



State of Wisconsin
2025 - 2026 LEGISLATURE

LRB-3290/1

MPG:skw

2025 ASSEMBLY BILL 312

June 6, 2025 - Introduced by Representatives KRUG, SORTWELL, BEHNKE, DITTRICH, GUNDRUM, KAUFERT, KNODL, KREIBICH, MURPHY, MURSAU, O'CONNOR and PIWOWARCZYK, cosponsored by Senators CABRAL-GUEVARA and NASS. Referred to Committee on Local Government.

AUTHORS SUBJECT TO CHANGE

1 **AN ACT** *to amend* 6.86 (1) (b) and 10.01 (2) (e) of the statutes; **relating to:**
2 hours for voting by absentee ballot in person at the office of the municipal
3 clerk or an alternate site.

Analysis by the Legislative Reference Bureau

Under current law, a voter may vote by absentee ballot in person at the office of the municipal clerk or at an alternate site as near as practicable to the clerk's office, as designated by the municipality. The period for voting absentee in person begins 14 days preceding the election and ends on the Sunday preceding the election, and the municipality must state the hours in the type E election notice, which, with one exception, is required to be published on the fourth Tuesday preceding each primary or election.

Under this bill, the office of the municipal clerk or alternate site must be open for at least 20 hours during the period for voting absentee in person, and the type E notice must state the specific office hours during which a voter may cast an in-person absentee ballot without prior appointment.

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

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SECTION 1

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

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

2 6.86 (1) (b) Except as provided in this section, if application is made by mail,
3 the application shall be received no later than 5 p.m. on the 5th day immediately
4 preceding the election. If application is made in person, the application shall be
5 made no earlier than 14 days preceding the election and no later than the Sunday
6 preceding the election. No application may be received on a legal holiday. ~~A~~ The
7 office of the municipal clerk or alternate site under s. 6.855 shall be open at least 20
8 hours during the period for accepting applications in person, and the municipality
9 shall specify the hours in the notice under s. 10.01 (2) (e). The municipal clerk or an
10 election official shall witness the certificate for any in-person absentee ballot cast.
11 Except as provided in par. (c), if the elector is making written application for an
12 absentee ballot at the partisan primary, the general election, the presidential
13 preference primary, or a special election for national office, and the application
14 indicates that the elector is a military elector, as defined in s. 6.34 (1), the
15 application shall be received by the municipal clerk no later than 5 p.m. on election
16 day. If the application indicates that the reason for requesting an absentee ballot is
17 that the elector is a sequestered juror, the application shall be received no later than
18 5 p.m. on election day. If the application is received after 5 p.m. on the Friday
19 immediately preceding the election, the municipal clerk or the clerk's agent shall
20 immediately take the ballot to the court in which the elector is serving as a juror
21 and deposit it with the judge. The judge shall recess court, as soon as convenient,
22 and give the elector the ballot. The judge shall then witness the voting procedure as

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1 provided in s. 6.87 and shall deliver the ballot to the clerk or agent of the clerk who
2 shall deliver it to the polling place or, in municipalities where absentee ballots are
3 canvassed under s. 7.52, to the municipal clerk as required in s. 6.88. If application
4 is made under sub. (2) or (2m), the application may be received no later than 5 p.m.
5 on the Friday immediately preceding the election.

6 **SECTION 2.** 10.01 (2) (e) of the statutes is amended to read:

7 10.01 (2) (e) Type E — The type E notice shall state the qualifications for
8 absentee voting, the procedures for obtaining an absentee ballot in the case of
9 registered and unregistered voters, the places and the deadlines for application and
10 return of application, including any alternate site under s. 6.855, and the specific
11 office hours, totalling not less than 20, during which an elector without prior
12 appointment may cast an absentee ballot in the municipal clerk's office or at an
13 alternate site under s. 6.855. The municipal clerk shall publish a type E notice on
14 the 4th Tuesday preceding each spring primary and election, on the 4th Tuesday
15 preceding each partisan primary and general election, on the 4th Tuesday
16 preceding the primary for each special national, state, county or municipal election
17 if any, on the 4th Tuesday preceding a special county or municipal referendum, and
18 on the 3rd Tuesday preceding each special national, state, county or municipal
19 election to fill an office which is not held concurrently with the spring or general
20 election. The clerk of each special purpose district which calls a special election
21 shall publish a type E notice on the 4th Tuesday preceding the primary for the
22 special election, if any, on the 4th Tuesday preceding a special referendum, and on

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SECTION 2

1 the 3rd Tuesday preceding a special election for an office which is not held
2 concurrently with the spring or general election except as authorized in s. 8.55 (3).

3 (END)