



RACHAEL A. CABRAL-GUEVARA

STATE SENATOR • 19TH SENATE DISTRICT

Testimony before the Senate Committee on Shared Revenue, Elections and Consumer Protection

Senator Rachael Cabral-Guevara

September 26, 2023

Hello, Chairman Knodl and members of the committee. Thank you for allowing me to submit testimony on Senate Bill 39, an important piece of legislation that will help improve voter confidence about our elections process.

There have been concerns around the security and efficiency of absentee voting. This includes the worry if your request was received by the clerk, when your ballot is being mailed, and that the ballot got back to the clerk on time. Using their database, the Wisconsin Elections Commission created a “Track my Ballot” tool through the MyVote website to alleviate some of these concerns.

This bill goes a step further and offers voters the opportunity to receive texting notifications for these steps in the process. If a phone number is included with their absentee ballot application, they can receive these updates automatically via text. This added layer of tracking will help boost confidence in the absentee voting process and give voters ample opportunity to identify any unusual delays in the receipt of their request or ballot.

With absentee voting becoming more and more common, anything we can do to make the process more transparent is a step in the right direction. Senate Amendment 2 is the result of input from stakeholders, expanding the opportunity for all absentee applicants to receive these texting notifications and requires samples of the texts to be included on absentee notices.

I am hopeful you will be able to support this critical piece of legislation that will help improve confidence in the absentee voting process. Thank you again for your time.



DAVID STEFFEN

STATE REPRESENTATIVE • 4th ASSEMBLY DISTRICT

September 26, 2023

Testimony to the Senate Committee on Shared Revenue, Elections and Consumer Protection: Senate Bill 39

Chairman Knodl and Committee Members,

Thank you for the opportunity to testify in favor of Senate Bill 39, a bipartisan bill that would enhance absentee ballot tracking via an optional text messaging service.

Ensuring that the right to vote is accessible and that voters feel confident in our elections system are crucial components of a thriving, representative democracy. Senate Bill 39 aims to bolster both these components by creating a user-friendly text message notification service for our state's absentee voters.

Over 800,000 Wisconsinites requested an absentee ballot for the November 2022 general election, which adds up to nearly a third of the total votes cast across the state. The number of residents choosing to vote absentee is only continuing to grow, and these voters deserve the assurance that their ballot has been properly received by the clerk.

SB 39 would allow absentee voters to opt in to text message alerts by providing their mobile phone number on their absentee ballot application. If a voter chooses to utilize this service, moving forward they would receive a text message when their absentee application is received by the clerk and when their absentee ballot is received by the clerk. Additionally, this would help reduce the number of calls to clerks from voters inquiring if their ballot has been received.

By using Wisconsin's existing MyVote system, this text messaging service can be easily and inexpensively implemented. Wisconsin Elections Commission (WEC) estimates a one-time implementation cost of \$25,000 and ongoing, annual costs ranging from \$10,000-\$30,000. WEC estimates these costs can be absorbed within their budget.

Senator Cabral-Guevara and I have introduced a simple amendment to SB 39. Senate Amendment 2 to SB 39 is the result of ongoing discussions with colleagues and WEC and provides the following changes:

- 1) Ensures that whether a voter completes a written or electronic absentee ballot application, they may opt in to this text messaging service.
- 2) States that if municipalities have a website, they must post information regarding the text messaging service on their website, along with samples of what an official text would look like.



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- 3) Adds a delayed effective date of six months to ensure WEC has adequate time to implement this system.

SB 39 is supported by eight different voter rights groups and is a simple step towards ensuring every voter has easy access to the status of their ballot and the confidence to know their vote counts.

Thank you for the opportunity to speak in favor of this bill. I encourage you to join me in supporting this legislation and am happy to answer any questions you have.

A handwritten signature in black ink, appearing to read "David Steffen".

David Steffen
State Representative
4th Assembly District

Date: September 26, 2023

Re: DRW comments in Support of SB 39 / AB 38 - Absentee ballot request and return confirmation

To: Chairman Dan Knodl and Members of the Senate Shared Revenue, Elections and Consumer Protection Committee

From: Barbara Beckert, Disability Rights Wisconsin - barbarab@drwi.org

Thank you for the opportunity to speak to you today on behalf of Disability Rights Wisconsin (DRW) in support of SB 39 / AB 38 - Absentee ballot request and return confirmation.

Disability Rights Wisconsin (DRW) is the federally mandated Protection and Advocacy system for the State of Wisconsin, charged with protecting the rights of individuals with disabilities and keeping them free from abuse and neglect. DRW is mandated to help ensure full participation in the electoral process for individuals with disabilities (Help America Vote Act, 42 U.S.C. § 15461 (2002)). DRW staffs a Voter Hotline and provides training and support to assist voters with disabilities and older adults, family members, service providers, and others.

Voters with disabilities and older adults have a higher utilization of absentee voting for a variety of reasons. Many are non-drivers with limited access to transportation. In addition, polling place accessibility issues and/ or disability related, or health concerns may limit their ability to vote in person.

This bill would allow a voter who has submitted an absentee ballot application, to have the option of receiving automatic notification by text message that their ballot application has been received, and that their completed ballot has been received. Voters may choose to continue receiving notifications for all ensuing elections for which they apply for an absentee ballot electronically. The bill also requires that mobile telephone numbers submitted are confidential.

DRW supports this proposal because it will allow voters with disabilities who vote absentee the option of receiving a text message confirming receipt of the ballot request application and the return of their completed ballot. This will provide voters with confirmation security that their ballot request and completed ballot have been received by the clerk. This is an issue of growing concern to voters, given the increasing challenges with USPS delivery and uncertainty about the delivery timeline. As amended, it allows request to be made via My Vote Wisconsin or on the paper application which is used by many people with disabilities and older adults. The bill maintains the confidentiality of mobile phone numbers which is important to voters.

We thank the authors and members of the committee for your consideration of our comments and welcome any follow up questions. Contact information is listed below if we can be of assistance in any way.

Disability Rights Wisconsin

- Barbara Beckert, Director of External Advocacy, Barbara.Beckert@drwi.org, 414-292-2724
- Lisa Hassenstab, Public Policy Manager, lisah@drwi.org, 608-308-2639



SB 39 Will Improve Voter Experience, Promote Transparency in Elections

Dear Chairman Knodl and esteemed members of the Senate Committee on Shared Revenue, Elections and Consumer Protection,

Thank you for the opportunity to provide written testimony in support of Senate Bill 39.

My name is Peter Skopec, and I am the Director of Advocacy for Secure Democracy USA. Secure Democracy USA is a national, nonpartisan nonprofit organization that works across the aisle with state leaders, election administrators, and policy experts to build confidence in our elections and ensure all eligible citizens have the freedom to vote how they choose.

SB 39 and its Assembly companion, AB 38, would allow Wisconsin voters to receive automatic text message notifications about the status of their absentee ballot, if they so choose. This proposal builds on Wisconsin's extraordinarily popular absentee ballot tracking service to give voters greater access to information about their ballot.

SB 39 is an excellent example of how promoting transparency in our elections can both improve the voter's experience and strengthen voter confidence.

Ballot tracking is an election administrative process that permits voters to track an absentee ballot through the voting process. 14 states, including Utah, Texas, and Florida, statutorily require that voters be able to track their mail ballots, while more than 30 other states provide this important service to voters administratively.

Wisconsin lets voters securely track the status of their absentee ballot through the state's voter website, MyVote Wisconsin. MyVote's service is enormously popular with voters: over 1.5 million users tracked their ballots through MyVote during the 2020 General election.

SB 39 would make ballot tracking even more convenient for Wisconsin voters. Rather than having to visit MyVote's website to track their ballot, SB 39 lets voters opt into automatic text message notifications when filling out an absentee ballot application. Voters would then get text notifications when their absentee application – and, especially importantly – when their returned absentee ballot is received by the municipal clerk.

We thank the esteemed members of the Committee for the opportunity to submit written testimony on SB 39, and Senator Cabral-Guevara and Representative Steffen for their leadership in introducing this bipartisan bill.

We would be happy to provide you with any additional information, including on the implementation and effect of ballot tracking in other states.

We respectfully urge you to support SB 39.

Sincerely,

**Peter Skopec
Director of Advocacy
Secure Democracy USA**

Secure Democracy USA is a nonpartisan, nonprofit organization that works to build confidence in our elections and improve voter access across the United States. Our goal is to support local election officials and state lawmakers to make elections policy that ensures our country continues to be a beacon of democracy for the entire world.

To: Senate Committee on Elections

Date: September 26, 2023

From: Paul Malischke malischke@yahoo.com

1120 Colleen Court, Platteville WI 53818

Subject: SB-39, text messages to voters who request an absentee ballot

Please include this letter with testimony for the September 26, 2023 public hearing on SB-39.

Please consider amending four aspects of SB 39 to extend its reach and to preserve voters' privacy.

- 1) **Extend the effectiveness** by adding a text message when the municipal clerk mails out the absentee ballot. This will provide the voter with important information regarding when they can expect to receive the ballot. The bill currently calls for a text only when an absentee ballot request is received by the clerk, and when the returned ballot is received by the municipal clerk.
- 2) **Include in the text the address where the absentee ballot will be sent.** This will confirm to the voter that the request has been processed correctly.
- 3) **Extend the reach** by allowing the Wisconsin Elections Commission to send texts to absentee voters if their phone number is in the voter database. The bill only allows texts to those who submit their telephone number with the absentee application.

Currently, the EL-131 voter registration form has a space for the voter's phone number and e-mail. The instructions for this section state: *"This information may be used by your municipal clerk to contact you about your voter record or absentee ballot request."* If the registrant fills this out and the clerk enters this into the voter registration database, their phone number could be available for these texts, if the above item 3 is added to SB-39. Voters could opt out of future texts simply by replying STOP. Adding this provision will help to prevent or curtail the felonious act of requesting an absentee ballot using someone else's name.

- 4) **Add a provision guaranteeing privacy to all phone numbers** and e-mail addresses in the entire voter registration database. If SB-39 is passed as written, some voters (who request an absentee ballot) will have their phone numbers remain confidential, and some (those who included it on the registration form) will not.

Currently, there are no restrictions on who can purchase this information (at badgervoters.wi.gov) or how it is used. It is important to change the law (item 4 above) to make **all** voters' phone numbers and email addresses confidential.