



ENGROSSED 2013 ASSEMBLY BILL 54

January 29, 2014 - Printed by direction of SENATE CHIEF CLERK.

- 1 **AN ACT** *to amend* 6.86 (1) (b) of the statutes; **relating to:** limiting the times for
2 voting by absentee ballots in person.

Analysis by the Legislative Reference Bureau

Grossment information:

The text of Engrossed 2013 Assembly Bill 54 consists of the following documents adopted in the assembly on November 14, 2013: the bill as affected by Assembly Amendments 1, 2, and 3 and Assembly Amendment 1 to Assembly Amendment 2.

Content of Engrossed 2013 Assembly Bill 54:

Under current law, a person may apply to the municipal clerk in person to vote using an absentee ballot. In-person applications to vote using an absentee ballot may be made beginning on the third Monday preceding the election and ending on the later of 5 p.m. or the close of business on the Friday preceding the election. Under this bill, in-person applications to vote using an absentee ballot may only be received Monday to Friday between the hours of 7:30 a.m. and 6 p.m. each day, but no such applications may be received on a legal holiday. If, however, the municipality has 30 or fewer hours available for in-person absentee voting in a week, the municipal clerk may receive in-person applications for absentee voting any time Monday to Friday.

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

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

2 6.86 (1) (b) Except as provided in this section, if application is made by mail,
3 the application shall be received no later than 5 p.m. on the 5th day immediately
4 preceding the election. If application is made in person, the application shall be
5 made no earlier than the opening of business on the 3rd Monday preceding the
6 election and no later than ~~5~~ 6 p.m. ~~or the close of business, whichever is later,~~ on the
7 Friday preceding the election. No application may be received on a legal holiday. An
8 application made in person may only be received Monday to Friday between the
9 hours of 7:30 a.m. and 6 p.m. each day. If a municipality has 30 or fewer hours
10 available for in-person absentee voting in a week, as provided in the notice under
11 s. 10.01 (2) (e), the municipal clerk or an election official may receive an application
12 made in person at any time Monday to Friday and shall witness the certificate for
13 any such ballot cast. Except as provided in par. (c), if the elector is making written
14 application for an absentee ballot at the partisan primary, the general election, the
15 presidential preference primary, or a special election for national office, and the
16 application indicates that the elector is a military elector, as defined in s. 6.34 (1), the
17 application shall be received by the municipal clerk no later than 5 p.m. on election
18 day. If the application indicates that the reason for requesting an absentee ballot is
19 that the elector is a sequestered juror, the application shall be received no later than
20 5 p.m. on election day. If the application is received after 5 p.m. on the Friday
21 immediately preceding the election, the municipal clerk or the clerk's agent shall
22 immediately take the ballot to the court in which the elector is serving as a juror and
23 deposit it with the judge. The judge shall recess court, as soon as convenient, and
24 give the elector the ballot. The judge shall then witness the voting procedure as
25 provided in s. 6.87 and shall deliver the ballot to the clerk or agent of the clerk who

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

5 **SECTION 2. Initial applicability.**

6 (1) This act first applies to elections held no earlier than 60 days after the
7 effective date of this subsection.

8 (END)