 designated by the governing body or board of election commissioners of the
14 municipality where the elector resides, at a satellite absentee voting station
15 designated under s. 6.873 (1) by the municipality where the elector resides, or at a
16 nursing home, qualified retirement home, or qualified community-based residential
17 facility where absentee voting is conducted under s. 6.875 (6) in the municipality
18 where the elector resides.

19 **SECTION 22a.** 6.78 (1) of the statutes is amended to read:

20 6.78 (1) In ~~1st, 2nd and 3rd class cities~~ municipalities having a population of
21 8,000 or more, from 7 a.m. until 8 p.m.

22 **SECTION 23a.** 6.78 (2) of the statutes is amended to read:

23 6.78 (2) In ~~4th class cities, villages and towns~~ other municipalities, from 9 a.m.
24 until 8 p.m.; extendable by the governing body to not earlier than 7 a.m. Notice of
25 the change of hours shall be given by publication in a newspaper, under ch. 985, once

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1 each week for 2 successive weeks, with the first insertion not less than 8 days before
2 the election. The new hours shall take effect only after the notice provisions have
3 been complied with. When the ordinance applies to all future elections, notice need
4 be given only for the first election affected by the change.

5 **SECTION 24.** 6.78 (3) of the statutes is repealed.

6 **SECTION 25.** 6.79 (2) of the statutes is amended to read:

7 6.79 (2) MUNICIPALITIES WITH REGISTRATION. Except as provided in sub. (6) (b),
8 where there is registration, each person, before receiving a voting number, shall state
9 his or her full name and address. Upon the prepared registration list, after the name
10 of each elector, the officials shall enter the serial number of the vote as it is polled,
11 beginning with number one. Each elector shall receive a slip bearing the same serial
12 number. A separate list shall be maintained for electors who are voting under s. 6.15,
13 6.29 or 6.55 (2) or (3), electors who are voting after presenting a certificate issued
14 under s. 6.285 (2) (b) 2. or 6.29 (2) (b), and electors who are reassigned from another
15 polling place under s. 5.25 (5) (b). Each such elector shall have his or her full name,
16 address, and serial number likewise entered and shall be given a slip bearing such
17 number.

18 **SECTION 26.** 6.86 (1) (a) 5. of the statutes is amended to read:

19 6.86 (1) (a) 5. By delivering an application to a special voting deputy under s.
20 6.873 (4) or 6.875 (6).

21 **SECTION 27.** 6.86 (1) (ar) of the statutes is amended to read:

22 6.86 (1) (ar) Except as authorized in s. ss. 6.873 (3) (b) and 6.875 (6), the
23 municipal clerk shall not issue an absentee ballot unless the clerk receives a written
24 application therefor from a qualified elector of the municipality. The clerk shall

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1 retain each absentee ballot application until destruction is authorized under s. 7.23
2 (1).

3 **SECTION 28.** 6.87 (3) (a) of the statutes is amended to read:

4 6.87 (3) (a) Except as authorized under par. (d) and as otherwise provided in
5 ~~s. ss. 6.873 and~~ 6.875, the municipal clerk shall mail the absentee ballot postage
6 prepaid for return to the elector's residence unless otherwise directed, or shall
7 deliver it to the elector personally at the clerk's office.

8 **SECTION 29.** 6.873 of the statutes is created to read:

9 **6.873 Absentee voting at satellite absentee voting stations. (1)**

10 DESIGNATION OF SATELLITE ABSENTEE VOTING STATIONS. The municipal clerk or board
11 of election commissioners of any municipality may designate any location, other than
12 the office of the municipal clerk or board of election commissioners and other than
13 a nursing or retirement home or community-based residential facility under s.
14 6.875, as a satellite absentee voting station where electors of the municipality may
15 vote by absentee ballot. The municipal clerk or board of election commissioners may
16 designate a station on private property only if the person who owns the property or
17 otherwise has authority to consent to its use by the municipality consents to the
18 designation and consents to the enforcement of s. 12.03 (2m) on property owned or
19 controlled by the person. The municipal clerk or board of election commissioners
20 may not designate a location as a satellite absentee voting station if there is a charge
21 for the municipality to use the location.

22 **(2) APPOINTMENT OF SPECIAL VOTING DEPUTIES.** (a) *Appointment.* The municipal
23 clerk or board of election commissioners shall appoint at least one qualified elector
24 as a special voting deputy to receive absentee ballots at each station established
25 under sub. (1). The appointment shall be made without regard to political party

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1 affiliation. The special voting deputy shall be able to read and write the English
2 language, be capable, and be of good understanding, and may not be a candidate for
3 any office to be voted for at an election for which he or she serves. The governing body
4 of the municipality may require a special voting deputy to have a general knowledge
5 of the election laws. The municipal clerk or board of election commissioners may
6 administer examinations to determine whether an individual qualifies for
7 appointment under this paragraph. The municipal clerk or board of election
8 commissioners shall instruct the special voting deputy in the deputy's duties and
9 responsibilities.

10 (b) *Oath.* Before performing his or her duties, each special voting deputy
11 appointed under par. (a) shall file the oath required by s. 7.30 (5). In the oath, the
12 individual shall swear that he or she is qualified to act as a deputy under this section,
13 that he or she has read the statutes governing absentee voting, that he or she
14 understands the proper absentee voting procedure, that he or she understands the
15 penalties for noncompliance with the procedure under s. 12.13, that his or her sacred
16 obligation will be to fully and fairly implement the absentee voting law and seek to
17 have the intent of the electors ascertained. In addition, the oath shall state that the
18 individual realizes that any error in conducting the voting procedure may result in
19 invalidation of an elector's vote under s. 7.51 (2) (e) and that the individual realizes
20 that absentee voting is a privilege and not a constitutional right.

21 (c) *Term of office.* Except as otherwise provided in this paragraph, each special
22 voting deputy appointed under par. (a) shall hold office for 2 years and until his or
23 her successor is appointed and qualified. The municipal clerk or board of election
24 commissioners may revoke a special voting deputy's appointment at any time.

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1 (d) *Authority and duties.* For the purpose of ensuring compliance with this
2 section and s. 6.285, each special voting deputy appointed under par. (a) has
3 supervision over the satellite absentee voting station to which he or she is dispatched
4 under sub. (3) (a). The special voting deputy is subject to the supervision of the
5 municipal clerk or board of election commissioners. The special voting deputy has
6 full authority to maintain order and to enforce obedience to his or her lawful
7 commands at any time during which absentee ballots may be cast at the station. The
8 special voting deputy shall prevent any person from taking notice of how another
9 person has voted, except when assistance is given under s. 6.87 (5). The special
10 voting deputy shall enforce s. 5.35 (5) and prevent electioneering from taking place
11 in violation of s. 12.03 (1m) or (2m). If any person refuses to obey the lawful
12 commands of a special voting deputy, is disorderly in the presence or hearing of the
13 special voting deputy, or interrupts or disturbs the proceedings, the special voting
14 deputy may order any law enforcement officer to remove the person from the voting
15 area or to take the person into custody.

16 **(3) OPERATION OF SATELLITE ABSENTEE VOTING STATIONS.** (a) *Operation.* The
17 municipal clerk or board of election commissioners may dispatch a special voting
18 deputy appointed under sub. (2) to a satellite absentee voting station designated
19 under sub. (1) for the purpose of permitting qualified electors of the municipality to
20 vote by absentee ballot at that station. No station may be open for purposes of this
21 subsection or s. 6.285 at any time before the official absentee ballots for the
22 applicable election are prepared under s. 7.15 (1) (cm) or at any time after 5 p.m. on
23 the day before the election.

24 (b) *Supplies for satellite absentee voting stations.* The municipal clerk or board
25 of election commissioners shall issue a supply of absentee ballots to the special voting

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1 deputy that is sufficient to provide for the number of valid applications that the clerk
2 or board of election commissioners reasonably expects will be made at the satellite
3 absentee voting station. The municipal clerk or board of election commissioners
4 shall keep a careful record of all ballots issued to the deputy and shall require the
5 deputy to return every ballot that he or she is issued.

6 (4) ABSENTEE VOTING PROCEDURE. (a) *Registration.* Where registration is
7 required, a qualified elector may register under s. 6.285 (2) at the satellite absentee
8 voting station.

9 (b) *Voting.* The special voting deputy shall personally offer any qualified elector
10 of the municipality, served by the deputy, who makes a proper application with the
11 deputy the opportunity to cast his or her absentee ballot. The deputy shall write on
12 the official ballot, in the space for the official endorsement, his or her initials and
13 official title. The elector and a witness shall then make and subscribe to the
14 certification on the certificate envelope and the elector shall vote the ballot in the
15 manor prescribed in s. 6.87 (4). The elector may receive assistance in marking or
16 punching the ballot as approved in s. 6.87 (5). Notwithstanding s. 6.87 (4), the elector
17 shall then seal the ballot inside the certificate envelope and give the sealed certificate
18 envelope containing the ballot to the deputy. The deputy shall promptly forward the
19 sealed certificate envelope containing each ballot to the municipal clerk or board of
20 election commissioners in the manner specified by the municipal clerk or board of
21 election commissioners.

22 **SECTION 30.** 6.88 (3) (a) of the statutes is amended to read:

23 6.88 (3) (a) Any time between the opening and closing of the polls on election
24 day, the inspectors shall open the carrier envelope only, and announce the name of
25 the absent elector or the identification serial number of the absent elector if the

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1 elector has a confidential listing under s. 6.47 (2). When the inspectors find that the
2 certification has been properly executed, the applicant is a qualified elector of the
3 ward or election district, and the applicant has not voted in the election, they shall
4 enter an indication on the poll or registration list next to the applicant's name
5 indicating an absentee ballot is cast by the elector. They shall then open the envelope
6 containing the ballot in a manner so as not to deface or destroy the certification
7 thereon. The inspectors shall take out the ballot without unfolding it or permitting
8 it to be unfolded or examined. Unless the ballot is cast under s. 6.95, the inspectors
9 shall verify that the ballot has been endorsed by the issuing clerk or special voting
10 deputy. The inspectors shall deposit the ballot into the proper ballot box and enter
11 the absent elector's name or voting number after his or her name on the poll or
12 registration list the same as if the elector had been present and voted in person.

13 **SECTION 31.** 7.03 (1) (d) of the statutes is amended to read:

14 7.03 (1) (d) Special registration deputies appointed under s. 6.285 (1) or 6.55
15 (6), special voting deputies appointed under s. 6.873 (2) or 6.875 (4), and officials and
16 trainees who attend training sessions under s. 7.15 (1) (e) or 7.25 (5) may be
17 compensated at the option of the municipality.

18 **SECTION 32.** 7.08 (5) of the statutes is created to read:

19 7.08 (5) NOTICE OF VOTER ELIGIBILITY REQUIREMENTS. Prescribe by rule the form
20 and content of a sign, to be posted under s. 5.35 (6) (a) 4. at each polling place, for the
21 purpose of notifying electors of the voter eligibility requirements under the laws of
22 this state, including voter eligibility requirements applicable to individuals who
23 have been convicted of felonies and applicable to immigrants.

24 **SECTION 33.** 7.15 (1) (e) of the statutes is amended to read:

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1 7.15 (1) (e) Instruct election officials in their duties, calling them together
2 whenever advisable; advise them of the voter eligibility requirements under the
3 laws of this state, including voter eligibility requirements applicable to individuals
4 who have been convicted of felonies and applicable to immigrants, and of changes in
5 laws, rules, and procedures affecting the performance of their duties; and
6 administer examinations as authorized under s. 7.30 (2) (c). The clerk shall assure
7 that officials who serve at polling places where an electronic voting system is used
8 are familiar with the system and competent to instruct electors in its proper use. The
9 clerk shall inspect systematically and thoroughly the conduct of elections in the
10 municipality so that elections are honestly, efficiently, and uniformly conducted.

11 **SECTION 34.** 7.30 (2) (a) of the statutes is amended to read:

12 7.30 (2) (a) Only election officials appointed under this section or s. 6.285 or
13 6.873 may conduct an election. Except as authorized in s. 7.15 (1) (k), each inspector
14 shall be a qualified elector in the ward for which the polling place is established.
15 Special registration deputies appointed under s. 6.55 (6) and election officials
16 appointed under this section serving more than one ward or when necessary to fill
17 a vacancy under par. (b) need not be a resident of that ward, but shall be a resident
18 of the municipality. Special registration deputies appointed under s. 6.55 (6) may be
19 appointed to serve more than one polling place. All officials appointed under this
20 section shall be able to read and write the English language, be capable, be of good
21 understanding, and may not be a candidate for any office to be voted for at an election
22 at which they serve. In 1st class cities, they may hold no public office other than
23 notary public. Except as authorized under sub. (4) (c), all inspectors shall be
24 affiliated with one of the 2 recognized political parties which received the largest
25 number of votes for president, or governor in nonpresidential general election years,

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1 in the ward or combination of wards served by the polling place at the last election.
2 The party which received the largest number of votes is entitled to one more inspector
3 than the party receiving the next largest number of votes at each polling place. The
4 same election officials appointed under this section may serve the electors of more
5 than one ward where wards are combined under s. 5.15 (6) (b). If a municipality is
6 not divided into wards, the ward requirements in this paragraph apply to the
7 municipality at large.

8 **SECTION 35.** 7.30 (2) (b) of the statutes is amended to read:

9 7.30 (2) (b) When a vacancy occurs in an office under this section, the vacancy
10 shall be filled by appointment of the municipal clerk. The vacancy shall be filled from
11 the remaining names on the lists submitted under sub. (4) or from additional names
12 submitted by the chairperson of the county party committee of the appropriate party
13 under sub. (4) whenever names are submitted under sub. (4) (d). If the vacancy is
14 due to candidacy, sickness or any other temporary cause, the appointment shall be
15 a temporary appointment and effective only for the election at which the temporary
16 vacancy occurs. The same qualifications shall be required of persons who fill
17 vacancies. Vacancies may be filled in cases of emergency or because of time
18 limitations by a person from another aldermanic district or ward within the
19 municipality.

20 **SECTION 36.** 7.30 (6) (c) of the statutes is amended to read:

21 7.30 (6) (c) If any election official appointed under this section lacks the
22 qualifications set forth in this section, fails to attend training sessions required
23 under s. 7.15 (1) (e) unless excused therefrom, is guilty of neglecting his or her official
24 duties or commits official misconduct, the municipal clerk or board of election

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1 commissioners shall summarily remove the official from office and the vacancy shall
2 be filled under sub. (2) (b).

3 **SECTION 37.** 7.33 (3) of the statutes is amended to read:

4 7.33 (3) Every employer shall grant to each employee who is appointed to serve
5 as an election official under s. 7.30 a leave of absence for the entire 24-hour period
6 of each election day in which the official serves in his or her official capacity. An
7 employee who serves as an election official shall provide his or her employer with at
8 least 7 days' notice of application for a leave. The municipal clerk shall verify
9 appointments upon request of any employer.

10 **SECTION 38.** 7.33 (4) of the statutes is amended to read:

11 7.33 (4) ~~Each~~ Except as otherwise provided in this subsection, each local
12 governmental unit, as defined in s. 16.97 (7), may, and each state agency shall, upon
13 proper application under sub. (3), permit each of its employees to serve as an election
14 official without loss of fringe benefits or seniority privileges earned for scheduled
15 working hours during the period specified in sub. (3), ~~and~~ without loss of pay for
16 scheduled working hours during the period specified in sub. (3) except as provided
17 in sub. (5), ~~and shall not impose without~~ any other penalty ~~upon an employee who~~
18 ~~serves as an election official.~~ For employees who are included in a collective
19 bargaining unit for which a representative is recognized or certified under subch. V
20 of ch. 111, this subsection shall apply unless otherwise provided in a collective
21 bargaining agreement.

22 **SECTION 39.** 7.33 (5) of the statutes is renumbered 7.33 (5) (a).

23 **SECTION 40.** 7.33 (5) (b) of the statutes is created to read:

24 7.33 (5) (b) Except as otherwise provided in this paragraph, any employee of
25 a local governmental unit, as defined in s. 16.97 (7), who obtains a paid leave of

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1 absence under sub. (4) in order to serve as an election official under s. 7.30, shall
2 certify in writing to the head of the local governmental unit by which he or she is
3 employed the amount of compensation that the employee receives for the service.
4 Except as otherwise provided in this paragraph, upon receipt of the certification, the
5 head of the local governmental unit shall deduct that amount from the employee's
6 pay earned for scheduled working hours during the period specified in sub. (2) when
7 the employee is on a paid leave of absence. If the local governmental unit is also the
8 employer for purposes of the employee's service as an election official, the local
9 governmental unit may require the employee, before the service begins, to assign his
10 or her interest in any compensation earned for the service to the local governmental
11 unit. If the employee makes this assignment, he or she need not make the
12 certification required under this paragraph and the employer may not make the
13 deduction required under this paragraph.

14 **SECTION 41.** 7.37 (2) of the statutes is amended to read:

15 7.37 (2) PRESERVE ORDER. The inspectors shall possess full authority to
16 maintain order and to enforce obedience to their lawful commands during the
17 election and the canvass of the votes. They shall permit only one person in a voting
18 booth at a time and shall prevent any person from taking notice of how another
19 person has voted, except when assistance is given under s. 6.82. They shall enforce
20 s. 5.35 (5) and prevent electioneering from taking place in violation of s. 12.03 (1) or
21 (2). If any person refuses to obey the lawful commands of an inspector, or is disorderly
22 in the presence or hearing of the inspectors, interrupts or disturbs the proceedings,
23 they may order any law enforcement officer to remove the person from the voting
24 area or to take the person into custody.

25 **SECTION 42.** 7.41 (1) of the statutes is amended to read:

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1 7.41 (1) Any member of the public may be present at any polling place or at any
2 satellite absentee voting station designated under s. 6.873 (1) for the purpose of
3 observation of an election, except a candidate at that election. The chief inspector
4 at the polling place or a special voting deputy at the station may reasonably limit the
5 number of persons representing the same organization who are permitted to observe
6 an election at the same time.

7 **SECTION 43.** 7.41 (2) of the statutes is amended to read:

8 7.41 (2) The chief inspector at a polling place or a special voting deputy at a
9 satellite absentee voting station may restrict the location of any individual
10 exercising the right under sub. (1) to certain areas within ~~a~~ the polling place or
11 station. The chief inspector or special voting deputy shall clearly designate such an
12 area as an observation area. Designated observation areas shall be so positioned to
13 permit any authorized individual to readily observe all public aspects of the voting
14 process.

15 **SECTION 44.** 7.41 (3) (intro.) of the statutes is amended to read:

16 7.41 (3) (intro.) The chief inspector or special voting deputy may order the
17 removal of any individual exercising the right under sub. (1) if that individual
18 commits an overt act which:

19 **SECTION 45.** 7.41 (3) (a) of the statutes is amended to read:

20 7.41 (3) (a) Disrupts the operation of the polling place or satellite absentee
21 voting station; or

22 **SECTION 46.** 7.41 (3) (b) of the statutes is amended to read:

23 7.41 (3) (b) Violates s. 12.03 (2) or (2m).

24 **SECTION 47.** 12.03 (title) of the statutes is amended to read:

25 **12.03** (title) ~~Election day~~ **Restricted campaigning restricted.**

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1 **SECTION 48.** 12.03 (1) of the statutes is amended to read:

2 12.03 (1) No election official may engage in electioneering on election day. This
3 subsection dose not apply to an election official who is appointed under s. 6.285 or
4 6.873 and is not serving as an election official on election day.

5 **SECTION 49.** 12.03 (1m) of the statutes is created to read:

6 12.03 (1m) No election official appointed under s. 6.285 or 6.873 may engage
7 in electioneering at a satellite absentee voting station designated under s. 6.873 (1)
8 on any day during which absentee ballots may be cast at the station.

9 **SECTION 50.** 12.03 (2m) of the statutes is created to read:

10 12.03 (2m) (a) No person may engage in electioneering within any building, or
11 at the doors to any building, in which a satellite absentee voting station is designated
12 under s. 6.873 (1) on any day during which absentee ballots may be cast at the
13 station. This paragraph applies to electioneering on private property only if the
14 property is owned or controlled by the person who consented under s. 6.873 (1) to the
15 designation of the station.

16 (b) Except as otherwise provided in this subsection, no person may engage in
17 electioneering within 100 feet of a satellite absentee voting station that is designated
18 under s. 6.873 (1) and that is not located within a building on any day during which
19 absentee ballots may be cast at the station. This paragraph applies to electioneering
20 on private property only if the property is owned or controlled by the person who
21 consented under s. 6.873 (1) to the designation of the station. This paragraph does
22 not apply to the placement of any material on the bumper of a motor vehicle.

23 **SECTION 51.** 12.07 (2) of the statutes is amended to read:

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1 12.07 (2) No employer may refuse to allow an employee to serve as an election
2 official under s. 7.30 or make any threats or offer any inducements of any kind to the
3 employee for the purpose of preventing the employee from so serving.

4 **SECTION 52.** 12.13 (3) (x) of the statutes is amended to read:

5 12.13 (3) (x) Refuse to obey a lawful order of an inspector or special voting
6 deputy made for the purpose of enforcing the election laws; engage in disorderly
7 behavior at or near a polling place or at or near a satellite absentee voting station
8 designated under s. 6.873 (1); or interrupt or disturb the voting or canvassing
9 proceedings.

10 **SECTION 53.** 17.29 of the statutes is amended to read:

11 **17.29 Effect of chapter.** The provisions of this chapter supersede all contrary
12 provisions in either the general law or in special acts, except ~~ch. 7~~ ss. 6.26 (2) (b), 6.28
13 (2) (b), 6.285, 6.873, 6.875, and 7.30 relating to appointed election officers ~~appointed~~
14 ~~for the election wards or polling places in the state~~ officials and ch. 21 relating to the
15 military staff of the governor and to officers of the Wisconsin national guard; and
16 shall govern all offices whether created by general law or special act, unless
17 otherwise specially provided.

18 **SECTION 54.** 19.32 (1c) of the statutes is amended to read:

19 19.32 (1c) "Incarcerated person" means a person who is incarcerated in a penal
20 facility or who is placed on probation and given confinement under s. 973.09 (4) (a)
21 as a condition of placement, during the period of confinement for which the person
22 has been sentenced.

23 **SECTION 55.** 20.921 (2) (b) of the statutes is amended to read:

24 20.921 (2) (b) The head of each state agency or the chief executive officer of the
25 University of Wisconsin Hospitals and Clinics Authority shall deduct from the salary

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1 of any employee the amount certified under s. 7.33 (5) (a) which is received by the
2 employee for service as an election official while the employee is on a paid leave of
3 absence under s. 7.33 (3).

4 **SECTION 56.** 67.05 (3) (f) of the statutes is amended to read:

5 67.05 **(3)** (f) If a special purpose district calls a referendum to be held in
6 conjunction with a state, county, municipal, or judicial election, the polling places for
7 the state, county, municipal, or judicial election shall be the polling places for the
8 special purpose district referendum and the municipal election hours shall apply. If
9 no state, county, municipal, or judicial election is held on the day of the special
10 purpose district referendum, the governing body of the special purpose district may
11 ~~set the election hours and~~ select the polling places to be used, except as otherwise
12 provided in s. 120.06 (9) (b) in the case of a school district. If a polling place located
13 in the special purpose district that was utilized at the most recent spring or general
14 election is not utilized by the special purpose district, the governing body of the
15 special purpose district shall post a notice on the door of the polling place indicating
16 all polling places open for voting. ~~Election hours set by the governing body of the~~
17 ~~special purpose district for each polling place shall be the same as those provided by~~
18 ~~the governing body of the municipality in which the polling place is located, except~~
19 ~~that if the opening hour is later than 7 a.m., the governing body of the special purpose~~
20 ~~district may extend the opening hour to not earlier than 7 a.m.~~ The municipal clerk
21 of each municipality in which a polling place is located shall provide the necessary
22 equipment to operate the polling place.

23 **SECTION 57.** 111.93 (3) of the statutes is amended to read:

24 111.93 **(3)** Except as provided in ss. 7.33 (4), 40.05, 40.80 (3), 111.91 (1) (cm),
25 230.35 (2d), 230.35 (3) (e) 6., and 230.88 (2) (b), if a collective bargaining agreement

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1 exists between the employer and a labor organization representing employees in a
2 collective bargaining unit, the provisions of that agreement shall supersede the
3 provisions of civil service and other applicable statutes, as well as rules and policies
4 of the board of regents of the University of Wisconsin System, related to wages, fringe
5 benefits, hours, and conditions of employment whether or not the matters contained
6 in those statutes, rules, and policies are set forth in the collective bargaining
7 agreement.

8 **SECTION 58.** 120.06 (9) (a) of the statutes is amended to read:

9 120.06 (9) (a) The primary and spring elections for school board members shall
10 be conducted by the election officials for state and municipal elections. In a school
11 board election held in conjunction with a state, county, municipal, or judicial election,
12 the polling places for the state, county, municipal, or judicial election shall be the
13 polling places for the school board election and the municipal election hours shall
14 apply. If no state, county, municipal, or judicial election is held on the day of the
15 school board election, the school board may set the election hours and select the
16 polling places to be used. The election costs shall be charged as provided in ss. 5.68
17 and 7.03. ~~Election hours set by the school board shall be the same as those provided~~
18 ~~by the municipal governing body in which the polling place is located, except that if~~
19 ~~the opening hour is later than 7 a.m., the school board may extend the opening hour~~
20 ~~to not earlier than 7 a.m.~~

21 **SECTION 59.** 302.117 of the statutes is created to read:

22 **302.117 Notice regarding ineligibility to vote.** When an inmate who is
23 disqualified from voting under s. 6.03 (1) (b) is released to parole or extended
24 supervision, the department shall inform the person that he or she may not vote in
25 any election until his or her civil rights are restored.

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1 **SECTION 60.** 303.09 (1) of the statutes is amended to read:

2 303.09 (1) The county board of any county may establish, relocate and
3 maintain an unlocked facility for use exclusively by persons granted leave privileges
4 under s. 303.08 (1) and persons confined under s. 973.09 (4) (a) or 973.11 (1) (b). The
5 facility need not be located at the county seat.

6 **SECTION 61.** 303.09 (2) of the statutes is amended to read:

7 303.09 (2) The county boards of 2 or more counties may jointly establish,
8 relocate and maintain a facility described in sub. (1). The operation and expenses
9 of the facility shall be governed by an agreement between those counties. In a jointly
10 established facility, authority under ss. 303.08 (2m), 973.09 (4) (a) and 973.11 (1) (b)
11 may be exercised by a sheriff of any of the counties which jointly establish the facility.
12 The agreement shall specify who has authority to act under ss. 303.08 (2m), 973.09
13 and 973.11 (1) (b).

14 **SECTION 62.** 946.42 (1) (a) of the statutes is amended to read:

15 946.42 (1) (a) "Custody" includes without limitation actual custody of an
16 institution, including a secured correctional facility, as defined in s. 938.02 (15m), a
17 secured child caring institution, as defined in s. 938.02 (15g), a secured group home,
18 as defined in s. 938.02 (15p), a secure detention facility, as defined in s. 938.02 (16),
19 a Type 2 child caring institution, as defined in s. 938.02 (19r), or a juvenile portion
20 of a county jail, or of a peace officer or institution guard and constructive custody of
21 prisoners and juveniles subject to an order under s. 48.366, 938.183, 938.34 (4d), (4h)
22 or (4m) or 938.357 (4) or (5) (e) temporarily outside the institution whether for the
23 purpose of work, school, medical care, a leave granted under s. 303.068, a temporary
24 leave or furlough granted to a juvenile or otherwise. Under s. 303.08 (6) it means,
25 without limitation, that of the sheriff of the county to which the prisoner was

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1 transferred after conviction. It does not include the custody of a probationer, parolee
2 or person on extended supervision by the department of corrections or a probation,
3 extended supervision or parole officer or the custody of a person who has been
4 released to aftercare supervision under ch. 938 unless the person is in actual custody
5 or is subject to a confinement order under s. 973.09 (4) (a).

6 **SECTION 63.** 946.425 (1r) (a) of the statutes is amended to read:

7 946.425 (1r) (a) Any person who is subject to a confinement order under s.
8 973.09 (4) (a) as the result of a conviction for a misdemeanor and who intentionally
9 fails to report to the county jail or house of correction as required under the order is
10 guilty of a Class A misdemeanor.

11 **SECTION 64.** 946.425 (1r) (b) of the statutes is amended to read:

12 946.425 (1r) (b) Any person who is subject to a confinement order under s.
13 973.09 (4) (a) as the result of a conviction for a felony and who intentionally fails to
14 report to the county jail or house of correction as required under the order is guilty
15 of a Class D felony.

16 **SECTION 65.** 946.425 (2) of the statutes is amended to read:

17 946.425 (2) A court shall impose a sentence under this section consecutive to
18 any sentence previously imposed or that may be imposed for any crime or offense for
19 which the person was sentenced under s. 973.03 (5) (b) or 973.15 (8) (a), consecutive
20 to any sentence that may apply to the person under s. 973.10 (2) or consecutive to any
21 confinement order under s. 973.09 (4) (a) previously issued by a court regarding the
22 person.

23 **SECTION 66.** 968.255 (7) (d) of the statutes is amended to read:

24 968.255 (7) (d) Is confined as a condition of probation under s. 973.09 (4) (a).

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1 **SECTION 67.** 973.033 of the statutes is renumbered 973.176 (1), and 973.176 (1)
2 (title), as renumbered, is amended to read:

3 973.176 (1) (title) ~~SENTENCING; RESTRICTION ON FIREARM~~ FIREARM POSSESSION.

4 **SECTION 68.** 973.034 of the statutes is renumbered 973.176 (3), and 973.176 (3)
5 (title), as renumbered, is amended to read:

6 973.176 (3) (title) ~~SENTENCING; RESTRICTION ON CHILD~~ CHILD SEX OFFENDER
7 WORKING WITH CHILDREN.

8 **SECTION 69.** 973.09 (1) (d) (intro.) of the statutes is amended to read:

9 973.09 (1) (d) (intro.) If a person is convicted of an offense that provides a
10 mandatory or presumptive minimum period of one year or less of imprisonment, a
11 court may place the person on probation under par. (a) if the court requires, as a
12 condition of probation, that the person be confined under sub. (4) (a) for at least that
13 mandatory or presumptive minimum period. The person is eligible to earn good time
14 credit calculated under s. 302.43 regarding the period of confinement. This
15 paragraph does not apply if the conviction is for any of the following:

16 **SECTION 70.** 973.09 (4) of the statutes is renumbered 973.09 (4) (a).

17 **SECTION 71.** 973.09 (4) (b) of the statutes is created to read:

18 973.09 (4) (b) If a person who is disqualified from voting under s. 6.03 (1) (b)
19 is confined under par. (a) and remains on probation after completing the period of
20 confinement, the department shall inform the person upon the completion of the
21 period of confinement that he or she may not vote in any election until his or her civil
22 rights are restored.

23 **SECTION 72.** 973.09 (7m) (a) of the statutes is amended to read:

24 973.09 (7m) (a) Except as provided in s. 943.017 (3), the court may require as
25 a condition of probation that the probationer perform community service work for a

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1 public agency or a nonprofit charitable organization. The number of hours of work
2 required may not exceed what would be reasonable considering the seriousness of the
3 offense and any other offense which is read into the record at the time of conviction.
4 An order may only apply if agreed to by the probationer and the organization or
5 agency. The court shall ensure that the probationer is provided a written statement
6 of the terms of the community service order and that the community service order
7 is monitored. If the court requires the conditions provided in this subsection and sub.
8 (4) (a), the probationer reduces the period of confinement under sub. (4) (a) at a rate
9 of one day for each 3 days of work performed. A day of work equals 8 hours of work
10 performed.

11 **SECTION 73.** 973.11 (1) (b) of the statutes is amended to read:

12 973.11 (1) (b) Any requirement that the court may impose under s. 973.09 (1g),
13 (1x), (4) (a), and (7m).

14 **SECTION 74.** 973.176 (title) and (2) of the statutes are created to read:

15 **973.176 (title) Notice of restrictions. (2) VOTING.** Whenever a court imposes
16 a sentence or places a defendant on probation for a conviction that disqualifies the
17 defendant from voting under s. 6.03 (1) (b), the court shall inform the defendant that
18 he or she may not vote in any election until his or her civil rights are restored.

19 **SECTION 75.** 977.05 (6) (g) 2. of the statutes is amended to read:

20 977.05 (6) (g) 2. The state or the court seeks to modify the conditions of
21 probation to include a period of confinement under s. 973.09 (4) (a).

22 **SECTION 76. Nonstatutory provisions.**

23 (1) UNIVERSAL, CENTRALIZED VOTER REGISTRATION; RECOMMENDATIONS. The
24 elections board shall study the costs, benefits, and feasibility of and prepare
25 recommendations with regard to requiring voter registration in every municipality

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1 in this state. If the board recommends that registration be required in all
2 municipalities, the board shall study the costs, benefits, and feasibility of and
3 prepare recommendations with regard to creating and maintaining a statewide voter
4 registration list. This study shall address at least each of the following issues:

5 (a) How the list should be created and maintained.

6 (b) The fiscal impact upon the state and local governments of maintaining the
7 list.

8 (c) How accuracy of the list should be ensured.

9 (d) Whether, to use the list, an electronic connection would need to be
10 established between each polling place in the state and the board and how such a
11 connection would be established and maintained.

12 (e) How registrations on election day would be integrated into the list.

13 (f) How procedures for corroboration of the identities of electors would be
14 affected by maintenance of the list.

15 (g) How absentee balloting would be affected by the creation of the list.

16 (h) The impact of maintenance of the list upon transient populations, such as
17 college students.

18 (i) How the list could be accurately purged of the names of convicted felons who
19 are ineligible to vote while ensuring that no eligible electors are disenfranchised.

20 (j) How the list should be purged of the names of ineligible or inactive electors
21 while ensuring that no eligible electors are disenfranchised.

22 (k) Whether the list should be publicly maintained or a private entity should
23 be retained to maintain the list.

24 (L) If a private entity were retained to maintain the list, the standards to which
25 the entity should be held to account.

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1 (m) Whether and how provisional voting of challenged electors could be
2 facilitated if the list were maintained.

3 (2) UNIVERSAL, CENTRALIZED VOTER REGISTRATION; REPORT. No later than the first
4 day of the 10th month beginning after the effective date of this subsection, the
5 elections board shall submit the results of the studies and all recommendations
6 prepared under subsection (1) to the chief clerk of each house of the legislature for
7 distribution to the appropriate standing committees of the legislature in the manner
8 provided under section 13.172 (3) of the statutes.

9 (3) SPECIAL LEGISLATIVE COMMITTEE FOR THE STUDY OF VOTING NEEDS OF
10 MULTILINGUAL AND PHYSICALLY DISABLED ELECTORS.

11 (a) *Committee duties and powers.* There is created a special legislative
12 committee to be called the committee for the study of voting needs of multilingual
13 and physically disabled electors. The purpose of the committee is to study the need
14 for providing ballots in languages other than English and for hiring bilingual or
15 multilingual inspectors for elections held in this state, and the needs of physically
16 disabled electors for greater accessibility to polling places and voting equipment and
17 greater protection of privacy. The committee shall study whether federal law
18 requires the use of ballots printed in languages other than English or the use of
19 bilingual or multilingual inspectors in this state and, if so, the extent to which the
20 federal law is being followed. The committee shall study whether and the extent to
21 which electors who are members of a particular language minority in this state and
22 who have no ability, or limited abilities, to understand English are unable to vote if
23 ballots printed only in English are used and if inspectors who are literate only in
24 English are used. The committee shall prepare recommendations with regard to
25 maximizing voting in this state by electors who are members of language minorities

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1 and who have no ability, or limited abilities, to understand English. The committee
2 shall prepare recommendations for providing greater accessibility to polling places
3 and voting equipment and greater protection of privacy for physically disabled
4 electors. The committee may call upon any state agency or officer, city or city officer,
5 village or village officer, or town or town officer for the facilities and data of the
6 agency, city, village, town, or officer, and those agencies, cities, villages, towns, and
7 officers that are called upon shall cooperate with the committee to the fullest extent
8 possible.

9 (b) *Committee membership and staff.* The committee created under paragraph
10 (a) shall consist of 13 members. The members shall be the senate majority leader or
11 his or her designee; the senate minority leader or his or her designee; the assembly
12 majority leader or his or her designee; the assembly minority leader or his or her
13 designee; the executive director of the state elections board or his or her designee; the
14 attorney general or his or her designee; one municipal clerk or executive director of
15 a board of election commissioners of a city in this state with a population of at least
16 50,000; one municipal clerk of a city, village, or town in this state with a population
17 of at least 5,000 but less than 50,000; one municipal clerk of a city, village, or town
18 with a population of less than 5,000; one municipal clerk of any other city, village,
19 or town in this state; and three members representing the public. Two of the
20 members who are municipal clerks or executive directors of boards of election
21 commissioners shall hold office in a city, village, or town with a significant number
22 of residents who are members of a language minority and who have no ability, or
23 limited abilities, to understand English. The members who are municipal clerks or
24 executive directors of boards of election commissioners and the members
25 representing the public shall be appointed jointly by the cochairpersons of the

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1 committee. The cochairpersons of the committee shall be the senate majority leader
2 or his or her designee and the assembly majority leader or his or her designee. The
3 staff of the joint legislative council shall administer the affairs of the committee.

4 (c) *Committee report and termination.* By the first day of the 10th month
5 beginning after the effective date of this paragraph, the committee shall report its
6 findings and recommendations to the chief clerk of each house of the legislature for
7 distribution to the appropriate standing committees of the legislature in the same
8 manner as in provided under section 13.172 (3) of the statutes. The committee
9 terminates on the date it submits its findings and recommendations.

10 (4v) STUDY OF POLLING PLACE STAFFING NEEDS. The elections board shall study
11 the need to provide additional inspectors and special registration deputies to serve
12 at polling places for general elections. As a part of its study, the board shall
13 determine where staffing needs are greatest and where staffing problems have
14 occurred in recent years, and shall recommend solutions to these problems. No later
15 than the first day of the 7th month beginning after the effective date of this
16 subsection, the board shall submit the results of its study, together with its
17 recommendations, to the chief clerk of each house of the legislature for distribution
18 to the appropriate standing committees of the legislature in the manner provided
19 under section 13.172 (3) of the statutes.

20 (4w) STUDY CONCERNING USE OF SEPARATE REGISTRATION LOCATIONS. The elections
21 board shall study the feasibility of making greater use of separate locations for
22 registration of electors at polling places on election day, as authorized under section
23 6.55 (2) (c) of the statutes. As a part of its study, the board shall determine the
24 situations in which municipalities should consider using separate registration
25 locations. No later than the first day of the 7th month beginning after the effective

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1 date of this subsection, the board shall submit the results of its study, together with
2 its recommendations, to the chief clerk of each house of the legislature for
3 distribution to the appropriate standing committees of the legislature in the manner
4 provided under section 13.172 (3) of the statutes.

SECTION 77. Initial applicability.

5
6 (1) LEAVES OF ABSENCE FOR SERVICE AS AN ELECTION OFFICIAL. The treatment of
7 sections 7.33 (4) and (5) (b) and 111.93 (3) of the statutes first applies to employees
8 who are affected by a collective bargaining agreement containing provisions
9 inconsistent with this treatment on the day on which the collective bargaining
10 agreement expires or is extended, modified, or renewed, whichever first occurs.

11 (2) NOTIFICATION REGARDING INELIGIBILITY TO VOTE DURING PAROLE OR EXTENDED
12 SUPERVISION. The treatment of section 302.117 of the statutes first applies to persons
13 whom the department of corrections releases to parole or extended supervision on
14 the effective date of this subsection.

15 (3) NOTIFICATION REGARDING INELIGIBILITY TO VOTE DURING PROBATION. The
16 treatment of section 973.09 (4) (b) of the statutes first applies to persons whom the
17 court orders confined as a condition of probation on the effective date of this
18 subsection.

19 (4) NOTIFICATION AT SENTENCING REGARDING INELIGIBILITY TO VOTE. The treatment
20 of sections 973.033, 973.034, and 973.176 (title) and (2) of the statutes first applies
21 to persons whom the court sentences on the effective date of this subsection.

22 **SECTION 78. Effective dates.** This act takes effect on the day after publication,
23 except as follows:

24 (1) NOTIFICATION REGARDING INELIGIBILITY TO VOTE. The treatment of sections
25 302.117, 973.033, 973.034, and 973.176 (title) and (2) of the statutes, the

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1 renumbering of section 973.09 (4) of the statutes, the creation of section 973.09 (4)
2 (b) of the statutes, and SECTION 77 (2), (3), and (4) of this act take effect on the first
3 day of the 3rd month beginning after publication.

4 (END)