
Wisconsin Legislative Council

AMENDMENT MEMO



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2019 Assembly Bill 203

**Assembly Amendments 1,
2, and 3**

2019 ASSEMBLY BILL 203

Assembly Bill 203 creates an optional procedure for processing in-person absentee ballots, called the “absentee voting efficiency option” (AVEO), which a municipality may adopt if certified to do so by the Wisconsin Elections Commission. The AVEO process allows a voter to feed his or her in-person absentee ballot into the electronic voting machine at the clerk’s office, rather than sealing the ballot in an envelope that is opened on Election Day. Though ballots under the AVEO process are cast directly into an electronic voting machine, the votes are not tabulated until Election Day. The municipal clerk must publish the number of absentee ballots cast using the AVEO process each day. The bill also makes it a felony for a person to know or provide information about the accumulating or final results of ballots cast using the AVEO process.

ASSEMBLY AMENDMENT 1

Assembly Amendment 1 makes the following changes to AVEO procedures created under Assembly Bill 203:

- Provides that a voter does not have to state his or her name and address aloud to obtain an in-person absentee ballot if otherwise exempt from the requirement.
- Allows the AVEO process to be used at a location designated by the chief election official, rather than only at the municipal clerk’s office.
- Requires that two “election officials” must be present for AVEO voting and for any administrative process requiring access to a sealed area and the breaking of a tamper-evidence security seal.
- Requires a municipality that hires additional election officials to administer AVEO voting to assign an equal number from the nominees of each political party, insofar as practicable.
- Provides that a second person, in addition to the municipal clerk, must seal ballots cast using the AVEO process in numbered and tamper-evident ballot bags every day.
- Requires that a municipality seeking Elections Commission certification to use the AVEO process must submit its plan for review no later than 90 days prior to the start of AVEO voting, instead of 60 days prior.
- Requires a municipality certified to conduct AVEO voting to specifically notify the county clerk or county chief election officer at least 70 days before each election at which the municipality is using the AVEO process.

ASSEMBLY AMENDMENT 2

Assembly Amendment 2 makes a change consistent with the provision of Assembly Amendment 1 allowing the AVEO process to be used at a location designated by the chief election official. The amendment provides that the vote of any voter may be challenged at a location designated by the chief election official, as well as at the municipal clerk's office, during the period for using the AVEO process.

ASSEMBLY AMENDMENT 3

Assembly Amendment 3 deletes a cross-reference indicating that a voter may use the AVEO procedure at any time during the period in which an in-person application for an absentee ballot may be made, which under current law is no earlier than 14 days preceding the election and no later than the Sunday preceding the election.

The amendment replaces the cross-reference with language specifying that the AVEO procedure may be used no sooner than the 14-day period immediately preceding the day of the election and no later than the Sunday immediately preceding the day of the election.

BILL HISTORY

Representative Brandtjen offered Assembly Amendment 1 on June 7, 2019, and Assembly Amendment 2 on June 18, 2019. The Assembly Committee on Campaigns and Elections adopted Assembly Amendments 1 and 2 on June 18, 2019, on votes of Ayes, 9; Noes, 0. The committee then voted for passage of Assembly Bill 203, as amended, on a vote of Ayes, 8; Noes, 1. Representative Brandtjen offered Assembly Amendment 3 on February 18, 2020. On February 20, 2020, the Wisconsin Assembly adopted Assembly Amendments 1, 2, and 3 and passed Assembly Bill 203, as amended by Assembly Amendments 1, 2, and 3.

PH:jal