



State of Wisconsin
2011 - 2012 LEGISLATURE



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2011 SENATE BILL 6

January 14, 2011 - Introduced by Senators LEIBHAM, LAZICH, VUKMIR, KAPANKE, GROTHMAN, DARLING, GALLOWAY, WANGGAARD, KEDZIE, ELLIS, ZIPPERER, OLSEN, SCHULTZ, MOULTON, LASEE, COWLES, HOPPER, HARSDFORF, S. FITZGERALD and CARPENTER, cosponsored by Representatives STONE, TAUCHEN, HONADEL, J. OTT, VOS, PRIDEMORE, BERNIER, LEMAHIEU, AUGUST, SPANBAUER, KRAMER, PETERSEN, ZIEGELBAUER, KESTELL, RIPP, VAN ROY, KERKMAN, JACQUE, LITJENS, NASS, KAUFERT, STRACHOTA, STEINEKE, KAPENGA, KRUG, FARROW, KNODL, KLEEFISCH, KOOYENGA, BALLWEG, ENDSLEY, RIVARD, THIESFELDT, A. OTT, PETRYK, WILLIAMS, SEVERSON, WYNN, KNUDSON, KUGLITSCH, PETROWSKI, NYGREN, MEYER, BIES and TIFFANY. Referred to Committee on Transportation and Elections.

1 **AN ACT** *to repeal* 6.56 (5), 12.13 (3) (v) and 343.50 (4g); *to renumber* 6.79 (3);
2 *to renumber and amend* 6.87 (4) and 6.97 (3); *to amend* 5.35 (6) (a) 2., 5.35
3 (6) (a) 4a., 5.35 (6) (a) 4a., 6.15 (1), 6.15 (2) (bm), 6.15 (2) (d) 1g., 6.15 (2) (d) 1r.,
4 6.15 (3), 6.15 (3), 6.29 (1), 6.29 (2) (a), 6.33 (1), 6.33 (2) (b), 6.34 (2), 6.55 (2) (b),
5 6.55 (2) (b), 6.55 (2) (c) 1., 6.55 (2) (c) 1., 6.55 (2) (c) 2., 6.79 (2) (a), 6.79 (2) (a),
6 6.79 (2) (d), 6.79 (2) (d), 6.79 (3) (title), 6.79 (3) (title), 6.79 (3) (b), 6.79 (4), 6.79
7 (6), 6.79 (6), 6.82 (1) (a), 6.82 (1) (a), 6.86 (1) (ac), 6.86 (1) (ar), 6.86 (1) (ar), 6.86
8 (3) (a) 1., 6.86 (3) (a) 1., 6.86 (3) (a) 2., 6.869, 6.869, 6.87 (3) (d), 6.87 (4) (b) 1.,
9 6.87 (4) (b) 2., 6.87 (4) (b) 3., 6.87 (4) (b) 5., 6.875 (title), 6.875 (2) (a), 6.875 (3)
10 and (4), 6.875 (6) (a) and (b), 6.875 (6) (c) 1., 6.875 (6) (c) 1., 6.875 (6) (c) 2., 6.875
11 (6) (e), 6.875 (7), 6.88 (3) (a), 6.88 (3) (a), 6.97 (title), 6.97 (1), 6.97 (1), 6.97 (2),
12 6.97 (2), 6.97 (3) (a), 6.97 (3) (b), 6.97 (3) (c), 7.08 (8) (title), 7.08 (12), 7.52 (3) (a),
13 7.52 (3) (a), 10.02 (3) (form) (a), 10.02 (3) (form) (a), 12.03 (2) (b) 3., 12.13 (2) (b)
14 6m., 85.103 (2), 134.71 (8) (a) 2., 139.30 (4n), 165.8287 (2), 165.8287 (3) (d),

SENATE BILL 6

1 343.19 (title), 343.19 (2) (intro.), 343.235 (title), 343.237 (title), 343.237 (6),
2 343.43 (2), subchapter V (title) of chapter 343 [precedes 343.50], 343.50 (3),
3 343.50 (4), 343.50 (5) (a) 1. and 343.50 (6); **to repeal and recreate** 343.19 (1),
4 343.22 (2), 343.22 (2m), 343.22 (3), 343.237 (2), 343.237 (3) (intro.), 343.50 (3),
5 343.50 (4), 343.50 (5) (a) 1. and 343.50 (6); and **to create** 6.15 (2) (bm), 6.15 (2)
6 (d) 1g., 6.79 (3) (b), 6.79 (7), 6.87 (4) (a), 6.87 (4) (b) 2., 6.87 (4) (b) 3., 6.87 (4) (b)
7 4., 6.87 (4) (b) 5., 6.875 (1) (ap) and (asm), 6.875 (2) (d), 6.965, 6.97 (3) (a), 6.97
8 (3) (c), 7.08 (12), 125.085 (1) (f), 343.19 (2) (c), 343.50 (4g) and 343.505 of the
9 statutes; **relating to:** requiring certain identification in order to vote at a
10 polling place or obtain an absentee ballot, verification of the addresses of
11 electors, absentee voting procedure in certain residential care apartment
12 complexes and adult family homes, identification cards issued by the
13 Department of Transportation, creating an identification certificate issued by
14 the Department of Transportation, requiring the exercise of rule-making
15 authority, and providing a penalty.

Analysis by the Legislative Reference Bureau

Under current law, any person who is a U.S. citizen, who is at least 18 years of age, and who has resided in a ward or election district in this state for at least ten days before the election at which the person is voting may vote in that ward or election district at that election unless the person is disqualified from voting, in certain cases specified by law, as the result of a felony conviction or an adjudication of incompetency. With limited exceptions, a person must register before voting and in certain cases must provide proof of residence. With certain limited exceptions, before being permitted to vote at any polling place, an eligible elector currently must provide his or her name and address. If the elector is not registered, the elector must provide a specified form of proof of residence in order to register. If an elector is not able to present any required proof of residence, as an alternative, current law permits an elector's registration information to be corroborated by another qualified elector who resides in the same municipality. In addition, an elector other than a military elector or an overseas elector, as defined by federal law, who registers by mail and who has not voted in an election in this state must provide one of the forms

SENATE BILL 6

of identification specified by federal law, or a copy thereof if voting by absentee ballot, in order to be permitted to vote. Corroboration may not be substituted for this identification requirement, but an elector who cannot provide the required identification may cast a provisional ballot. The municipal clerk or board of election commissioners must determine whether electors casting provisional ballots are qualified to vote by 4 p.m. on the day after an election.

With certain limited exceptions, this bill requires each eligible elector who attempts to register or to vote at the polls on election day to present a valid Wisconsin driver's license issued to the person by the Department of Transportation (DOT), a valid, current identification card issued to the person by a U.S. uniformed service, or a valid Wisconsin identification card issued to the person by DOT or, if DOT implements the provisions of the federal REAL ID Act, an identification certificate issued to the person by DOT (see below). A person whose address is confidential as a result of domestic abuse, sexual assault, or stalking or in certain cases a person who has been required by a law enforcement officer to surrender his or her license (see below) is exempted from the requirement. Under the bill, any person who applies for an absentee ballot, except a military or overseas elector, as defined by federal law, or a person whose address is confidential as a result of domestic abuse, sexual assault, or stalking, must also provide a copy of the license or identification card, unless: 1) the person has already provided a copy of his or her license or identification card in connection with an absentee ballot cast at a previous election and has not changed his or her name or address since that election; 2) the person has been required by a law enforcement officer to surrender his or her license (see below); 3) the person is indefinitely confined, in which case the person may submit a statement signed by the person who witnesses his or her absentee ballot verifying his or her identity; or 4) the person is an occupant of any nursing home, or is an occupant of a community-based residential facility, retirement home, adult family home, or residential care apartment complex where a municipality sends special voting deputies, in which case the person may submit a statement signed by the deputies verifying his or her identity. The bill continues current requirements for certain electors to provide proof of residence in order to register or to vote, but discontinues the use of corroborating electors to verify residence. Under the bill, if a person who votes at a polling place fails to provide a license or identification card, the person may vote provisionally. If a person votes by absentee ballot and fails to provide a copy of the license or identification card, unless exempted from the requirement, the ballot is treated as a provisional ballot. A provisional ballot is marked by the poll workers, who immediately contact the municipal clerk or board of election commissioners. The person may then provide the required identification either at the polling place before the closing hour or at the office of the clerk or board. If the person does not provide the required identification to the clerk or board by 4 p.m. on the day following the election, the person's vote is not counted. If a person receives a citation from a law enforcement officer in any jurisdiction that is dated within 60 days of the date of an election and is required to surrender his or her Wisconsin operator's license at the time the citation is issued, the elector may present an original copy of the citation or notice of intent to revoke or suspend the elector's operator's license in lieu of his

SENATE BILL 6

or her operator's license or, if the elector is voting an absentee ballot by mail, may enclose a copy of the citation or notice in lieu of a copy of his or her operator's license. In this case, the bill provides that the elector's ballot is received and counted if otherwise valid, but the ballot is marked so it can be identified during the canvassing and recount process if the validity of the ballot is questioned.

The bill also directs the Government Accountability Board, in conjunction with the first regularly scheduled primary and election at which the voter identification requirements created by the bill initially apply, to conduct a public informational campaign for the purpose of informing prospective voters of the voter identification requirements created by the bill. In addition, the bill directs the board to conduct an ongoing outreach effort to identify and contact groups of electors who may need assistance in obtaining or renewing licenses or identification cards for voting purposes and to provide assistance in obtaining or renewing those licenses or identification cards.

The bill also permits an elector who is eligible to obtain a Wisconsin identification card to obtain the card from DOT free of charge, if the elector specifically requests not to be charged. The bill permits an applicant to receive a Wisconsin identification card without a photograph being taken, as currently required, if the applicant provides an affidavit stating that he or she has sincerely held religious beliefs against being photographed, that he or she is a member of a religious organization or identifies with the tenets of a religious organization and names that organization, that the religious tenets of that organization prohibit such photographing, and that he or she requests the identification card for the purpose of voting.

Under 2007 Wisconsin Act 20 (the biennial budget act), certain provisions specified in the federal REAL ID Act are incorporated into state law when DOT provides notice that it is ready to implement the federal REAL ID Act. Among these provisions is the requirement that each operator's license and identification card include a photograph.

This bill creates an identification certificate to be issued by DOT beginning at the time that DOT implements the provisions of the federal REAL ID Act. A person is eligible for an identification certificate if the person provides the same information that an elector is required to provide in order to register to vote and signs a statement affirming that the information is correct. Identification certificates must be the same size as an operator's license but must be of a design that is readily distinguishable from the design of operator's licenses and identification cards. Each identification certificate must bear the words "IDENTIFICATION CERTIFICATE." As required by the federal REAL ID Act, identification certificates must clearly state on their face that they may not be accepted by any federal agency for federal identification or any other official purpose and must use a unique design or color indicator to alert federal agency and other law enforcement personnel that they may not be accepted for any such purpose. Each identification certificate must include a color photograph unless the identification certificate applicant provides an affidavit containing specified information, including that the applicant has a sincerely held religious belief against being photographed. An identification certificate is valid for eight years and the fee

SENATE BILL 6

for an identification certificate is \$18 unless the applicant requests that the identification certificate be issued without charge.

The bill treats an identification certificate similarly to an identification card for some purposes and differently from an identification card for other purposes. The security standards for issuance of an identification certificate are not as strict as the standards applicable to an identification card after implementation of the federal REAL ID Act. However, when used for purposes of voting, an identification certificate has the same status as an identification card, as described above. Upon implementation of the provisions of the federal REAL ID Act, DOT may no longer issue an identification card without a photograph and a person may no longer obtain an identification card from DOT free of charge.

Currently, municipalities must send two special voting deputies (one designated by each major political party if the party wishes) to conduct absentee voting in nursing homes. Municipalities may also send the deputies to conduct absentee voting in community-based residential facilities and retirement homes that qualify for the service in accordance with standards prescribed by law. This bill permits municipal clerks and boards of election commissioners to send two special voting deputies to conduct absentee voting in adult family homes and residential care apartment complexes that qualify for the service in accordance with similar standards prescribed by law.

For further information see the *state* 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.** 5.35 (6) (a) 2. of the statutes is amended to read:

2 5.35 (6) (a) 2. A copy of the election fraud laws provided in s. 12.13 (1) and (3)
3 (intro), (d), (f), (g), (k), (L), (o), (q), (r), (u), (v) and (x), together with the applicable
4 penalties provided in s. 12.60 (1).

5 **SECTION 2.** 5.35 (6) (a) 4a. of the statutes is amended to read:

6 5.35 (6) (a) 4a. Instructions prescribed by the board for electors for whom a
7 license or identification card is required under s. 6.79 (2) or for whom proof of
8 residence under s. 6.34 is required under s. 6.55 (2).

9 **SECTION 3.** 5.35 (6) (a) 4a. of the statutes, as affected by 2011 Wisconsin Act
10 (this act), is amended to read:

SENATE BILL 6

1 5.35 (6) (a) 4a. Instructions prescribed by the board for electors for whom a
2 license ~~or~~, identification card, or identification certificate is required under s. 6.79 (2)
3 or for whom proof of residence under s. 6.34 is required under s. 6.55 (2).

4 **SECTION 4.** 6.15 (1) of the statutes is amended to read:

5 6.15 (1) QUALIFICATIONS. Any person who was or who is ~~a qualified~~ an eligible
6 elector under ss. 6.02 and 6.03, except that he or she has been a resident of this state
7 for less than 10 days prior to the date of the presidential election, is entitled to vote
8 for the president and vice president but for no other offices. The fact that the person
9 was not registered to vote in the state from which he or she moved does not prevent
10 voting in this state if the elector is otherwise qualified.

11 **SECTION 5.** 6.15 (2) (bm) of the statutes is created to read:

12 6.15 (2) (bm) Except as authorized in s. 6.79 (7), when making application in
13 person at the office of the municipal clerk, each applicant shall present a valid
14 operator's license issued to the person under ch. 343, a valid, current identification
15 card issued to the person by a U.S. uniformed service, or a valid identification card
16 issued to the person under s. 343.50. If any document presented by the applicant is
17 not proof of residence under s. 6.34, the applicant shall also present proof of residence
18 under s. 6.34.

19 **SECTION 6.** 6.15 (2) (bm) of the statutes, as created by 2011 Wisconsin Act ...
20 (this act), is amended to read:

21 6.15 (2) (bm) Except as authorized in s. 6.79 (7), when making application in
22 person at the office of the municipal clerk, each applicant shall present a valid
23 operator's license issued to the person under ch. 343, a valid, current identification
24 card issued to the person by a U.S. uniformed service, ~~or~~ a valid identification card
25 issued to the person under s. 343.50, or a valid identification certificate issued to the

SENATE BILL 6

1 person under s. 343.505. If any document presented by the applicant is not proof of
2 residence under s. 6.34, the applicant shall also present proof of residence under s.
3 6.34.

4 **SECTION 7.** 6.15 (2) (d) 1g. of the statutes is created to read:

5 6.15 (2) (d) 1g. If the elector makes application in person at the office of the
6 municipal clerk, the clerk shall verify that the name on the license or identification
7 card provided by the elector under par. (bm) is the same as the name on the elector's
8 application and shall verify that any photograph appearing on that document
9 reasonably resembles the elector.

10 **SECTION 8.** 6.15 (2) (d) 1g. of the statutes, as created by 2011 Wisconsin Act
11 (this act), is amended to read:

12 6.15 (2) (d) 1g. If the elector makes application in person at the office of the
13 municipal clerk, the clerk shall verify that the name on the license or, identification
14 card, or identification certificate provided by the elector under par. (bm) is the same
15 as the name on the elector's application and shall verify that any photograph
16 appearing on that document reasonably resembles the elector.

17 **SECTION 9.** 6.15 (2) (d) 1r. of the statutes is amended to read:

18 6.15 (2) (d) 1r. Upon proper completion of the application and cancellation card,
19 the municipal clerk shall ~~require the elector to provide proof of residence under s.~~
20 ~~6.34. If the elector cannot provide proof of residence, the elector may have his or her~~
21 ~~residence corroborated in a statement that is signed by another elector of the~~
22 ~~municipality and that contains the current street address of the corroborating~~
23 ~~elector. If the residence is corroborated by another elector, that elector shall then~~
24 ~~provide proof of residence under s. 6.34~~ permit the elector to cast his or her ballot for
25 president and vice president. The elector shall then mark the ballot in the clerk's

SENATE BILL 6

1 presence in a manner that will not disclose his or her vote. The elector shall then fold
2 the ballot so as to conceal his or her vote. The clerk or elector shall then place the
3 ballot in an envelope furnished by the clerk.

4 **SECTION 10.** 6.15 (3) of the statutes is amended to read:

5 6.15 (3) PROCEDURE AT POLLING PLACE. An eligible elector may appear at the
6 polling place for the ward or election district where he or she resides and make
7 application for a ballot under sub. (2). Except as otherwise provided in this
8 subsection, an elector who casts a ballot under this subsection shall follow the same
9 procedure required for casting a ballot at the municipal clerk's office under sub. (2).
10 The inspectors shall perform the duties of the municipal clerk, except that the
11 inspectors shall return the cancellation card under sub. (2) (b) to the municipal clerk
12 and the clerk shall forward the card as provided in sub. (2) (c) if required. Upon
13 proper completion of the application and cancellation card and ~~submittal of proof of~~
14 ~~residence under s. 6.34 or providing corroboration of residence~~ verification of the
15 elector's license or identification card as provided in sub. (2) (d) 1g., the inspectors
16 shall permit the elector to cast his or her ballot for president and vice president. The
17 elector shall mark the ballot and, unless the ballot is utilized with an electronic
18 voting system, the elector shall fold the ballot, and deposit the ballot into the ballot
19 box or give it to the inspector. The inspector shall deposit it directly into the ballot
20 box. Voting machines or ballots utilized with electronic voting systems may only be
21 used by electors voting under this section if they permit voting for president and vice
22 president only.

23 **SECTION 11.** 6.15 (3) of the statutes, as affected by 2011 Wisconsin Act (this
24 act), is amended to read:

SENATE BILL 6

1 6.15 (3) PROCEDURE AT POLLING PLACE. An eligible elector may appear at the
2 polling place for the ward or election district where he or she resides and make
3 application for a ballot under sub. (2). Except as otherwise provided in this
4 subsection, an elector who casts a ballot under this subsection shall follow the same
5 procedure required for casting a ballot at the municipal clerk's office under sub. (2).
6 The inspectors shall perform the duties of the municipal clerk, except that the
7 inspectors shall return the cancellation card under sub. (2) (b) to the municipal clerk
8 and the clerk shall forward the card as provided in sub. (2) (c) if required. Upon
9 proper completion of the application and cancellation card and verification of the
10 elector's license ~~or~~ identification card, or identification certificate as provided in sub.
11 (2) (d) 1g., the inspectors shall permit the elector to cast his or her ballot for president
12 and vice president. The elector shall mark the ballot and, unless the ballot is utilized
13 with an electronic voting system, the elector shall fold the ballot, and deposit the
14 ballot into the ballot box or give it to the inspector. The inspector shall deposit it
15 directly into the ballot box. Voting machines or ballots utilized with electronic voting
16 systems may only be used by electors voting under this section if they permit voting
17 for president and vice president only.

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

19 6.29 (1) No names may be added to a registration list for any election after the
20 close of registration, except as authorized under this section or s. 6.55 (2) or 6.86 (3)
21 (a) 2. Any person whose name is not on the registration list but who is otherwise a
22 qualified elector is entitled to vote at the election upon compliance with this section,
23 if the person complies with all other requirements for voting at the polling place.

24 **SECTION 13.** 6.29 (2) (a) of the statutes is amended to read:

SENATE BILL 6

1 6.29 (2) (a) Any qualified elector of a municipality who has not previously filed
2 a registration form or whose name does not appear on the registration list of the
3 municipality may register after the close of registration but not later than 5 p.m. or
4 the close of business, whichever is later, on the day before an election at the office of
5 the municipal clerk and at the office of the clerk's agent if the clerk delegates
6 responsibility for electronic maintenance of the registration list to an agent under
7 s. 6.33 (5) (b). The elector shall complete, in the manner provided under s. 6.33 (2),
8 a registration form containing all information required under s. 6.33 (1). The
9 registration form shall also contain the following certification: "I, ..., hereby certify
10 that, to the best of my knowledge, I am a qualified elector, having resided at ... for
11 at least 10 days immediately preceding this election, and I have not voted at this
12 election". The elector shall also provide proof of residence under s. 6.34.
13 ~~Alternatively, if the elector is unable to provide proof of residence under s. 6.34, the~~
14 ~~information contained in the registration form shall be corroborated in a statement~~
15 ~~that is signed by any other elector of the municipality and that contains the current~~
16 ~~street address of the corroborating elector. The corroborating elector shall then~~
17 ~~provide proof of residence under s. 6.34.~~ If the elector is registering after the close
18 of registration for the general election and the elector presents a valid driver's license
19 issued by another state, the municipal clerk or agent shall record on a separate list
20 the name and address of the elector, the name of the state, and the license number
21 and expiration date of the license.

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

23 6.33 (1) The board shall prescribe the format, size, and shape of registration
24 forms. All forms shall be printed on cards and each item of information shall be of
25 uniform font size, as prescribed by the board. The municipal clerk shall supply

SENATE BILL 6

1 sufficient forms to meet voter registration needs. The forms shall be designed to
2 obtain from each applicant information as to name; date; residence location;
3 citizenship; date of birth; age; the number of a valid operator's license issued to the
4 elector under ch. 343 or the last 4 digits of the elector's social security account
5 number; whether the applicant has resided within the ward or election district for
6 at least 10 days; whether the applicant has been convicted of a felony for which he
7 or she has not been pardoned, and if so, whether the applicant is incarcerated, or on
8 parole, probation, or extended supervision; whether the applicant is disqualified on
9 any other ground from voting; and whether the applicant is currently registered to
10 vote at any other location. The form shall include a space for the applicant's
11 signature ~~and the signature of any corroborating elector~~. The form shall include a
12 space to enter the name of any special registration deputy under s. 6.26 or 6.55 (6)
13 or inspector, municipal clerk, or deputy clerk under s. 6.55 (2) who obtains the form
14 and a space for the deputy, inspector, clerk, or deputy clerk to sign his or her name,
15 affirming that the deputy, inspector, clerk, or deputy clerk has accepted the form.
16 The form shall include a space for entry of the ward and aldermanic district, if any,
17 where the elector resides and any other information required to determine the offices
18 and referenda for which the elector is certified to vote. The form shall also include
19 a space where the clerk may record an indication of whether the form is received by
20 mail, a space where the clerk may record an indication of the type of identifying
21 document submitted by the elector as proof of residence under s. 6.34, whenever
22 required, and a space where the clerk, for any applicant who possesses a valid voting
23 identification card issued to the person under s. 6.47 (3), may record the
24 identification serial number appearing on the voting identification card. Each

SENATE BILL 6**SECTION 14**

1 county clerk shall obtain sufficient registration forms for completion by an elector
2 who desires to register to vote at the office of the county clerk under s. 6.28 (4).

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

4 6.33 (2) (b) Except as provided in s. 6.86 (3) (a) 2., the registration form shall
5 be signed by the registering elector ~~and any corroborating elector under s. 6.29 (2)~~
6 ~~(a) or 6.55 (2)~~ before the clerk, issuing officer or registration deputy. The form shall
7 contain a certification by the registering elector that all statements are true and
8 correct.

9 **SECTION 16.** 6.34 (2) of the statutes is amended to read:

10 6.34 (2) ~~Except as authorized in ss. 6.29 (2) (a) and 6.86 (3) (a) 2., upon~~ Upon
11 completion of a registration form prescribed under s. 6.33, each eligible elector who
12 is required to register under s. 6.27, who is not a military elector or an overseas
13 elector, and who registers after the close of registration under s. 6.29 or 6.86 (3) (a)
14 2., shall provide an identifying document that establishes proof of residence under
15 sub. (3). Each eligible elector who is required to register under s. 6.27, who is not a
16 military elector or an overseas elector, who registers by mail, and who has not voted
17 in an election in this state shall, if voting in person, provide an identifying document
18 that establishes proof of residence under sub. (3) or, if voting by absentee ballot,
19 provide a copy of an identifying document that establishes proof of residence under
20 sub. (3). If the elector registered by mail, the identifying document may not be a
21 residential lease.

22 **SECTION 17.** 6.55 (2) (b) of the statutes is amended to read:

23 6.55 (2) (b) Upon executing the registration form under par. (a), ~~the~~ except as
24 authorized under s. 6.79 (7), each elector shall be required by a special registration
25 deputy or inspector to present a valid operator's license issued to the elector under

SENATE BILL 6

1 ch. 343, a valid, current identification card issued to the elector by a U.S. uniformed
2 service, or a valid identification card issued to the elector under s. 343.50. If any
3 document presented is not proof of residence under s. 6.34, the elector shall also
4 provide proof of residence under s. 6.34. ~~If the elector cannot provide proof of~~
5 ~~residence, the information contained in the registration form shall be corroborated~~
6 ~~in a statement that is signed by any elector who resides in the same municipality as~~
7 ~~the registering elector and that contains the current street address of the~~
8 ~~corroborating elector. The corroborator shall then provide proof of residence as~~
9 ~~provided in s. 6.34.~~ If the elector is registering to vote in the general election and the
10 elector presents a valid driver's license issued by another state, the inspector or
11 deputy shall record on a separate list the name and address of the elector, the name
12 of the state, and the license number and expiration date of the license. The signing
13 by the elector executing the registration form and by any corroborator shall be in the
14 presence of the special registration deputy or inspector who shall then print his or
15 her name on and sign the form, indicating that the deputy or inspector has accepted
16 the form. Upon compliance with this procedure, the elector shall be permitted to cast
17 his or her vote, if the elector complies with all other requirements for voting at the
18 polling place.

19 **SECTION 18.** 6.55 (2) (b) of the statutes, as affected by 2011 Wisconsin Act ...
20 (this act), is amended to read:

21 6.55 (2) (b) Upon executing the registration form under par. (a), except as
22 authorized under s. 6.79 (7), each elector shall be required by a special registration
23 deputy or inspector to present a valid operator's license issued to the elector under
24 ch. 343, a valid, current identification card issued to the elector by a U.S. uniformed
25 service, ~~or~~ a valid identification card issued to the elector under s. 343.50, or a valid

SENATE BILL 6

1 identification certificate issued to the elector under s. 343.505. If any document
2 presented is not proof of residence under s. 6.34, the elector shall also provide proof
3 of residence under s. 6.34. If the elector is registering to vote in the general election
4 and the elector presents a valid driver's license issued by another state, the inspector
5 or deputy shall record on a separate list the name and address of the elector, the name
6 of the state, and the license number and expiration date of the license. The signing
7 by the elector executing the registration form and by any corroborator shall be in the
8 presence of the special registration deputy or inspector who shall then print his or
9 her name on and sign the form, indicating that the deputy or inspector has accepted
10 the form. Upon compliance with this procedure, the elector shall be permitted to cast
11 his or her vote, if the elector complies with all other requirements for voting at the
12 polling place.

13 **SECTION 19.** 6.55 (2) (c) 1. of the statutes is amended to read:

14 6.55 (2) (c) 1. As an alternative to registration at the polling place under pars.
15 (a) and (b), the board of election commissioners, or the governing body of any
16 municipality may by resolution require a person who qualifies as an elector and who
17 is not registered and desires to register on the day of an election to do so at another
18 readily accessible location in the same building as the polling place serving the
19 elector's residence or at an alternate polling place assigned under s. 5.25 (5) (b),
20 instead of at the polling place serving the elector's residence. In such case, the
21 municipal clerk shall prominently post a notice of the registration location at the
22 polling place. The An eligible elector who desires to register shall execute a
23 registration form as prescribed under par. (a) and, except as authorized in s. 6.79 (7),
24 present a valid operator's license issued to the person under ch. 343, a valid, current
25 identification card issued to the person by a U.S. uniformed service, or a valid

SENATE BILL 6

1 identification card issued to the person under s. 343.50. If any document presented
2 by the person is not acceptable proof of residence under s. 6.34, the person shall also
3 provide proof of residence as provided under s. 6.34. ~~If the elector cannot provide~~
4 ~~proof of residence, the information contained in the registration form shall be~~
5 ~~corroborated in the manner provided in par. (b).~~ If the elector a person is registering
6 to vote in the general election and the elector person presents a valid driver's license
7 issued by another state, the municipal clerk, deputy clerk, or special registration
8 deputy shall record on a separate list the name and address of the elector person, the
9 name of the state, and the license number and expiration date of the license. The
10 signing by the elector person executing the registration form ~~and by any corroborator~~
11 shall be in the presence of the municipal clerk, deputy clerk or special registration
12 deputy. The municipal clerk, the deputy clerk, or the special registration deputy
13 shall then print his or her name and sign the form, indicating that the clerk, deputy
14 clerk, or deputy has accepted the form. Upon proper completion of registration, the
15 municipal clerk, deputy clerk or special registration deputy shall serially number the
16 registration and give one copy to the elector person for presentation at the polling
17 place serving the elector's person's residence or an alternate polling place assigned
18 under s. 5.25 (5) (b).

19 **SECTION 20.** 6.55 (2) (c) 1. of the statutes, as affected by 2011 Wisconsin Act
20 (this act), is amended to read:

21 6.55 (2) (c) 1. As an alternative to registration at the polling place under pars.
22 (a) and (b), the board of election commissioners, or the governing body of any
23 municipality may by resolution require a person who qualifies as an elector and who
24 is not registered and desires to register on the day of an election to do so at another
25 readily accessible location in the same building as the polling place serving the

SENATE BILL 6**SECTION 20**

1 elector's residence or at an alternate polling place assigned under s. 5.25 (5) (b),
2 instead of at the polling place serving the elector's residence. In such case, the
3 municipal clerk shall prominently post a notice of the registration location at the
4 polling place. An eligible elector who desires to register shall execute a registration
5 form as prescribed under par. (a) and, except as authorized in s. 6.79 (7), present a
6 valid operator's license issued to the person under ch. 343, a valid, current
7 identification card issued to the person by a U.S. uniformed service, ~~or~~ a valid
8 identification card issued to the person under s. 343.50, or a valid identification
9 certificate issued to the person under s. 343.505. If any document presented by the
10 person is not acceptable proof of residence under s. 6.34, the person shall also provide
11 proof of residence as provided under s. 6.34. If a person is registering to vote in the
12 general election and the person presents a valid driver's license issued by another
13 state, the municipal clerk, deputy clerk, or special registration deputy shall record
14 on a separate list the name and address of the person, the name of the state, and the
15 license number and expiration date of the license. The signing by the person
16 executing the registration form shall be in the presence of the municipal clerk,
17 deputy clerk or special registration deputy. The municipal clerk, the deputy clerk,
18 or the special registration deputy shall then print his or her name and sign the form,
19 indicating that the clerk, deputy clerk, or deputy has accepted the form. Upon proper
20 completion of registration, the municipal clerk, deputy clerk or special registration
21 deputy shall serially number the registration and give one copy to the person for
22 presentation at the polling place serving the person's residence or an alternate
23 polling place assigned under s. 5.25 (5) (b).

24 **SECTION 21.** 6.55 (2) (c) 2. of the statutes is amended to read:

SENATE BILL 6

1 6.55 (2) (c) 2. Upon compliance with the procedures under subd. 1., the
2 municipal clerk or deputy clerk shall issue a certificate addressed to the inspectors
3 of the proper polling place directing that the elector be permitted to cast his or her
4 vote if the elector complies with all requirements for voting at the polling place. The
5 clerk shall enter the name and address of the elector on the face of the certificate.
6 ~~If the elector's registration is corroborated, the clerk shall also enter the name and~~
7 ~~address of the corroborator on the face of the certificate.~~ The certificate shall be
8 numbered serially and prepared in duplicate. The municipal clerk shall preserve one
9 copy in his or her office.

10 **SECTION 22.** 6.56 (5) of the statutes is repealed.

11 **SECTION 23.** 6.79 (2) (a) of the statutes is amended to read:

12 6.79 (2) (a) Unless information on the poll list is entered electronically, the
13 municipal clerk shall supply the inspectors with 2 copies of the most current official
14 registration list or lists prepared under s. 6.36 (2) (a) for use as poll lists at the polling
15 place. Except as provided in sub. ~~subs.~~ (6) and (7), each person eligible elector, before
16 receiving a serial number, shall state his or her full name and address and present
17 to the officials a valid operator's license issued to the elector under ch. 343, a valid,
18 current identification card issued to the elector by a U.S. uniformed service, or a valid
19 identification card issued to the elector under s. 343.50. The officials shall verify that
20 the name and address ~~provided~~ stated by the ~~person~~ elector are the same as the
21 ~~person's~~ elector's name and address on the poll list.

22 **SECTION 24.** 6.79 (2) (a) of the statutes, as affected by 2011 Wisconsin Act ...
23 (this act), is amended to read:

24 6.79 (2) (a) Unless information on the poll list is entered electronically, the
25 municipal clerk shall supply the inspectors with 2 copies of the most current official

SENATE BILL 6

1 registration list or lists prepared under s. 6.36 (2) (a) for use as poll lists at the polling
2 place. Except as provided in subs. (6) and (7), each eligible elector, before receiving
3 a serial number, shall state his or her full name and address and present to the
4 officials a valid operator's license issued to the elector under ch. 343, a valid, current
5 identification card issued to the elector by a U.S. uniformed service, ~~or~~ a valid
6 identification card issued to the elector under s. 343.50, or a valid identification
7 certificate issued to the elector under s. 343.505. The officials shall verify that the
8 name and address stated by the elector are the same as the elector's name and
9 address on the poll list.

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

11 6.79 (2) (d) If the poll list indicates that proof of residence under s. 6.34 is
12 required and the document provided by the elector under par. (a) does not constitute
13 proof of residence under s. 6.34, the officials shall require the elector to provide proof
14 of residence. If proof of residence is provided, the officials shall verify that the name
15 and address on the identification document submitted as proof of residence provided
16 is the same as the name and address shown on the registration list. If proof of
17 residence is required and not provided, or if the elector does not present a license or
18 identification card under par. (a), whenever required, the officials shall offer the
19 opportunity for the elector to vote under s. 6.97.

20 **SECTION 26.** 6.79 (2) (d) of the statutes, as affected by 2011 Wisconsin Act ...
21 (this act), is amended to read:

22 6.79 (2) (d) If the poll list indicates that proof of residence under s. 6.34 is
23 required and the document provided by the elector under par. (a) does not constitute
24 proof of residence under s. 6.34, the officials shall require the elector to provide proof
25 of residence. If proof of residence is provided, the officials shall verify that the name

SENATE BILL 6

1 and address on the document submitted as proof of residence provided is the same
2 as the name and address shown on the registration list. If proof of residence is
3 required and not provided, or if the elector does not present a license or, identification
4 card, or identification certificate under par. (a), whenever required, the officials shall
5 offer the opportunity for the elector to vote under s. 6.97.

6 **SECTION 27.** 6.79 (3) (title) of the statutes is amended to read:

7 6.79 (3) (title) ~~REFUSAL TO GIVE NAME AND ADDRESS~~ PROVIDE NAME, ADDRESS,
8 LICENSE, OR IDENTIFICATION CARD.

9 **SECTION 28.** 6.79 (3) (title) of the statutes, as affected by 2011 Wisconsin Act
10 (this act), is amended to read:

11 6.79 (3) (title) ~~REFUSAL TO PROVIDE NAME, ADDRESS, LICENSE, OR IDENTIFICATION~~
12 ~~CARD~~ OR CERTIFICATE.

13 **SECTION 29.** 6.79 (3) of the statutes is renumbered 6.79 (3) (a).

14 **SECTION 30.** 6.79 (3) (b) of the statutes is created to read:

15 6.79 (3) (b) If a license or identification card under sub. (2) is not provided by
16 the elector or if the name or any photograph appearing on the document that is
17 provided cannot be verified by the officials, the elector shall not be permitted to vote,
18 except as authorized under sub. (6) or (7), but if the elector is entitled to cast a
19 provisional ballot under s. 6.97, the officials shall offer the opportunity for the elector
20 to vote under s. 6.97.

21 **SECTION 31.** 6.79 (3) (b) of the statutes, as created by 2011 Wisconsin Act
22 (this act), is amended to read:

23 6.79 (3) (b) If a license or, identification card, or identification certificate under
24 sub. (2) is not provided by the elector or if the name or any photograph appearing on
25 the document that is provided cannot be verified by the officials, the elector shall not

SENATE BILL 6

1 be permitted to vote, except as authorized under sub. (6) or (7), but if the elector is
2 entitled to cast a provisional ballot under s. 6.97, the officials shall offer the
3 opportunity for the elector to vote under s. 6.97.

4 **SECTION 32.** 6.79 (4) of the statutes is amended to read:

5 6.79 (4) SUPPLEMENTAL INFORMATION. When any elector provides proof of
6 residence under s. 6.15, 6.29 or 6.55 (2), the election officials shall enter the type of
7 identifying document provided on the poll list, or separate list maintained under sub.
8 (2) (c). If the document submitted as proof of identity or residence includes a number
9 which applies only to the individual holding that document, the election officials
10 shall also enter that number on the list. ~~When any elector corroborates the~~
11 ~~registration identity or residence of any person offering to vote under s. 6.55 (2) (b)~~
12 ~~or (c), or the registration identity or residence of any person registering on election~~
13 ~~day under s. 6.86 (3) (a) 2., the election officials shall also enter the name and address~~
14 ~~of the corroborator next to the name of the elector whose information is being~~
15 ~~corroborated on the poll list, or the separate list maintained under sub. (2) (c). When~~
16 any person offering to vote has been challenged and taken the oath, following the
17 person's name on the poll list, the officials shall enter the word "Sworn".

18 **SECTION 33.** 6.79 (6) of the statutes is amended to read:

19 6.79 (6) CONFIDENTIAL NAMES AND ADDRESSES. An elector who has a confidential
20 listing under s. 6.47 (2) may present his or her identification card issued under s. 6.47
21 (3), or give his or her name and identification serial number issued under s. 6.47 (3),
22 in lieu of stating his or her name and address and presenting a license or
23 identification card under sub. (2). If the elector's name and identification serial
24 number appear on the confidential portion of the list, the inspectors shall issue a

SENATE BILL 6

1 voting serial number to the elector, record that number on the poll list and permit
2 the elector to vote.

3 **SECTION 34.** 6.79 (6) of the statutes, as affected by 2011 Wisconsin Act (this
4 act), is amended to read:

5 6.79 (6) CONFIDENTIAL NAMES AND ADDRESSES. An elector who has a confidential
6 listing under s. 6.47 (2) may present his or her identification card issued under s. 6.47
7 (3), or give his or her name and identification serial number issued under s. 6.47 (3),
8 in lieu of stating his or her name and address and presenting a license or
9 identification card, or identification certificate under sub. (2). If the elector's name
10 and identification serial number appear on the confidential portion of the list, the
11 inspectors shall issue a voting serial number to the elector, record that number on
12 the poll list and permit the elector to vote.

13 **SECTION 35.** 6.79 (7) of the statutes is created to read:

14 6.79 (7) LICENSE SURRENDER. If an elector receives a citation or notice of intent
15 to revoke or suspend an operator's license from a law enforcement officer in any
16 jurisdiction that is dated within 60 days of the date of an election and is required to
17 surrender his or her operator's license issued to the elector under ch. 343 at the time
18 the citation or notice is issued, the elector may present an original copy of the citation
19 or notice in lieu of an operator's license under ch. 343. In such case, the elector shall
20 cast his or her ballot under s. 6.965.

21 **SECTION 36.** 6.82 (1) (a) of the statutes is amended to read:

22 6.82 (1) (a) When any inspectors are informed that an eligible elector is at the
23 entrance to the polling place who as a result of disability is unable to enter the polling
24 place, they shall permit the elector to be assisted in marking a ballot by any
25 individual selected by the elector, except the elector's employer or an agent of that

SENATE BILL 6

1 employer or an officer or agent of a labor organization which represents the elector.
2 The Except as authorized in s. 6.79 (6) and (7), the individual selected by the elector
3 shall present to the inspectors a valid operator's license issued to the elector under
4 ch. 343, a valid, current identification card issued to the elector by a U.S. uniformed
5 service, or a valid identification card issued to the elector under s. 343.50 and, if the
6 license or identification card does not constitute proof of residence under s. 6.34, shall
7 also provide proof of residence under s. 6.34 for the assisted elector, whenever
8 required, and all other information necessary for the elector to obtain a ballot under
9 s. 6.79 (2). The inspectors shall issue a ballot to the individual selected by the elector
10 and shall accompany the individual to the polling place entrance where the
11 assistance is to be given. If the ballot is a paper ballot, the assisting individual shall
12 fold the ballot after the ballot is marked by the assisting individual. The assisting
13 individual shall then immediately take the ballot into the polling place and give the
14 ballot to an inspector. The inspector shall distinctly announce that he or she has "a
15 ballot offered by (stating person's name), an elector who, as a result of disability,
16 is unable to enter the polling place without assistance". The inspector shall then ask,
17 "Does anyone object to the reception of this ballot?" If no objection is made, the
18 inspectors shall record the elector's name under s. 6.79 and deposit the ballot in the
19 ballot box, and shall make a notation on the poll list: "Ballot received at poll
20 entrance".

21 **SECTION 37.** 6.82 (1) (a) of the statutes, as affected by 2011 Wisconsin Act
22 (this act), is amended to read:

23 6.82 (1) (a) When any inspectors are informed that an eligible elector is at the
24 entrance to the polling place who as a result of disability is unable to enter the polling
25 place, they shall permit the elector to be assisted in marking a ballot by any

SENATE BILL 6

1 individual selected by the elector, except the elector's employer or an agent of that
2 employer or an officer or agent of a labor organization which represents the elector.
3 Except as authorized in s. 6.79 (6) and (7), the individual selected by the elector shall
4 present to the inspectors a valid operator's license issued to the elector under ch. 343,
5 a valid, current identification card issued to the elector by a U.S. uniformed service,
6 ~~or~~ a valid identification card issued to the elector under s. 343.50, or a valid
7 identification certificate issued to the elector under s. 343.505 and, if the license ~~or~~,
8 identification card, or identification certificate does not constitute proof of residence
9 under s. 6.34, shall also provide proof of residence under s. 6.34 for the assisted
10 elector, whenever required, and all other information necessary for the elector to
11 obtain a ballot under s. 6.79 (2). The inspectors shall issue a ballot to the individual
12 selected by the elector and shall accompany the individual to the polling place
13 entrance where the assistance is to be given. If the ballot is a paper ballot, the
14 assisting individual shall fold the ballot after the ballot is marked by the assisting
15 individual. The assisting individual shall then immediately take the ballot into the
16 polling place and give the ballot to an inspector. The inspector shall distinctly
17 announce that he or she has "a ballot offered by (stating person's name), an elector
18 who, as a result of disability, is unable to enter the polling place without assistance".
19 The inspector shall then ask, "Does anyone object to the reception of this ballot?" If
20 no objection is made, the inspectors shall record the elector's name under s. 6.79 and
21 deposit the ballot in the ballot box, and shall make a notation on the poll list: "Ballot
22 received at poll entrance".

23 **SECTION 38.** 6.86 (1) (ac) of the statutes is amended to read:

24 6.86 (1) (ac) Any elector qualifying under par. (a) may make written application
25 to the municipal clerk for an official ballot by means of facsimile transmission or

SENATE BILL 6

1 electronic mail. Any application under this paragraph shall contain a copy of the
2 applicant's original signature. An elector requesting a ballot under this paragraph
3 shall return with the voted ballot a copy of the request bearing an original signature
4 of the elector as provided in s. 6.87 (4) (b).

5 **SECTION 39.** 6.86 (1) (ar) of the statutes is amended to read:

6 6.86 (1) (ar) Except as authorized in s. 6.875 (6), the municipal clerk shall not
7 issue an absentee ballot unless the clerk receives a written application therefor from
8 a qualified elector of the municipality. The clerk shall retain each absentee ballot
9 application until destruction is authorized under s. 7.23 (1). Except as authorized
10 in s. 6.79 (6) and (7), if a qualified elector applies for an absentee ballot in person at
11 the clerk's office, the clerk shall not issue the elector an absentee ballot unless the
12 elector presents a valid operator's license issued to the elector under ch. 343, a valid,
13 current identification card issued to the elector by a U.S. uniformed service, or a valid
14 identification card issued to the elector under s. 343.50. The clerk shall make a copy
15 of the document presented by the elector and shall enclose the copy in the certificate
16 envelope.

17 **SECTION 40.** 6.86 (1) (ar) of the statutes, as affected by 2011 Wisconsin Act
18 (this act), is amended to read:

19 6.86 (1) (ar) Except as authorized in s. 6.875 (6), the municipal clerk shall not
20 issue an absentee ballot unless the clerk receives a written application therefor from
21 a qualified elector of the municipality. The clerk shall retain each absentee ballot
22 application until destruction is authorized under s. 7.23 (1). Except as authorized
23 in s. 6.79 (6) and (7), if a qualified elector applies for an absentee ballot in person at
24 the clerk's office, the clerk shall not issue the elector an absentee ballot unless the
25 elector presents a valid operator's license issued to the elector under ch. 343, a valid,

SENATE BILL 6

1 current identification card issued to the elector by a U.S. uniformed service, or a valid
2 identification card issued to the elector under s. 343.50, or a valid identification
3 certificate issued to the elector under s. 343.505. The clerk shall make a copy of the
4 document presented by the elector and shall enclose the copy in the certificate
5 envelope.

6 **SECTION 41.** 6.86 (3) (a) 1. of the statutes is amended to read:

7 6.86 (3) (a) 1. Any elector who is registered and who is hospitalized, may apply
8 for and obtain an official ballot by agent. The agent may apply for and obtain a ballot
9 for the hospitalized absent elector by presenting a form prescribed by the board and
10 containing the required information supplied by the hospitalized elector and signed
11 by that elector ~~and any other elector residing in the same municipality as the~~
12 ~~hospitalized elector, corroborating the information contained therein. The~~
13 ~~corroborating elector shall state on the form his or her full name and address. Except~~
14 as authorized for an elector who has a confidential listing under s. 6.47 (2) or as
15 authorized in s. 6.87 (4) (b) 4., the agent shall present the license or identification
16 card required under sub. (1) (ar). The clerk shall make a copy of the document
17 presented by the agent and shall enclose the copy in the certificate envelope.

18 **SECTION 42.** 6.86 (3) (a) 1. of the statutes, as affected by 2011 Wisconsin Act ...
19 (this act), is amended to read:

20 6.86 (3) (a) 1. Any elector who is registered and who is hospitalized, may apply
21 for and obtain an official ballot by agent. The agent may apply for and obtain a ballot
22 for the hospitalized absent elector by presenting a form prescribed by the board and
23 containing the required information supplied by the hospitalized elector and signed
24 by that elector. Except as authorized for an elector who has a confidential listing
25 under s. 6.47 (2) or as authorized in s. 6.87 (4) (b) 4., the agent shall present the

SENATE BILL 6

1 license or identification card, or identification certificate required under sub. (1) (ar).

2 The clerk shall make a copy of the document presented by the agent and shall enclose

3 the copy in the certificate envelope.

4 **SECTION 43.** 6.86 (3) (a) 2. of the statutes is amended to read:

5 6.86 (3) (a) 2. If a hospitalized elector is not registered, the elector may register
6 by agent under this subdivision at the same time that the elector applies for an
7 official ballot by agent under subd. 1. To register the elector under this subdivision,
8 the agent shall present a completed registration form that contains the required
9 information supplied by the elector and the elector's signature, unless the elector is
10 unable to sign due to physical disability. In this case, the elector may authorize
11 another elector to sign on his or her behalf. Any elector signing a form on another
12 elector's behalf shall attest to a statement that the application is made on request
13 and by authorization of the named elector, who is unable to sign the form due to
14 physical disability. The agent shall present this statement along with all other
15 information required under this subdivision. ~~Except as otherwise provided in this~~
16 ~~subdivision, the~~ The agent shall ~~in every case~~ provide proof of the elector's residence
17 under s. 6.34. If the elector is registering to vote in the general election and the agent
18 presents a valid driver's license issued to the elector by another state, the municipal
19 clerk shall record on a separate list the name and address of the elector, the name
20 of the state, and the license number and expiration date of the license. ~~If the agent~~
21 ~~cannot present proof of residence, the registration form shall be signed and~~
22 ~~substantiated by another elector residing in the elector's municipality of residence,~~
23 ~~corroborating the information in the form. The form shall contain the full name and~~
24 ~~address of the corroborating elector. The agent shall then present proof of the~~
25 ~~corroborating elector's residence under s. 6.34.~~

SENATE BILL 6

1 **SECTION 44.** 6.869 of the statutes is amended to read:

2 **6.869 Uniform instructions.** The board shall prescribe uniform instructions
3 for absentee voters. The instructions shall include information concerning whether
4 a copy of a license or identification card is required under s. 6.86 (1) (ar) or 6.87 (4)
5 (b) and information concerning the procedure for correcting errors in marking a
6 ballot and obtaining a replacement for a spoiled ballot. The procedure shall, to the
7 extent possible, respect the privacy of each elector and preserve the confidentiality
8 of each elector's vote.

9 **SECTION 45.** 6.869 of the statutes, as affected by 2011 Wisconsin Act(this
10 act), is amended to read:

11 **6.869 Uniform instructions.** The board shall prescribe uniform instructions
12 for absentee voters. The instructions shall include information concerning whether
13 a copy of a license ~~or~~ identification card, or identification certificate is required under
14 s. 6.86 (1) (ar) or 6.87 (4) (b) and information concerning the procedure for correcting
15 errors in marking a ballot and obtaining a replacement for a spoiled ballot. The
16 procedure shall, to the extent possible, respect the privacy of each elector and
17 preserve the confidentiality of each elector's vote.

18 **SECTION 46.** 6.87 (3) (d) of the statutes is amended to read:

19 **6.87 (3) (d)** A municipal clerk may, if the clerk is reliably informed by an absent
20 elector of a facsimile transmission number or electronic mail address where the
21 elector can receive an absentee ballot, transmit a facsimile or electronic copy of the
22 absent elector's ballot to that elector in lieu of mailing under this subsection if, in the
23 judgment of the clerk, the time required to send the ballot through the mail may not
24 be sufficient to enable return of the ballot by the time provided under sub. (6). An
25 elector may receive an absentee ballot under this subsection only if the elector has

SENATE BILL 6

1 filed a valid application for the ballot under s. 6.86 (1). If the clerk transmits an
2 absentee ballot under this paragraph, the clerk shall also transmit a facsimile or
3 electronic copy of the text of the material that appears on the certificate envelope
4 prescribed in sub. (2), together with instructions prescribed by the board. The
5 instructions shall require the absent elector to make and subscribe to the
6 certification as required under sub. (4) (b) and to enclose the absentee ballot in a
7 separate envelope contained within a larger envelope, that shall include the
8 completed certificate. The elector shall then affix sufficient postage unless the
9 absentee ballot qualifies for mailing free of postage under federal free postage laws
10 and shall mail the absentee ballot to the municipal clerk. Except as authorized in
11 s. 6.97 (2), an absentee ballot received under this paragraph shall not be counted
12 unless it is cast in the manner prescribed in this paragraph and in accordance with
13 the instructions provided by the board.

14 **SECTION 47.** 6.87 (4) of the statutes is renumbered 6.87 (4) (b) 1. and amended
15 to read:

16 6.87 (4) (b) 1. Except as otherwise provided in s. 6.875, the elector voting
17 absentee shall make and subscribe to the certification before one witness who is an
18 adult U.S. citizen. The absent elector, in the presence of the witness, shall mark the
19 ballot in a manner that will not disclose how the elector's vote is cast. The elector
20 shall then, still in the presence of the witness, fold the ballots so each is separate and
21 so that the elector conceals the markings thereon and deposit them in the proper
22 envelope. If a consolidated ballot under s. 5.655 is used, the elector shall fold the
23 ballot so that the elector conceals the markings thereon and deposit the ballot in the
24 proper envelope. If proof of residence is required Except as authorized in subds. 2.
25 to 5. and s. 6.875 (6) and notwithstanding s. 343.43 (1) (f), the elector shall enclose

SENATE BILL 6

1 a copy of the license or identification card required under s. 6.86 (1) (ar) in the
2 envelope, unless the elector is a military elector or an overseas elector or the elector
3 has a confidential listing under s. 6.47 (2). If proof of residence under s. 6.34 is
4 required and the document enclosed by the elector under this subdivision does not
5 constitute proof of residence under s. 6.34, the elector shall also enclose proof of
6 residence under s. 6.34 in the envelope. Proof of residence is required if the elector
7 is not a military elector or an overseas elector, ~~as defined in s. 6.34 (1),~~ and the elector
8 registered by mail and has not voted in an election in this state. If the elector
9 requested a ballot by means of facsimile transmission or electronic mail under s. 6.86
10 (1) (ac), the elector shall enclose in the envelope a copy of the request which bears an
11 original signature of the elector. The elector may receive assistance under sub. (5).
12 The return envelope shall then be sealed. The witness may not be a candidate. The
13 envelope shall be mailed by the elector, or delivered in person, to the municipal clerk
14 issuing the ballot or ballots. If the envelope is mailed from a location outside the
15 United States, the elector shall affix sufficient postage unless the ballot qualifies for
16 delivery free of postage under federal law. Failure to return an unused ballot in a
17 primary does not invalidate the ballot on which the elector's votes are cast. Return
18 of more than one marked ballot in a primary or return of a ballot prepared under s.
19 5.655 or a ballot used with an electronic voting system in a primary which is marked
20 for candidates of more than one party invalidates all votes cast by the elector for
21 candidates in the primary.

22 **SECTION 48.** 6.87 (4) (a) of the statutes is created to read:

23 6.87 (4) (a) In this subsection:

24 1. "Military elector" has the meaning given in s. 6.34 (1) (a).

25 2. "Overseas elector" has the meaning given in s. 6.34 (1) (b).

SENATE BILL 6

1 **SECTION 49.** 6.87 (4) (b) 1. of the statutes, as affected by 2011 Wisconsin Act ...
2 (this act), is amended to read:

3 6.87 (4) (b) 1. Except as otherwise provided in s. 6.875, the elector voting
4 absentee shall make and subscribe to the certification before one witness who is an
5 adult U.S. citizen. The absent elector, in the presence of the witness, shall mark the
6 ballot in a manner that will not disclose how the elector's vote is cast. The elector
7 shall then, still in the presence of the witness, fold the ballots so each is separate and
8 so that the elector conceals the markings thereon and deposit them in the proper
9 envelope. If a consolidated ballot under s. 5.655 is used, the elector shall fold the
10 ballot so that the elector conceals the markings thereon and deposit the ballot in the
11 proper envelope. Except as authorized in subds. 2. to 5. and s. 6.875 (6) and
12 notwithstanding s. 343.43 (1) (f), the elector shall enclose a copy of the license or,
13 identification card, or identification certificate required under s. 6.86 (1) (ar) in the
14 envelope, unless the elector is a military elector or an overseas elector or the elector
15 has a confidential listing under s. 6.47 (2). If proof of residence under s. 6.34 is
16 required and the document enclosed by the elector under this subdivision does not
17 constitute proof of residence under s. 6.34, the elector shall also enclose proof of
18 residence under s. 6.34 in the envelope. Proof of residence is required if the elector
19 is not a military elector or an overseas elector and the elector registered by mail and
20 has not voted in an election in this state. If the elector requested a ballot by means
21 of facsimile transmission or electronic mail under s. 6.86 (1) (ac), the elector shall
22 enclose in the envelope a copy of the request which bears an original signature of the
23 elector. The elector may receive assistance under sub. (5). The return envelope shall
24 then be sealed. The witness may not be a candidate. The envelope shall be mailed
25 by the elector, or delivered in person, to the municipal clerk issuing the ballot or

SENATE BILL 6

1 ballots. If the envelope is mailed from a location outside the United States, the
2 elector shall affix sufficient postage unless the ballot qualifies for delivery free of
3 postage under federal law. Failure to return an unused ballot in a primary does not
4 invalidate the ballot on which the elector's votes are cast. Return of more than one
5 marked ballot in a primary or return of a ballot prepared under s. 5.655 or a ballot
6 used with an electronic voting system in a primary which is marked for candidates
7 of more than one party invalidates all votes cast by the elector for candidates in the
8 primary.

9 **SECTION 50.** 6.87 (4) (b) 2. of the statutes is created to read:

10 6.87 (4) (b) 2. Unless subd. 3. applies, if the absentee elector has applied for and
11 qualified to receive absentee ballots automatically under s. 6.86 (2) (a), the elector
12 may, in lieu of providing a copy of a license or identification card required under s.
13 6.86 (1) (ar), submit with his or her absentee ballot a statement signed by the same
14 individual who witnesses voting of the ballot which contains the name and address
15 of the elector and verifies that the name and address are correct.

16 **SECTION 51.** 6.87 (4) (b) 2. of the statutes, as created by 2011 Wisconsin Act
17 (this act), is amended to read:

18 6.87 (4) (b) 2. Unless subd. 3. applies, if the absentee elector has applied for and
19 qualified to receive absentee ballots automatically under s. 6.86 (2) (a), the elector
20 may, in lieu of providing a copy of a license or, identification card, or identification
21 certificate required under s. 6.86 (1) (ar), submit with his or her absentee ballot a
22 statement signed by the same individual who witnesses voting of the ballot which
23 contains the name and address of the elector and verifies that the name and address
24 are correct.

25 **SECTION 52.** 6.87 (4) (b) 3. of the statutes is created to read:

SENATE BILL 6

1 6.87 (4) (b) 3. If the absentee elector has received an absentee ballot from the
2 municipal clerk by mail for a previous election, has provided a copy of a license or
3 identification card required under s. 6.86 (1) (ar) with that ballot, and has not
4 changed his or her name or address since providing that identification, the elector
5 is not required to provide a copy of the identification required under s. 6.86 (1) (ar).

6 **SECTION 53.** 6.87 (4) (b) 3. of the statutes, as created by 2011 Wisconsin Act ...
7 (this act), is amended to read:

8 6.87 (4) (b) 3. If the absentee elector has received an absentee ballot from the
9 municipal clerk by mail for a previous election, has provided a copy of a license or,
10 identification card, or identification certificate required under s. 6.86 (1) (ar) with
11 that ballot, and has not changed his or her name or address since providing that
12 identification, the elector is not required to provide a copy of the identification
13 required under s. 6.86 (1) (ar).

14 **SECTION 54.** 6.87 (4) (b) 4. of the statutes is created to read:

15 6.87 (4) (b) 4. If the absentee elector has received a citation or notice of intent
16 to revoke or suspend an operator's license from a law enforcement officer in any
17 jurisdiction that is dated within 60 days of the date of the election and is required
18 to surrender his or her operator's license issued to the elector under ch. 343 at the
19 time the citation or notice is issued, the elector may enclose a copy of the citation or
20 notice in lieu of a copy of an operator's license under ch. 343 if the elector is voting
21 by mail, or may present an original copy of the citation or notice in lieu of an
22 operator's license under ch. 343 if the elector is voting at the office of the municipal
23 clerk.

24 **SECTION 55.** 6.87 (4) (b) 5. of the statutes is created to read:

SENATE BILL 6

1 6.87 (4) (b) 5. Unless subd. 3. or 4. applies, if the absentee elector resides in a
2 qualified retirement home, as defined in s. 6.875 (1) (at), a qualified
3 community-based residential facility, as defined in s. 6.875 (1) (as), a residential care
4 apartment complex that is certified or registered under s. 50.034 (1), or an adult
5 family home that is certified under s. 50.032 or licensed under s. 50.033 and the
6 municipal clerk or board of election commissioners of the municipality where the
7 complex, facility, or home is located does not send special voting deputies to visit the
8 complex, facility, or home at the election under s. 6.875, the elector may, in lieu of
9 providing a copy of a license or identification card required under s. 6.86 (1) (ar),
10 submit with his or her absentee ballot a statement signed by the same individual who
11 witnesses voting of the ballot that contains the certification of the manager of the
12 complex, facility, or home that the elector resides in the complex, facility, or home and
13 the complex, facility, or home is certified or registered as required by law, that
14 contains the name and address of the elector, and that verifies that the name and
15 address are correct.

16 **SECTION 56.** 6.87 (4) (b) 5. of the statutes, as created by 2011 Wisconsin Act
17 (this act), is amended to read:

18 6.87 (4) (b) 5. Unless subd. 3. or 4. applies, if the absentee elector resides in a
19 residential care apartment complex that is certified or registered under s. 50.034 (1)
20 or an adult family home that is certified under s. 50.032 or licensed under s. 50.033
21 and the municipal clerk or board of election commissioners of the municipality where
22 the complex or home is located does not send special voting deputies to visit the
23 complex or home at the election under s. 6.875, the elector may, in lieu of providing
24 a copy of a license or, identification card, or identification certificate required under
25 s. 6.86 (1) (ar), submit with his or her absentee ballot a statement signed by the same

SENATE BILL 6

1 individual who witnesses voting of the ballot that contains the certification of the
2 manager of the complex or home that the elector resides in the complex or home and
3 the complex or home is certified or registered as required by law, that contains the
4 name and address of the elector, and that verifies that the name and address are
5 correct.

6 **SECTION 57.** 6.875 (title) of the statutes is amended to read:

7 **6.875 (title) Absentee voting in nursing and retirement certain homes**
8 **and certain community-based residential, facilities, and complexes.**

9 **SECTION 58.** 6.875 (1) (ap) and (asm) of the statutes are created to read:

10 6.875 (1) (ap) “Qualified adult family home” means a facility that is certified
11 or licensed to operate as an adult family home under s. 50.032 or 50.033 that qualifies
12 under sub. (2) (d) to utilize the procedures under this section.

13 (asm) “Qualified residential care apartment complex” means a facility that is
14 certified or registered to operate as a residential care apartment complex under s.
15 50.034 (1) that qualifies under sub. (2) (d) to utilize the procedures under this section.

16 **SECTION 59.** 6.875 (2) (a) of the statutes is amended to read:

17 6.875 (2) (a) The procedures prescribed in this section are the exclusive means
18 of absentee voting for electors who are occupants of nursing homes, qualified
19 community-based residential facilities ~~or~~, qualified retirement homes, qualified
20 residential care apartment complexes, and qualified adult family homes.

21 **SECTION 60.** 6.875 (2) (d) of the statutes is created to read:

22 6.875 (2) (d) The municipal clerk or board of election commissioners of any
23 municipality where a residential care apartment complex certified or registered
24 under s. 50.034 (1) or an adult family home certified under s. 50.032 or licensed under
25 s. 50.033 is located may adopt the procedures under this section for absentee voting

SENATE BILL 6

1 in any such residential care apartment complex or adult family home located in the
2 municipality if the municipal clerk or board of election commissioners finds that
3 there are a significant number of the occupants of the complex or home who lack
4 adequate transportation to the appropriate polling place, a significant number of the
5 occupants of the complex or home may need assistance in voting, there are a
6 significant number of the occupants of the complex or home aged 60 or over, or there
7 are a significant number of indefinitely confined electors who are occupants of the
8 complex or home.

9 **SECTION 61.** 6.875 (3) and (4) of the statutes are amended to read:

10 6.875 (3) An occupant of a nursing home or qualified retirement home ~~or,~~
11 qualified community-based residential facility, qualified residential care apartment
12 complex, or qualified adult family home who qualifies as an absent elector and
13 desires to receive an absentee ballot shall make application under s. 6.86 (1), (2), or
14 (2m) with the municipal clerk or board of election commissioners of the municipality
15 in which the elector is a resident. The clerk or board of election commissioners of a
16 municipality receiving an application from an elector who is an occupant of a nursing
17 home or qualified retirement home ~~or,~~ qualified community-based residential
18 facility, qualified residential care apartment complex, or qualified adult family home
19 located in a different municipality shall, as soon as possible, notify and transmit an
20 absentee ballot for the elector to the clerk or board of election commissioners of the
21 municipality in which the home ~~or qualified community-based residential, facility~~
22 or complex is located. The clerk or board of election commissioners of a municipality
23 receiving an application from an elector who is an occupant of a nursing home or
24 qualified retirement home ~~or,~~ qualified community-based residential facility,
25 qualified residential care apartment complex, or qualified adult family home located

SENATE BILL 6

1 in the municipality but who is a resident of a different municipality shall, as soon as
2 possible, notify and request transmission of an absentee ballot from the clerk or
3 board of election commissioners of the municipality in which the elector is a resident.
4 The clerk or board of election commissioners shall make a record of all absentee
5 ballots to be transmitted, delivered, and voted under this section.

6 (4) (a) For the purpose of absentee voting in nursing homes ~~and~~, qualified
7 retirement homes ~~and~~, qualified community-based residential facilities, qualified
8 residential care apartment complexes, and qualified adult family homes, the
9 municipal clerk or board of election commissioners of each municipality in which one
10 or more nursing homes ~~or~~, qualified retirement homes ~~or~~, qualified
11 community-based residential facilities, qualified residential care apartment
12 complexes, or qualified adult family homes are located shall appoint at least 2 special
13 voting deputies for the municipality. Upon application under s. 6.86 (1), (2), or (2m)
14 by one or more qualified electors who are occupants of a ~~nursing home or qualified~~
15 ~~retirement home or qualified community-based residential, facility, or complex~~, the
16 municipal clerk or board of election commissioners of the municipality in which the
17 ~~home or~~, facility, or complex is located shall dispatch 2 special voting deputies to visit
18 the ~~home or qualified community-based residential, facility, or complex~~ for the
19 purpose of supervising absentee voting procedure by occupants of the ~~home or~~
20 ~~qualified community-based residential, facility, or complex~~. The clerk shall
21 maintain a list, available to the public upon request, of each ~~nursing home or~~
22 ~~qualified retirement home or qualified community-based residential, facility, or~~
23 complex where an elector has requested an absentee ballot. The list shall include the
24 date and time the deputies intend to visit each ~~home or~~, facility, or complex. The 2
25 deputies designated to visit each ~~nursing home or~~, qualified retirement home ~~or~~,

SENATE BILL 6

1 qualified community-based residential facility, qualified residential care apartment
2 complex, and qualified adult family home shall be affiliated with different political
3 parties whenever deputies representing different parties are available.

4 (b) Nominations for the special voting deputy positions described in par. (a)
5 may be submitted by the 2 recognized political parties whose candidates for governor
6 or president received the greatest numbers of votes in the municipality at the most
7 recent general election. The deputies shall be specially appointed to carry out the
8 duties under par. (a) for the period specified in s. 7.30 (6) (a). The clerk or board of
9 election commissioners may revoke an appointment at any time. No individual who
10 is employed or retained, or within the 2 years preceding appointment has been
11 employed or retained, at a nursing home ~~or~~, qualified retirement home ~~or~~, qualified
12 community-based residential facility, qualified residential care apartment complex,
13 or qualified adult family home in the municipality, or any member of the individual's
14 immediate family, as defined in s. 19.42 (7), may be appointed to serve as a deputy.

15 **SECTION 62.** 6.875 (6) (a) and (b) of the statutes are amended to read:

16 6.875 (6) (a) Special voting deputies in each municipality shall, not later than
17 5 p.m. on the Friday preceding an election, arrange one or more convenient times
18 with the administrator of each nursing home, qualified retirement home, and
19 qualified community-based residential facility, qualified residential care apartment
20 complex, and qualified adult family home in the municipality from which one or more
21 occupants have filed an application under s. 6.86 to conduct absentee voting for the
22 election. The time may be no earlier than the 4th Monday preceding the election and
23 no later than 5 p.m. on the Monday preceding the election. The municipal clerk shall
24 post a notice at the home ~~or~~, facility, or complex indicating the date and time that
25 absentee voting will take place at that home ~~or~~, facility, or complex. The notice shall

SENATE BILL 6

1 be posted as soon as practicable after arranging the visit but in no case less than 24
2 hours before the visit. At the designated time, 2 deputies appointed under sub. (4)
3 shall visit the home ~~or~~, facility, or complex.

4 (b) The municipal clerk or executive director of the board of election
5 commissioners shall issue a supply of absentee ballots to the deputies sufficient to
6 provide for the number of valid applications for an absentee ballot received by the
7 clerk, and a reasonable additional number of ballots. The deputies may exercise the
8 authority granted to the chief inspector under s. 7.41 to regulate the conduct of
9 observers. For purposes of the application of s. 7.41, the home ~~or~~, facility, or complex
10 shall be treated as a polling place. The municipal clerk or executive director shall
11 keep a careful record of all ballots issued to the deputies and shall require the
12 deputies to return every ballot issued to them.

13 **SECTION 63.** 6.875 (6) (c) 1. of the statutes is amended to read:

14 6.875 (6) (c) 1. Upon their visit to the home ~~or~~, facility, or complex under par.
15 (a), the deputies shall personally offer each elector who has filed a proper application
16 for an absentee ballot the opportunity to cast his or her absentee ballot. In lieu of
17 providing a copy of a license or identification card under s. 6.87 (4) (b) 1. with his or
18 her absentee ballot, the elector may submit with his or her ballot a statement signed
19 by both deputies that contains the name and address of the elector and verifies that
20 the name and address are correct. The deputies shall enclose the statement in the
21 certificate envelope. If an elector presents a license or identification card under s.
22 6.87 (4) (b) 1., the deputies shall make a copy of the document presented by the elector
23 and shall enclose the copy in the certificate envelope. If an elector is present who has
24 not filed a proper application for an absentee ballot, the 2 deputies may accept an
25 application from the elector and shall issue a ballot to the elector if the elector is

SENATE BILL 6

1 qualified, the elector presents a license or identification card, whenever required, or
2 submits a statement containing his or her name and address under this subdivision,
3 and the application is proper. The deputies shall each witness the certification and
4 may, upon request of the elector, assist the elector in marking the elector's ballot. All
5 voting shall be conducted in the presence of the deputies. Upon request of the elector,
6 a relative of the elector who is present in the room may assist the elector in marking
7 the elector's ballot. No individual other than a deputy may witness the certification
8 and no individual other than a deputy or relative of an elector may render voting
9 assistance to the elector.

10 **SECTION 64.** 6.875 (6) (c) 1. of the statutes, as affected by 2011 Wisconsin Act
11 (this act), is amended to read:

12 6.875 (6) (c) 1. Upon their visit to the home, facility, or complex under par. (a),
13 the deputies shall personally offer each elector who has filed a proper application for
14 an absentee ballot the opportunity to cast his or her absentee ballot. In lieu of
15 providing a copy of a license ~~or~~, identification card, or identification certificate under
16 s. 6.87 (4) (b) 1. with his or her absentee ballot, the elector may submit with his or
17 her ballot a statement signed by both deputies that contains the name and address
18 of the elector and verifies that the name and address are correct. The deputies shall
19 enclose the statement in the certificate envelope. If an elector presents a license ~~or~~,
20 identification card, or identification certificate under s. 6.87 (4) (b) 1., the deputies
21 shall make a copy of the document presented by the elector and shall enclose the copy
22 in the certificate envelope. If an elector is present who has not filed a proper
23 application for an absentee ballot, the 2 deputies may accept an application from the
24 elector and shall issue a ballot to the elector if the elector is qualified, the elector
25 presents a license ~~or~~, identification card, or identification certificate, whenever

SENATE BILL 6

1 required, or submits a statement containing his or her name and address under this
2 subsection, and the application is proper. The deputies shall each witness the
3 certification and may, upon request of the elector, assist the elector in marking the
4 elector's ballot. All voting shall be conducted in the presence of the deputies. Upon
5 request of the elector, a relative of the elector who is present in the room may assist
6 the elector in marking the elector's ballot. No individual other than a deputy may
7 witness the certification and no individual other than a deputy or relative of an
8 elector may render voting assistance to the elector.

9 **SECTION 65.** 6.875 (6) (c) 2. of the statutes is amended to read:

10 6.875 (6) (c) 2. Upon the request of a relative of an occupant of a nursing home
11 ~~or~~, qualified retirement home ~~or~~, qualified community-based residential facility,
12 qualified residential care apartment complex, or qualified adult family home, the
13 administrator of the home ~~or~~, facility, or complex may notify the relative of the time
14 or times at which special voting deputies will conduct absentee voting at the home
15 ~~or~~, facility, or complex and permit the relative to be present in the room where the
16 voting is conducted.

17 **SECTION 66.** 6.875 (6) (e) of the statutes is amended to read:

18 6.875 (6) (e) If a qualified elector is not able to cast his or her ballot on 2 separate
19 visits by the deputies to the home ~~or~~, facility, or complex, the deputies shall so inform
20 the municipal clerk or executive director of the board of election commissioners, who
21 may then send the ballot to the elector no later than 5 p.m. on the Friday preceding
22 the election.

23 **SECTION 67.** 6.875 (7) of the statutes is amended to read:

24 6.875 (7) One observer from each of the 2 recognized political parties whose
25 candidate for governor or president received the greatest number of votes in the

SENATE BILL 6

1 municipality at the most recent general election may accompany the deputies to each
2 home ~~or~~, facility, or complex where absentee voting will take place under this section.
3 The observers may observe the process of absentee ballot distribution in the common
4 areas of the home ~~or~~, facility, or complex. Each party wishing to have an observer
5 present shall submit the name of the observer to the clerk or board of election
6 commissioners no later than the close of business on the last business day prior to
7 the visit.

8 **SECTION 68.** 6.88 (3) (a) of the statutes is amended to read:

9 6.88 (3) (a) Except in municipalities where absentee ballots are canvassed
10 under s. 7.52, at any time between the opening and closing of the polls on election day,
11 the inspectors shall, in the same room where votes are being cast, in such a manner
12 that members of the public can hear and see the procedures, open the carrier
13 envelope only, and announce the name of the absent elector or the identification
14 serial number of the absent elector if the elector has a confidential listing under s.
15 6.47 (2). When the inspectors find that the certification has been properly executed,
16 the applicant is a qualified elector of the ward or election district, and the applicant
17 has not voted in the election, they shall enter an indication on the poll list next to the
18 applicant's name indicating an absentee ballot is cast by the elector. They shall then
19 open the envelope containing the ballot in a manner so as not to deface or destroy the
20 certification thereon. The inspectors shall take out the ballot without unfolding it
21 or permitting it to be unfolded or examined. Unless the ballot is cast under s. 6.95,
22 the inspectors shall verify that the ballot has been endorsed by the issuing clerk. If
23 the poll list indicates that proof of residence under s. 6.34 is required and no proof
24 of residence is enclosed or the name or address on the document that is provided is
25 not the same as the name and address shown on the poll list, or if the elector is not

SENATE BILL 6**SECTION 68**

1 a military elector, as defined in s. 6.34 (1) (a), or an overseas elector, as defined in s.
2 6.34 (1) (b), and the elector is required to provide, or to provide a copy of, a license
3 or identification card under s. 6.86 (1) (ar) or 6.87 (4) (b) 1. and no copy of the license
4 or identification card is enclosed or the name on the document cannot be verified by
5 the inspectors, the inspectors shall proceed as provided under s. 6.97 (2). The
6 inspectors shall then deposit the ballot into the proper ballot box and enter the
7 absent elector's name or voting number after his or her name on the poll list in the
8 same manner as if the elector had been present and voted in person.

9 **SECTION 69.** 6.88 (3) (a) of the statutes, as affected by 2011 Wisconsin Act ...
10 (this act), is amended to read:

11 6.88 (3) (a) Except in municipalities where absentee ballots are canvassed
12 under s. 7.52, at any time between the opening and closing of the polls on election day,
13 the inspectors shall, in the same room where votes are being cast, in such a manner
14 that members of the public can hear and see the procedures, open the carrier
15 envelope only, and announce the name of the absent elector or the identification
16 serial number of the absent elector if the elector has a confidential listing under s.
17 6.47 (2). When the inspectors find that the certification has been properly executed,
18 the applicant is a qualified elector of the ward or election district, and the applicant
19 has not voted in the election, they shall enter an indication on the poll list next to the
20 applicant's name indicating an absentee ballot is cast by the elector. They shall then
21 open the envelope containing the ballot in a manner so as not to deface or destroy the
22 certification thereon. The inspectors shall take out the ballot without unfolding it
23 or permitting it to be unfolded or examined. Unless the ballot is cast under s. 6.95,
24 the inspectors shall verify that the ballot has been endorsed by the issuing clerk. If
25 the poll list indicates that proof of residence under s. 6.34 is required and no proof

SENATE BILL 6

1 of residence is enclosed or the name or address on the document that is provided is
2 not the same as the name and address shown on the poll list, or if the elector is not
3 a military elector, as defined in s. 6.34 (1) (a), or an overseas elector, as defined in s.
4 6.34 (1) (b), and the elector is required to provide, or to provide a copy of, a license
5 ~~or~~ identification card, or identification certificate under s. 6.86 (1) (ar) or 6.87 (4) (b)
6 1. and no copy of the license ~~or~~ identification card, or identification certificate is
7 enclosed or the name on the document cannot be verified by the inspectors, the
8 inspectors shall proceed as provided under s. 6.97 (2). The inspectors shall then
9 deposit the ballot into the proper ballot box and enter the absent elector's name or
10 voting number after his or her name on the poll list in the same manner as if the
11 elector had been present and voted in person.

12 **SECTION 70.** 6.965 of the statutes is created to read:

13 **6.965 Voting procedure for electors presenting citation or notice in**
14 **lieu of license.** Whenever any elector is allowed to vote at a polling place under s.
15 6.79 (7) by presenting a citation or notice of intent to revoke or suspend an operator's
16 license in lieu of an operator's license issued to the elector under ch. 343, the
17 inspectors shall, before giving the elector a ballot, write on the back of the ballot the
18 serial number of the elector corresponding to the number kept at the election on the
19 poll list or other list maintained under s. 6.79 and the notation "s. 6.965." If voting
20 machines are used in the municipality where the elector is voting, the elector's vote
21 may be received only upon an absentee ballot furnished by the municipal clerk which
22 shall have the notation "s. 6.965" written on the back of the ballot by the inspectors
23 before the ballot is given to the elector. If the municipal clerk receives an absentee
24 ballot from an elector who presents a citation or notice, or copy thereof, under s. 6.87
25 (4) (b) 4., the clerk shall enter a notation on the certificate envelope "Ballot under s.

SENATE BILL 6

1 6.965, stats.” Upon receiving the envelope, the inspectors shall open and write on
2 the back of the ballot the serial number of the elector corresponding to the number
3 kept at the election on the poll list or other list maintained under s. 6.79 and the
4 notation “s. 6.965.” The inspectors shall indicate on the poll list or other list
5 maintained under s. 6.79 the fact that the elector is voting by using a citation or
6 notice in lieu of a license. The inspectors shall then deposit the ballot. The ballot
7 shall then be counted under s. 5.85, or under s. 7.51 or 7.52.

8 **SECTION 71.** 6.97 (title) of the statutes is amended to read:

9 **6.97 (title) Voting procedure for individuals not providing required**
10 **proof of residence or identification.**

11 **SECTION 72.** 6.97 (1) of the statutes is amended to read:

12 6.97 (1) Whenever any individual who is required to provide proof of residence
13 under s. 6.34 in order to be permitted to vote appears to vote at a polling place and
14 cannot provide the required proof of residence, the inspectors shall offer the
15 opportunity for the individual to vote under this section. Whenever any individual,
16 other than a military elector, as defined in s. 6.34 (1) (a), or an overseas elector, as
17 defined in s. 6.34 (1) (b), or an elector who has a confidential listing under s. 6.47 (2),
18 appears to vote at a polling place and does not present a license or identification card
19 under s. 6.79 (2), whenever required, the inspectors or the municipal clerk shall
20 similarly offer the opportunity for the individual to vote under this section. If the
21 individual wishes to vote, the inspectors shall provide the elector with an envelope
22 marked “Ballot under s. 6.97, stats.” on which the serial number of the elector is
23 entered and shall require the individual to execute on the envelope a written
24 affirmation stating that the individual is a qualified elector of the ward or election
25 district where he or she offers to vote and is eligible to vote in the election. The

SENATE BILL 6

1 inspectors shall, before giving the elector a ballot, write on the back of the ballot the
2 serial number of the individual corresponding to the number kept at the election on
3 the poll list or other list maintained under s. 6.79 and the notation "s. 6.97". If voting
4 machines are used in the municipality where the individual is voting, the
5 individual's vote may be received only upon an absentee ballot furnished by the
6 municipal clerk which shall have the corresponding number from the poll list or
7 other list maintained under s. 6.79 and the notation "s. 6.97" written on the back of
8 the ballot by the inspectors before the ballot is given to the elector. When receiving
9 the individual's ballot, the inspectors shall provide the individual with written
10 voting information prescribed by the board under s. 7.08 (8). The inspectors shall
11 indicate on the list the fact that the individual is required to provide proof of
12 residence or a license or identification card under s. 6.79 (2) but did not do so. The
13 inspectors shall notify the individual that he or she may provide proof of residence
14 or a license or identification card to the municipal clerk or executive director of the
15 municipal board of election commissioners. The inspectors shall also promptly notify
16 the municipal clerk or executive director of the name, address, and serial number of
17 the individual. The inspectors shall then place the ballot inside the envelope and
18 place the envelope in a separate carrier envelope.

19 **SECTION 73.** 6.97 (1) of the statutes, as affected by 2011 Wisconsin Act (this
20 act), is amended to read:

21 6.97 (1) Whenever any individual who is required to provide proof of residence
22 under s. 6.34 in order to be permitted to vote appears to vote at a polling place and
23 cannot provide the required proof of residence, the inspectors shall offer the
24 opportunity for the individual to vote under this section. Whenever any individual,
25 other than a military elector, as defined in s. 6.34 (1) (a), or an overseas elector, as

SENATE BILL 6

1 defined in s. 6.34 (1) (b), or an elector who has a confidential listing under s. 6.47 (2),
2 appears to vote at a polling place and does not present a license or, identification card,
3 or identification certificate under s. 6.79 (2), whenever required, the inspectors or the
4 municipal clerk shall similarly offer the opportunity for the individual to vote under
5 this section. If the individual wishes to vote, the inspectors shall provide the elector
6 with an envelope marked "Ballot under s. 6.97, stats." on which the serial number
7 of the elector is entered and shall require the individual to execute on the envelope
8 a written affirmation stating that the individual is a qualified elector of the ward or
9 election district where he or she offers to vote and is eligible to vote in the election.
10 The inspectors shall, before giving the elector a ballot, write on the back of the ballot
11 the serial number of the individual corresponding to the number kept at the election
12 on the poll list or other list maintained under s. 6.79 and the notation "s. 6.97". If
13 voting machines are used in the municipality where the individual is voting, the
14 individual's vote may be received only upon an absentee ballot furnished by the
15 municipal clerk which shall have the corresponding number from the poll list or
16 other list maintained under s. 6.79 and the notation "s. 6.97" written on the back of
17 the ballot by the inspectors before the ballot is given to the elector. When receiving
18 the individual's ballot, the inspectors shall provide the individual with written
19 voting information prescribed by the board under s. 7.08 (8). The inspectors shall
20 indicate on the list the fact that the individual is required to provide proof of
21 residence or a license or, identification card, or identification certificate under s. 6.79
22 (2) but did not do so. The inspectors shall notify the individual that he or she may
23 provide proof of residence or a license or, identification card, or identification
24 certificate to the municipal clerk or executive director of the municipal board of
25 election commissioners. The inspectors shall also promptly notify the municipal

SENATE BILL 6

1 clerk or executive director of the name, address, and serial number of the individual.

2 The inspectors shall then place the ballot inside the envelope and place the envelope
3 in a separate carrier envelope.

4 **SECTION 74.** 6.97 (2) of the statutes is amended to read:

5 6.97 (2) Whenever any individual who votes by absentee ballot is required to
6 provide proof of residence in order to be permitted to vote and does not provide the
7 required proof of residence under s. 6.34, the inspectors shall treat the ballot as a
8 provisional ballot under this section. Whenever any individual, other than a military
9 elector, as defined in s. 6.34 (1) (a), or an overseas elector, as defined in s. 6.34 (1) (b),
10 an individual who has a confidential listing under s. 6.47 (2), or an individual who
11 is exempted under s. 6.87 (4) or s. 6.875 (6), votes by absentee ballot and does not
12 enclose a copy of the license or identification card required under s. 6.86 (1) (ar), the
13 inspectors shall similarly treat the ballot as a provisional ballot under this section.
14 Upon removing the ballot from the envelope, the inspectors shall write on the back
15 of the absentee ballot the serial number of the individual corresponding to the
16 number kept at the election on the poll list or other list maintained under s. 6.79 and
17 the notation "s. 6.97". The inspectors shall indicate on the list the fact that the
18 individual is required to provide proof of residence or to provide, or provide a copy
19 of, a license or identification card required under s. 6.86 (1) (ar) or 6.87 (4) (b) 1. but
20 did not do so. The inspectors shall promptly notify the municipal clerk or executive
21 director of the municipal board of election commissioners of the name, address, and
22 serial number of the individual. The inspectors shall then place the ballot inside an
23 envelope on which the name and serial number of the elector is entered and shall
24 place the envelope in a separate carrier envelope.

SENATE BILL 6

1 **SECTION 75.** 6.97 (2) of the statutes, as affected by 2011 Wisconsin Act (this
2 act), is amended to read:

3 **6.97 (2)** Whenever any individual who votes by absentee ballot is required to
4 provide proof of residence in order to be permitted to vote and does not provide the
5 required proof of residence under s. 6.34, the inspectors shall treat the ballot as a
6 provisional ballot under this section. Whenever any individual, other than a military
7 elector, as defined in s. 6.34 (1) (a), or an overseas elector, as defined in s. 6.34 (1) (b),
8 an individual who has a confidential listing under s. 6.47 (2), or an individual who
9 is exempted under s. 6.87 (4) or s. 6.875 (6), votes by absentee ballot and does not
10 enclose a copy of the license ~~or~~, identification card, or identification certificate
11 required under s. 6.86 (1) (ar), the inspectors shall similarly treat the ballot as a
12 provisional ballot under this section. Upon removing the ballot from the envelope,
13 the inspectors shall write on the back of the ballot the serial number of the individual
14 corresponding to the number kept at the election on the poll list or other list
15 maintained under s. 6.79 and the notation "s. 6.97". The inspectors shall indicate on
16 the list the fact that the individual is required to provide proof of residence or to
17 provide, or provide a copy of, a license ~~or~~, identification card, or identification
18 certificate required under s. 6.86 (1) (ar) or 6.87 (4) (b) 1. but did not do so. The
19 inspectors shall promptly notify the municipal clerk or executive director of the
20 municipal board of election commissioners of the name, address, and serial number
21 of the individual. The inspectors shall then place the ballot inside an envelope on
22 which the name and serial number of the elector is entered and shall place the
23 envelope in a separate carrier envelope.

24 **SECTION 76.** 6.97 (3) of the statutes is renumbered 6.97 (3) (b) and amended to
25 read:

SENATE BILL 6

1 6.97 (3) (b) Whenever the municipal clerk or executive director of the municipal
2 board of election commissioners is informed by the inspectors that a ballot has been
3 cast under this section, the clerk or executive director shall promptly provide written
4 notice to the board of canvassers of each municipality, special purpose district, and
5 county that is responsible for canvassing the election of the number of ballots cast
6 under this section in each ward or election district. The municipal clerk or executive
7 director then shall determine whether each individual voting under this section is
8 qualified to vote in the ward or election district where the individual's ballot is cast.
9 If the elector is required to provide a license or identification card or copy thereof
10 under s. 6.79 (2) or 6.86 (1) (ar) and fails to do so, the elector bears the burden of
11 correcting the omission by providing the license or identification card or copy thereof
12 at the polling place before the closing hour or at the office of the municipal clerk or
13 board of election commissioners no later than 4 p.m. on the day after the election.
14 The municipal clerk or executive director shall make a record of the procedure used
15 to determine the validity of each ballot cast under this section. If, prior to 4 p.m. on
16 the day after the election, the municipal clerk or executive director determines that
17 the individual is qualified to vote in the ward or election district where the
18 individual's ballot is cast, the municipal clerk or executive director shall notify the
19 board of canvassers for each municipality, special purpose district and county that
20 is responsible for canvassing the election of that fact.

21 **SECTION 77.** 6.97 (3) (a) of the statutes is created to read:

22 6.97 (3) (a) Whenever an elector who votes by provisional ballot under sub. (1)
23 or (2) because the elector does not provide a license or identification card or copy
24 thereof under s. 6.79 (2) or 6.86 (1) (ar) later appears at the polling place where the
25 ballot is cast before the closing hour and provides the license or identification card

SENATE BILL 6

1 or copy thereof, the inspectors shall remove the elector's ballot from the separate
2 carrier envelope, shall note on the poll list that the elector's provisional ballot is
3 withdrawn, and shall deposit the elector's ballot in the ballot box. If the inspectors
4 have notified the municipal clerk or executive director of the board of election
5 commissioners that the elector's ballot was cast under this section, the inspectors
6 shall notify the clerk or executive director that the elector's provisional ballot is
7 withdrawn.

8 **SECTION 78.** 6.97 (3) (a) of the statutes, as created by 2011 Wisconsin Act
9 (this act), is amended to read:

10 6.97 (3) (a) Whenever an elector who votes by provisional ballot under sub. (1)
11 or (2) because the elector does not provide a license ~~or~~ identification card, or
12 identification certificate or copy thereof under s. 6.79 (2) or 6.86 (1) (ar) later appears
13 at the polling place where the ballot is cast before the closing hour and provides the
14 license ~~or~~ identification card, or identification certificate or copy thereof, the
15 inspectors shall remove the elector's ballot from the separate carrier envelope, shall
16 note on the poll list that the elector's provisional ballot is withdrawn, and shall
17 deposit the elector's ballot in the ballot box. If the inspectors have notified the
18 municipal clerk or executive director of the board of election commissioners that the
19 elector's ballot was cast under this section, the inspectors shall notify the clerk or
20 executive director that the elector's provisional ballot is withdrawn.

21 **SECTION 79.** 6.97 (3) (b) of the statutes, as affected by 2011 Wisconsin Act
22 (this act), is amended to read:

23 6.97 (3) (b) Whenever the municipal clerk or executive director of the municipal
24 board of election commissioners is informed by the inspectors that a ballot has been
25 cast under this section, the clerk or executive director shall promptly provide written

SENATE BILL 6

1 notice to the board of canvassers of each municipality, special purpose district, and
2 county that is responsible for canvassing the election of the number of ballots cast
3 under this section in each ward or election district. The municipal clerk or executive
4 director then shall determine whether each individual voting under this section is
5 qualified to vote in the ward or election district where the individual's ballot is cast.
6 If the elector is required to provide a license ~~or~~ identification card, or identification
7 certificate or copy thereof under s. 6.79 (2) or 6.86 (1) (ar) and fails to do so, the elector
8 bears the burden of correcting the omission by providing the license ~~or~~ identification
9 card, or identification certificate or copy thereof at the polling place before the closing
10 hour or at the office of the municipal clerk or board of election commissioners no later
11 than 4 p.m. on the day after the election. The municipal clerk or executive director
12 shall make a record of the procedure used to determine the validity of each ballot cast
13 under this section. If, prior to 4 p.m. on the day after the election, the municipal clerk
14 or executive director determines that the individual is qualified to vote in the ward
15 or election district where the individual's ballot is cast, the municipal clerk or
16 executive director shall notify the board of canvassers for each municipality, special
17 purpose district and county that is responsible for canvassing the election of that
18 fact.

19 **SECTION 80.** 6.97 (3) (c) of the statutes is created to read:

20 6.97 (3) (c) A ballot cast under this section by an elector for whom a valid license
21 or identification card or copy thereof is required under s. 6.79 (2) or 6.86 (1) (ar) shall
22 not be counted unless the municipal clerk or executive director of the board of
23 election commissioners provides timely notification that the elector has provided a
24 valid license or identification card or copy thereof under this section.

SENATE BILL 6

1 **SECTION 81.** 6.97 (3) (c) of the statutes, as created by 2011 Wisconsin Act (this
2 act), is amended to read:

3 6.97 (3) (c) A ballot cast under this section by an elector for whom a valid license
4 ~~or~~, identification card, or identification certificate or copy thereof is required under
5 s. 6.79 (2) or 6.86 (1) (ar) shall not be counted unless the municipal clerk or executive
6 director of the board of election commissioners provides timely notification that the
7 elector has provided a valid license ~~or~~, identification card, or identification certificate
8 or copy thereof under this section.

9 **SECTION 82.** 7.08 (8) (title) of the statutes is amended to read:

10 7.08 (8) (title) ELECTORS VOTING WITHOUT PROOF OF RESIDENCE OR IDENTIFICATION
11 OR PURSUANT TO COURT ORDER.

12 **SECTION 83.** 7.08 (12) of the statutes is created to read:

13 7.08 (12) ASSISTANCE IN OBTAINING LICENSES OR IDENTIFICATION CARDS. Engage
14 in outreach to identify and contact groups of electors who may need assistance in
15 obtaining or renewing a license or identification card for voting under s. 6.79 (2) (a),
16 6.86 (1) (ar), or 6.87 (4) (b), and provide assistance to the electors in obtaining or
17 renewing a license or identification card.

18 **SECTION 84.** 7.08 (12) of the statutes, as created by 2011 Wisconsin Act (this
19 act), is amended to read:

20 7.08 (12) ASSISTANCE IN OBTAINING LICENSES OR IDENTIFICATION CARDS OR
21 CERTIFICATES. Engage in outreach to identify and contact groups of electors who may
22 need assistance in obtaining or renewing a license ~~or~~, identification card, or
23 identification certificate for voting under s. 6.79 (2) (a), 6.86 (1) (ar), or 6.87 (4) (b),
24 and provide assistance to the electors in obtaining or renewing a license ~~or~~,
25 identification card, or identification certificate.

SENATE BILL 6

1 **SECTION 85.** 7.52 (3) (a) of the statutes is amended to read:

2 7.52 (3) (a) The board of absentee ballot canvassers shall first open the carrier
3 envelope only, and, in such a manner that a member of the public, if he or she desired,
4 could hear, announce the name of the absent elector or the identification serial
5 number of the absent elector if the elector has a confidential listing under s. 6.47 (2).
6 When the board of absentee ballot canvassers finds that the certification has been
7 properly executed and the applicant is a qualified elector of the ward or election
8 district, the board of absentee ballot canvassers shall enter an indication on the poll
9 list next to the applicant's name indicating an absentee ballot is cast by the elector.
10 The board of absentee ballot canvassers shall then open the envelope containing the
11 ballot in a manner so as not to deface or destroy the certification thereon. The board
12 of absentee ballot canvassers shall take out the ballot without unfolding it or
13 permitting it to be unfolded or examined. Unless the ballot is cast under s. 6.95, the
14 board of absentee ballot canvassers shall verify that the ballot has been endorsed by
15 the issuing clerk. If the poll list indicates that proof of residence is required and no
16 proof of residence is enclosed or the name or address on the document that is provided
17 is not the same as the name and address shown on the poll list, or if the elector is not
18 a military elector, as defined in s. 6.34 (1) (a), or an overseas elector, as defined in s.
19 6.34 (1) (b), and the elector is required to provide, or to provide a copy of, a license
20 or identification card required under s. 6.86 (1) (ar) or 6.87 (4) (b) 1. and no copy of
21 the license or identification card is enclosed or the name on the document cannot be
22 verified by the canvassers, the board of absentee ballot canvassers shall proceed as
23 provided under s. 6.97 (2). The board of absentee ballot canvassers shall mark the
24 poll list number of each elector who casts an absentee ballot on the back of the
25 elector's ballot. The board of absentee ballot canvassers shall then deposit the ballot

SENATE BILL 6

1 into the proper ballot box and enter the absent elector's name or poll list number after
2 his or her name on the poll list.

3 **SECTION 86.** 7.52 (3) (a) of the statutes, as affected by 2011 Wisconsin Act ...
4 (this act), is amended to read:

5 7.52 (3) (a) The board of absentee ballot canvassers shall first open the carrier
6 envelope only, and, in such a manner that a member of the public, if he or she desired,
7 could hear, announce the name of the absent elector or the identification serial
8 number of the absent elector if the elector has a confidential listing under s. 6.47 (2).
9 When the board of absentee ballot canvassers finds that the certification has been
10 properly executed and the applicant is a qualified elector of the ward or election
11 district, the board of absentee ballot canvassers shall enter an indication on the poll
12 list next to the applicant's name indicating an absentee ballot is cast by the elector.
13 The board of absentee ballot canvassers shall then open the envelope containing the
14 ballot in a manner so as not to deface or destroy the certification thereon. The board
15 of absentee ballot canvassers shall take out the ballot without unfolding it or
16 permitting it to be unfolded or examined. Unless the ballot is cast under s. 6.95, the
17 board of absentee ballot canvassers shall verify that the ballot has been endorsed by
18 the issuing clerk. If the poll list indicates that proof of residence is required and no
19 proof of residence is enclosed or the name or address on the document that is provided
20 is not the same as the name and address shown on the poll list, or if the elector is not
21 a military elector, as defined in s. 6.34 (1) (a), or an overseas elector, as defined in s.
22 6.34 (1) (b), and the elector is required to provide, or to provide a copy of, a license
23 ~~or, identification card, or identification certificate~~ required under s. 6.86 (1) (ar) or
24 6.87 (4) (b) 1. and no copy of the license ~~or, identification card, or identification~~
25 certificate is enclosed or the name on the document cannot be verified by the

SENATE BILL 6

1 canvassers, the board of absentee ballot canvassers shall proceed as provided under
2 s. 6.97 (2). The board of absentee ballot canvassers shall mark the poll list number
3 of each elector who casts an absentee ballot on the back of the elector's ballot. The
4 board of absentee ballot canvassers shall then deposit the ballot into the proper
5 ballot box and enter the absent elector's name or poll list number after his or her
6 name on the poll list.

7 **SECTION 87.** 10.02 (3) (form) (a) of the statutes is amended to read:

8 10.02 (3) (form) (a) Upon entering the polling place and before being permitted
9 to vote, an elector shall state his or her name and address. If an elector is not
10 registered to vote, an elector may register to vote at the polling place serving his or
11 her residence if the elector ~~provides proof of residence or the elector's registration is~~
12 ~~verified by another elector of the same municipality where the elector resides~~
13 presents a valid Wisconsin operator's license, a valid, current identification card
14 issued to the elector by a U.S. uniformed service, or a valid Wisconsin identification
15 card unless the elector is exempted from this requirement, and, if the document
16 presented does not constitute proof of residence, if the elector provides proof of
17 residence. Where ballots are distributed to electors, the initials of 2 inspectors must
18 appear on the ballot. Upon being permitted to vote, the elector shall retire alone to
19 a voting booth or machine and cast his or her ballot, except that an elector who is a
20 parent or guardian may be accompanied by the elector's minor child or minor ward.
21 An election official may inform the elector of the proper manner for casting a vote,
22 but the official may not in any manner advise or indicate a particular voting choice.

23 **SECTION 88.** 10.02 (3) (form) (a) of the statutes, as affected by 2011 Wisconsin
24 Act (this act), is amended to read:

SENATE BILL 6

1 10.02 (3) (form) (a) Upon entering the polling place and before being permitted
2 to vote, an elector shall state his or her name and address. If an elector is not
3 registered to vote, an elector may register to vote at the polling place serving his or
4 her residence if the elector presents a valid Wisconsin operator's license, a valid,
5 current identification card issued to the elector by a U.S. uniformed service, ~~or~~ a valid
6 Wisconsin identification card, or a valid Wisconsin identification certificate unless
7 the elector is exempted from this requirement, and, if the document presented does
8 not constitute proof of residence, if the elector provides proof of residence. Where
9 ballots are distributed to electors, the initials of 2 inspectors must appear on the
10 ballot. Upon being permitted to vote, the elector shall retire alone to a voting booth
11 or machine and cast his or her ballot, except that an elector who is a parent or
12 guardian may be accompanied by the elector's minor child or minor ward. An
13 election official may inform the elector of the proper manner for casting a vote, but
14 the official may not in any manner advise or indicate a particular voting choice.

15 **SECTION 89.** 12.03 (2) (b) 3. of the statutes is amended to read:

16 12.03 (2) (b) 3. No person may engage in electioneering within 100 feet of an
17 entrance to or within a nursing home ~~or~~, qualified retirement home ~~or~~, qualified
18 community-based residential facility, qualified residential care apartment complex,
19 or qualified adult family home while special voting deputies are present at the home
20 or facility.

21 **SECTION 90.** 12.13 (2) (b) 6m. of the statutes is amended to read:

22 12.13 (2) (b) 6m. Obtain an absentee ballot for voting in a nursing home or
23 qualified retirement home ~~or~~, qualified community-based residential facility,
24 qualified residential care apartment complex, or qualified adult family home under
25 s. 6.875 (6) and fail to return the ballot to the issuing officer.

SENATE BILL 6

1 **SECTION 91.** 12.13 (3) (v) of the statutes is repealed.

2 **SECTION 92.** 85.103 (2) of the statutes is amended to read:

3 85.103 (2) The department shall include on any form for application for original
4 registration under s. 341.08, for application for renewal of registration under s.
5 341.08, for application for a certificate of title under s. 342.06, for application for a
6 license or identification card or renewal of a license or identification card under s.
7 343.14, for application for an identification certificate or renewal of an identification
8 certificate under s. 343.505 (2), and for application for a special identification card
9 under s. 343.51, a place for the individual to designate that the individual's personal
10 identifiers may not be disclosed in information compiled or maintained by the
11 department that contains the personal identifiers of 10 or more individuals, a
12 statement indicating the effect of making such a designation and a place for an
13 applicant or registrant who has made a designation under this subsection or sub. (3)
14 to reverse the designation.

15 **SECTION 93.** 125.085 (1) (f) of the statutes is created to read:

16 125.085 (1) (f) An identification certificate issued under s. 343.505.

17 **SECTION 94.** 134.71 (8) (a) 2. of the statutes is amended to read:

18 134.71 (8) (a) 2. A state identification card or identification certificate.

19 **SECTION 95.** 139.30 (4n) of the statutes is amended to read:

20 139.30 (4n) "Government issued identification" includes a valid driver's
21 license, state identification card or identification certificate, passport, or military
22 identification.

23 **SECTION 96.** 165.8287 (2) of the statutes, as created by 2009 Wisconsin Act 167,
24 is amended to read:

SENATE BILL 6

1 165.8287 (2) Upon electronic request, the department of transportation shall
2 make available to the department of justice, in a digital format, any photograph
3 taken of an applicant under s. 343.14 (3) ~~or~~, 343.50 (4), or 343.505 (2) (b) that is
4 maintained by the department of transportation. Updated photographs shall be
5 available to the department of justice within 30 days of photograph capture.

6 **SECTION 97.** 165.8287 (3) (d) of the statutes, as created by 2009 Wisconsin Act
7 167, is amended to read:

8 165.8287 (3) (d) The department of justice shall maintain a record, which may
9 be electronic, of each request by a law enforcement agency for a photograph under
10 this subsection and of the response to the request. Except as provided in s. 343.237
11 (9), the department of justice may not disclose any record or other information
12 concerning or relating to the request to any person other than a court, district
13 attorney, county corporation counsel, city, village, or town attorney, law enforcement
14 agency, the applicant under s. 343.14 (3) ~~or~~, 343.50 (4), or 343.505 (2) (b), or, if the
15 applicant is under 18 years of age, his or her parent or guardian. Records maintained
16 under this paragraph shall be maintained for at least 12 months.

17 **SECTION 98.** 343.19 (title) of the statutes is amended to read:

18 **343.19 (title) Duplicate licenses or identification cards or certificates.**

19 **SECTION 99.** 343.19 (1) of the statutes, as affected by 2007 Wisconsin Act 20,
20 is repealed and recreated to read:

21 343.19 (1) If a license issued under this chapter, an identification card issued
22 under s. 343.50, or an identification certificate issued under s. 343.505 is lost or
23 destroyed or the name or address named in the license, identification card, or
24 identification certificate is changed or the condition specified in s. 343.17 (3) (a) 12.
25 or 13. or s. 343.505 (3) (b) 9. no longer applies, the person to whom the license,

SENATE BILL 6

1 identification card, or identification certificate was issued may obtain a duplicate
2 thereof or substitute therefor upon furnishing proof satisfactory to the department
3 of full legal name and date of birth and that the license, identification card, or
4 identification certificate has been lost or destroyed or that application for a duplicate
5 license, identification card, or identification certificate is being made for a change of
6 address or name or because the condition specified in s. 343.17 (3) (a) 12. or 13. or s.
7 343.505 (3) (b) 9. no longer applies. If the applicant is a male who is at least 18 years
8 of age but less than 26 years of age and is applying for a duplicate license or
9 identification card, the application shall include the information required under s.
10 343.14 (2) (em). If the original license, identification card, or identification certificate
11 is found it shall immediately be transmitted to the department.

12 **SECTION 100.** 343.19 (2) (intro.) of the statutes is amended to read:

13 343.19 (2) (intro.) No person may knowingly make a false statement or fail to
14 return the original license ~~or~~, identification card, or identification certificate to the
15 department upon finding it or fail to comply with any other requirement of this
16 section relating to an application for any of the following:

17 **SECTION 101.** 343.19 (2) (c) of the statutes is created to read:

18 343.19 (2) (c) A duplicate identification certificate.

19 **SECTION 102.** 343.22 (2) of the statutes, as affected by 2007 Wisconsin Act 20,
20 is repealed and recreated to read:

21 343.22 (2) Whenever any person, after applying for or receiving a license under
22 this chapter, an identification card under s. 343.50, or an identification certificate
23 under s. 343.505, moves from the address named in the application or in the license,
24 identification card, or identification certificate issued to him or her or is notified by

SENATE BILL 6

1 the local authorities or by the postal authorities that the address so named has been
2 changed, the person shall, within 30 days thereafter, do one of the following:

3 (a) Apply for a duplicate license, identification card, or identification certificate
4 showing on the application the correct full legal name and address. The licensee,
5 identification card holder, or identification certificate holder shall return the current
6 license, identification card, or identification certificate to the department along with
7 the application for duplicate.

8 (b) In lieu of applying for a duplicate license, identification card, or
9 identification certificate, notify the department in writing of his or her change of
10 address. This paragraph does not apply to persons issued a commercial driver
11 license.

12 **SECTION 103.** 343.22 (2m) of the statutes, as affected by 2007 Wisconsin Act 20,
13 section 3274, is repealed and recreated to read:

14 343.22 (2m) Whenever any person, after applying for or receiving a license
15 under this chapter, an identification card under s. 343.50, or an identification
16 certificate under s. 343.505, is notified by the local authorities or by the postal
17 authorities that the address named in the application or in the license, identification
18 card, or identification certificate issued to him or her has been changed and the
19 person applies for a duplicate license, identification card, or identification certificate
20 under sub. (2), no fees shall be charged under s. 343.21 (1) (L) and (n), 343.50 (5m)
21 and (7), or s. 343.505 (4) (a) 2. for the duplicate license, identification card, or
22 identification certificate.

23 **SECTION 104.** 343.22 (3) of the statutes, as affected by 2007 Wisconsin Act 20,
24 section 3276, is repealed and recreated to read:

SENATE BILL 6

1 343.22 (3) When the name of a licensee, identification card holder, or
2 identification certificate holder is changed, such person shall, within 30 days
3 thereafter, apply for a duplicate license, identification card, or identification
4 certificate showing the correct full legal name and address. The licensee,
5 identification card holder, or identification certificate holder shall return the current
6 license, identification card, or identification certificate to the department along with
7 the application for a duplicate. If the licensee holds more than one type of license
8 under this chapter, the licensee shall return all such licenses to the department along
9 with one application and fees for a duplicate license for which the licensee may be
10 issued a duplicate of each such license.

11 **SECTION 105.** 343.235 (title) of the statutes is amended to read:

12 **343.235 (title) Access to license and identification card and certificate**
13 **records.**

14 **SECTION 106.** 343.237 (title) of the statutes is amended to read:

15 **343.237 (title) Access to license and identification card and certificate**
16 **photographs and fingerprints.**

17 **SECTION 107.** 343.237 (2) of the statutes, as affected by 2009 Wisconsin Act 167,
18 section 3, is repealed and recreated to read:

19 343.237 (2) Any photograph taken of an applicant under s. 343.14 (3), 343.50
20 (4), or 343.505 (2) (b), and any fingerprint taken of an applicant under s. 343.12 (6)
21 (b), may be maintained by the department and, except as provided in this section and
22 s. 165.8287, shall be kept confidential. Except as provided in this section and s.
23 165.8287, the department may release a photograph or fingerprint only to the person
24 whose photograph or fingerprint was taken or to the driver licensing agency of
25 another jurisdiction.

SENATE BILL 6

1 **SECTION 108.** 343.237 (3) (intro.) of the statutes, as affected by 2007 Wisconsin
2 Act 20, is repealed and recreated to read:

3 343.237 (3) (intro.) The department shall provide a Wisconsin law enforcement
4 agency or a federal law enforcement agency with a print or electronic copy of a
5 photograph taken on or after September 1, 1997, of an applicant under s. 343.14 (3),
6 343.50 (4), or 343.505 (2) (b), or a printed or electronic copy of a fingerprint taken of
7 an applicant under s. 343.12 (6) (b), if the department receives a written request on
8 the law enforcement agency's letterhead that contains all of the following:

9 **SECTION 109.** 343.237 (6) of the statutes is amended to read:

10 343.237 (6) For each copy of a photograph or fingerprint provided under sub.
11 (3) or (4), the department shall record and maintain the written request for the copy
12 of the photograph or fingerprint and may not disclose any record or other information
13 concerning or relating to the written request to any person other than a court, district
14 attorney, county corporation counsel, city, village, or town attorney, law enforcement
15 agency, driver licensing agency of another jurisdiction, the applicant, licensee, or
16 identification card or identification certificate holder or, if the applicant, licensee, or
17 identification card holder is under 18 years of age, his or her parent or guardian.

18 **SECTION 110.** 343.43 (2) of the statutes is amended to read:

19 343.43 (2) Whenever a license or, identification card ~~which~~, or identification
20 certificate that appears to be altered is displayed to a law enforcement officer, agent
21 of the secretary or the court, that person shall take possession of the license or,
22 identification card, or identification certificate and return it to the department for
23 cancellation. A notation of change of address properly endorsed on the license under
24 s. 343.22 shall not of itself be reason to consider the license altered.

SENATE BILL 6

1 temporary. The card shall contain physical security features consistent with any
2 requirement under federal law. The card may serve as a record of gift under s. 157.06
3 (2) (t) and the holder may affix a sticker thereto as provided in s. 343.175 (3). The
4 card may also serve as a record of refusal under s. 157.06 (2) (u). The card shall
5 contain the holder's photograph and, if applicable, shall be of the design specified
6 under s. 343.17 (3) (a) 12.

7 **SECTION 114.** 343.50 (4) of the statutes is amended to read:

8 343.50 (4) APPLICATION. The application for an identification card shall include
9 any information required under ss. 85.103 (2) and 343.14 (2) (a), (b), (bm), (br), (em),
10 and (er), and such further information as the department may reasonably require to
11 enable it to determine whether the applicant is entitled by law to an identification
12 card. The Except as provided in sub. (4g), the department shall, as part of the
13 application process, take a photograph of the applicant to comply with sub. (3). No
14 Except as provided in sub. (4g), no application may be processed without the
15 photograph being taken. Misrepresentations in violation of s. 343.14 (5) are
16 punishable as provided in s. 343.14 (9).

17 **SECTION 115.** 343.50 (4) of the statutes, as affected by 2007 Wisconsin Act 20
18 and 2011 Wisconsin Act (this act), is repealed and recreated to read:

19 343.50 (4) APPLICATION. The application for an identification card shall include
20 any information required under ss. 85.103 (2) and 343.14 (2) (a), (b), (bm), (br), (em),
21 and (es), and such further information as the department may reasonably require to
22 enable it to determine whether the applicant is entitled by law to an identification
23 card. Except with respect to renewals described in s. 343.165 (4) (d), the department
24 shall, as part of the application process, take a digital photograph including facial
25 image capture of the applicant to comply with sub. (3). Except with respect to

SENATE BILL 6

1 renewals described in s. 343.165 (4) (d), no application may be processed without the
2 photograph being taken. Misrepresentations in violation of s. 343.14 (5) are
3 punishable as provided in s. 343.14 (9).

4 **SECTION 116.** 343.50 (4g) of the statutes is created to read:

5 343.50 (4g) PHOTOGRAPH REQUIREMENT; EXCEPTION. An application may be
6 processed and an original or renewal identification card issued under this section
7 without a photograph being taken to comply with subs. (3) and (4) to an applicant
8 who requests the identification card without charge under sub. (5) or (6) and who
9 provides to the department an affidavit stating that the applicant has a sincerely
10 held religious belief against being photographed; identifying the religion to which he
11 or she belongs or the tenets of which he or she adheres to; stating that the tenets of
12 the religion prohibit him or her from being photographed; and stating that he or she
13 requests the identification card for the purpose of voting.

14 **SECTION 117.** 343.50 (4g) of the statutes, as created by 2011 Wisconsin Act
15 (this act), is repealed.

16 **SECTION 118.** 343.50 (5) (a) 1. of the statutes is amended to read:

17 343.50 (5) (a) 1. Except as provided in subd. 2., the fee for an original card and
18 for the reinstatement of an identification card after cancellation under sub. (10) shall
19 be \$18 or, upon request of the applicant, without charge.

20 **SECTION 119.** 343.50 (5) (a) 1. of the statutes, as affected by 2009 Wisconsin Act
21 28, section 2958, and 2011 Wisconsin Act (this act), is repealed and recreated to
22 read:

23 343.50 (5) (a) 1. Except as provided in subd. 2., the fee for an original card, for
24 renewal of a card, and for the reinstatement of an identification card after
25 cancellation under sub. (10) shall be \$18.

SENATE BILL 6

1 **SECTION 120.** 343.50 (6) of the statutes is amended to read:

2 343.50 (6) RENEWAL. At least 30 days prior to the expiration of the card, the
3 department shall mail a renewal application to the last-known address of each
4 identification card holder. The department shall include with the application
5 information, as developed by all organ procurement organizations in cooperation
6 with the department, that promotes anatomical donations and which relates to the
7 anatomical donation opportunity available under s. 343.175. The fee for a renewal
8 identification card shall be \$18, ~~which~~ or, upon request of the identification card
9 holder, without charge. The renewal identification card shall be valid for 8 years,
10 except that a card that is issued to a person who is not a United States citizen and
11 who provides documentary proof of legal status as provided under s. 343.14 (2) (er)
12 shall expire on the date that the person's legal presence in the United States is no
13 longer authorized. If the documentary proof as provided under s. 343.14 (2) (er) does
14 not state the date that the person's legal presence in the United States is no longer
15 authorized, then the card shall be valid for 8 years.

16 **SECTION 121.** 343.50 (6) of the statutes, as affected by 2007 Wisconsin Act 20,
17 section 3383, and 2011 Wisconsin Act (this act), is repealed and recreated to read:

18 343.50 (6) RENEWAL NOTICE. At least 30 days prior to the expiration of an
19 identification card, the department shall mail a renewal application to the
20 last-known address of the card holder. If the card was issued or last renewed based
21 upon the person's presenting of any documentary proof specified in s. 343.14 (2) (es)
22 4. to 7., the notice shall inform the card holder of the requirement under s. 343.165
23 (4) (c). The department shall include with the application information, as developed
24 by all organ procurement organizations in cooperation with the department, that

SENATE BILL 6

1 promotes anatomical donations and which relates to the anatomical donation
2 opportunity available under s. 343.175.

3 **SECTION 122.** 343.505 of the statutes is created to read:

4 **343.505 Identification certificates. (1) ISSUANCE.** (a) The department shall
5 issue, as provided in this section, identification certificates to eligible applicants
6 upon proper application and payment of all required fees.

7 (b) A person is eligible for an identification certificate under this section if the
8 person provides the information that is required to be provided by an elector under
9 s. 6.33 (1) and signs a statement affirming that the information is correct.

10 **(2) APPLICATION.** (a) Every application to the department for an identification
11 certificate or for renewal of an identification certificate shall be made upon the
12 appropriate form furnished by the department and shall be accompanied by all
13 required fees. The application for an identification certificate shall include all of the
14 following:

15 1. The information required to be provided under sub. (1) (b), with a signed
16 statement affirming that the information is correct.

17 2. The applicant's color of eyes, color of hair, sex, height, weight, and race.

18 3. a. Except as provided in subd. 3. b., the applicant's social security number.

19 b. If the applicant does not have a social security number, a statement made
20 or subscribed under oath or affirmation, on a form prescribed by the department,
21 that the applicant does not have a social security number. An identification
22 certificate issued or renewed in reliance on a statement submitted under this subd.

23 3. b. is invalid if the statement is false.

24 4. A statement as to whether the applicant holds any valid operator's license
25 or identification card issued by this state or any other jurisdiction.

SENATE BILL 6

1 5. A designation or reversal of a designation under s. 85.103 (2), if the applicant
2 chooses to make such designation or reversal.

3 6. Satisfactory proof of the applicant's name and date of birth.

4 7. Documentary proof that the applicant is a citizen of the United States.

5 8. Such further information as the department may reasonably require to
6 enable it to identify the applicant and to determine whether the applicant is entitled
7 by law to an identification certificate.

8 (b) 1. Except as provided in subd 2., the department shall, as part of the
9 application process, take a photograph of the applicant, which shall appear on the
10 identification certificate as provided in sub. (3). Except as provided in subd. 2., no
11 application may be processed without the photograph being taken.

12 2. An application for an identification certificate may be processed and an
13 original or renewal identification certificate issued under this section without a
14 photograph being taken if the applicant requests an identification certificate without
15 charge and provides to the department an affidavit stating that the applicant has a
16 sincerely held religious belief against being photographed; identifying the religion
17 to which he or she belongs or the tenets of which he or she adheres to; stating that
18 the tenets of the religion prohibit him or her from being photographed; and stating
19 that he or she requests the identification certificate for the purpose of voting.

20 (c) Names, addresses, and social security numbers obtained by the department
21 under this subsection shall be provided to the department of revenue for the purpose
22 of administering ss. 71.93 and 71.935 and state taxes.

23 **(3) DESIGN AND CONTENTS OF IDENTIFICATION CERTIFICATES.** (a) Identification
24 certificates shall be the same size as an operator's license but shall be of a design that
25 is readily distinguishable from the design of operator's licenses and identification

SENATE BILL 6

1 cards. Each identification certificate shall bear upon it the words
2 “IDENTIFICATION CERTIFICATE.” Identification certificates shall clearly state
3 on their face that they may not be accepted by any federal agency for federal
4 identification or any other official purpose and shall use a unique design or color
5 indicator to alert federal agency and other law enforcement personnel that they may
6 not be accepted for any such purpose.

7 (b) The front side of the identification certificate shall include all of the
8 following:

- 9 1. The name, date of birth, and residence address of the person.
- 10 2. Except as provided in sub. (2) (b) 2., a color photograph of the person.
- 11 3. A physical description of the person, including sex, height, weight, and hair
12 and eye color, but excluding any mention of race.
- 13 4. The person’s signature.
- 14 5. The name of this state.
- 15 6. A unique identifying identification certificate number assigned by the
16 department.
- 17 7. The date of issuance of the identification certificate.
- 18 8. The date of expiration of the identification certificate.
- 19 9. If the person has not attained the legal drinking age, as defined in s. 125.02
20 (8m), at the time of issuance of the identification certificate, a distinctive appearance
21 specified by the department that clearly identifies to the public that the person had
22 not attained the legal drinking age at the time of issuance of the identification
23 certificate.

SENATE BILL 6

1 (4) VALID PERIOD; FEES. (a) 1. Except as provided in subd. 3., the fee for an
2 original identification certificate, for renewal of an identification certificate, and for
3 reinstatement of an identification certificate after cancellation is \$18.

4 2. Except as provided in subd. 3., the fee for a duplicate identification certificate
5 is \$6.

6 3. If the applicant requests that the identification certificate be issued,
7 renewed, or reinstated, or a duplicate identification certificate be issued, without
8 charge, the department may not charge any fee for the identification certificate.

9 (b) An original or reinstated identification certificate shall be valid for the
10 succeeding period of 8 years from the applicant's next birthday after the date of
11 issuance, and a renewed identification certificate shall be valid for the succeeding
12 period of 8 years from the certificate's last expiration date.

13 (c) At least 30 days prior to the expiration of an identification certificate, the
14 department shall mail a renewal application to the last-known address of the
15 certificate holder.

16 (5) RECORDS AND OTHER INFORMATION. (a) The department shall maintain
17 records of all identification certificate holders under this section in a manner
18 prescribed by the department by rule.

19 (b) The department may not disclose any record or other information
20 concerning or relating to an applicant or identification certificate holder to any
21 person other than a court, district attorney, county corporation counsel, city, village,
22 or town attorney, law enforcement agency, driver licensing agency of another
23 jurisdiction, or the applicant or identification certificate holder. Except for
24 photographs for which disclosure is authorized under s. 343.237, persons entitled to
25 receive any record or other information under this paragraph shall not disclose the

SENATE BILL 6

1 record or other information to other persons or agencies. This paragraph does not
2 prohibit the disclosure of a person's name or address, of the name or address of a
3 person's employer, or of financial information that relates to a person when
4 requested under s. 49.22 (2m) by the department of children and families or a county
5 child support agency under s. 59.53 (5).

6 **(6) CANCELLATION.** (a) The department shall cancel an identification certificate
7 under any of the following circumstances:

8 1. Whenever the department determines that the identification certificate was
9 issued upon an application that contains a false statement as to any material matter.

10 2. Whenever the department determines that an identification certificate has
11 been altered and returned for cancellation under s. 343.43 (2).

12 (b) The department may order any person whose identification certificate has
13 been canceled to surrender the certificate to the department. The department may
14 take possession of any identification certificate required to be canceled or may direct
15 any traffic officer to take possession of the identification certificate and return it to
16 the department.

17 **(7) UNLAWFUL USE.** No person may do any of the following:

18 (a) Represent as valid any canceled, fictitious, or fraudulently altered
19 identification certificate.

20 (b) Sell or lend his or her identification certificate to any other person or
21 knowingly permit the use of his or her identification certificate by another.

22 (c) Represent as one's own, any identification certificate not issued to him or
23 her.

24 (d) Permit any unlawful use of an identification certificate issued to him or her.

25 (e) Reproduce by any means whatever an identification certificate.

SENATE BILL 6

1 (f) Deface or alter an identification certificate.

2 (8) PENALTY. Any person who fails to comply with an order under sub. (6) (b)
3 or who violates sub. (7) may be required to forfeit not more than \$1,000.

4 (9) RULES. The department shall promulgate rules to administer and enforce
5 this section. Subject to subs. (2) and (3), these rules shall prescribe the form of the
6 application for an identification certificate and specify the form and contents of the
7 identification certificate. These rules shall also provide a procedure under which
8 identification certificates are generally issued over the counter to an applicant on the
9 same day that the department receives an application. The rules shall require the
10 design of identification certificates to be resistant to tampering and forgery. The
11 rules shall also incorporate the requirements under sub. (5) (a). The department
12 shall attempt to ensure that these rules become effective at the same time as the
13 provisions of this section other than this subsection.

14 **SECTION 123. Nonstatutory provisions.**

15 (1) In conjunction with the first regularly scheduled primary and election at
16 which the voter identification requirements of this act initially apply, the
17 government accountability board shall conduct a public informational campaign for
18 the purpose of informing prospective voters of the voter identification requirements
19 of this act.

20 **SECTION 124. Initial applicability.**

21 (1) This act first applies with respect to voting at the first spring or September
22 primary election that follows the effective date of this subsection by at least 60 days.

23 **SECTION 125. Effective dates.** This act takes effect on the day after
24 publication, except as follows:

