



State of Wisconsin
2021 - 2022 LEGISLATURE

LRB-2279/1
SWB&JK:wlj

2021 ASSEMBLY BILL 1001

February 16, 2022 - Introduced by Representatives SORTWELL, KNODL, ALLEN, ARMSTRONG, BROOKS, BEHNKE, CABRAL-GUEVARA, KRUG, MURPHY, ROZAR, TITTL, WICHGERS and SCHRAA, cosponsored by Senator WIMBERGER. Referred to Committee on State Affairs.

1 **AN ACT to create** 5.05 (5g) and 756.04 (11) (am) of the statutes; **relating to:**
2 notifications to local elections officials and the elections commission regarding
3 certain prospective jurors.

Analysis by the Legislative Reference Bureau

This bill requires each clerk of circuit court to notify, on the basis of the address information used for mailing juror qualification forms, the appropriate municipal clerk or board of election commissioners and the Elections Commission of any prospective juror whose returned juror qualification form shows that the person does not qualify for jury duty in that circuit because the person either is not a U.S. citizen or does not live in the circuit for which he or she was called for jury duty. Unless a court orders otherwise, notifications provided under the bill must be kept confidential and are not subject to inspection and copying under state law.

Under the bill, if the Elections Commission receives a notification as provided under the bill, the commission must examine the registration list to determine if any prospective juror identified in the notification is registered to vote or has voted. If the commission determines that a prospective juror who is registered to vote or has voted does not have the necessary elector qualifications or does not satisfy the residence requirements, the commission shall remove the person's name from the registration list and send notice to the person and to the district attorney or attorney general of the commission's action.

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For further information see the state and local fiscal estimate, which will be printed as an appendix to this bill.

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

1 **SECTION 1.** 5.05 (5g) of the statutes is created to read:

2 5.05 **(5g)** NOTIFICATION OF DISQUALIFIED PROSPECTIVE JURORS. If the commission
3 receives a notification under s. 756.04 (11) (am), the commission shall examine the
4 registration list to determine if any prospective juror identified in the notification is
5 registered to vote or has voted. If the commission determines that a prospective juror
6 who is registered to vote or has voted does not have the necessary elector
7 qualifications or does not satisfy the residence requirements, the commission shall
8 remove the person's name from the registration list and send notice to the person and
9 to the district attorney or attorney general of the commission's action.

10 **SECTION 2.** 756.04 (11) (am) of the statutes is created to read:

11 756.04 **(11)** (am) Notwithstanding par. (a), each clerk of circuit court shall
12 notify the appropriate municipal clerk or board of election commissioners and the
13 elections commission of any prospective juror included on the list of prospective
14 jurors received by the clerk of circuit court under sub. (3m) whose returned juror
15 qualification form shows that the person is not qualified for jury service in that
16 circuit under s. 756.02 because the person either is not a U.S. citizen or does not live
17 in the circuit for which he or she was called for jury duty. The clerk of circuit court
18 shall determine the appropriate municipal clerk or board of election commissioners
19 for notification under this paragraph on the basis of the address information used
20 for mailing the juror qualification forms. Unless otherwise ordered by a court upon
21 a showing of good cause, notifications provided under this paragraph shall be kept

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1 confidential and are not subject to the right of inspection and copying under s. 19.35

2 (1).

3 (END)