



**SENATE SUBSTITUTE AMENDMENT 1,  
TO 2009 SENATE BILL 640**

April 6, 2010 – Offered by Senator COGGS.

1     **AN ACT to repeal** 6.86 (2), 6.865 (3) and 6.865 (3m) (c); **to renumber** 5.07; **to**  
2     **renumber and amend** 6.86 (2m), 7.52 (5), 7.52 (6) (a) and 7.52 (6) (b); **to**  
3     **consolidate, renumber and amend** 6.25 (4) (intro.), (a) and (b); **to amend**  
4     5.05 (1) (e), 5.05 (1) (f), 5.05 (13) (title), 5.056, 5.06 (2), 5.25 (4) (b), 5.35 (6) (a)  
5     (intro.), 5.35 (6) (a) 5., 5.35 (6) (b), 5.35 (6) (c), 5.84 (1), 6.22 (4) (a), 6.22 (4) (e),  
6     6.22 (6), 6.221 (1), 6.221 (3) (b), 6.24 (3), 6.24 (4) (c), 6.25 (1), 6.275 (1) (b), 6.275  
7     (1) (c), 6.275 (1) (d), 6.28 (1), 6.28 (4), 6.29 (1), 6.29 (2) (a), 6.29 (2) (b), 6.29 (2)  
8     (d), 6.30 (1), 6.32 (1), 6.33 (1), 6.33 (2) (a), 6.33 (5) (a), 6.34 (2), 6.34 (3) (a) 7., 6.34  
9     (3) (b) (intro.), 6.35 (1) (intro.), 6.36 (1) (a), 6.36 (1) (b) 1. a., 6.36 (2) (a), 6.36 (2)  
10    (c), 6.40 (1) (a) 1., 6.40 (1) (c), 6.50 (10), 6.54, 6.55 (title), 6.55 (2) (a) 1., 6.55 (2)  
11    (b), 6.55 (2) (c) 1. and 2., 6.55 (2) (cs), 6.55 (5), 6.79 (4), 6.855 (title), 6.855 (1),  
12    6.855 (2), 6.86 (1) (a) (intro.), 6.86 (1) (a) 3., 6.86 (1) (ac), 6.86 (1) (b), 6.86 (1) (b),  
13    6.86 (1) (c), 6.86 (3) (a), 6.86 (3) (c), 6.865 (title), 6.865 (3m) (a), 6.865 (3m) (b),

1 6.869, 6.87 (2) (intro.), 6.87 (3) (d), 6.87 (4), 6.87 (9), 6.875 (3), 6.875 (4) (a), 6.875  
2 (4) (b), 6.875 (6) (c) 1., 6.88 (3) (b), 6.88 (3) (c), 6.925, 6.93, 7.08 (1) (c), 7.15 (1)  
3 (cm), 7.15 (1) (j), 7.15 (2m), 7.15 (4), 7.30 (2) (a), 7.30 (2) (am), 7.30 (2) (b), 7.41  
4 (4), 7.51 (3) (d), 7.52 (1) (b), 7.52 (3) (b), 7.52 (4) (i), 9.01 (1) (b) 2., 10.01 (2) (e),  
5 12.09 (1) and (3), 12.13 (1) (b), 12.13 (1) (c), 12.13 (1) (d), 12.13 (2) (b) 3., 12.60  
6 (1) (a), 12.60 (4), 20.511 (1) (b), 85.61 (1), 939.50 (3) (d) and 939.50 (3) (e); **to**  
7 **repeal and recreate** 6.86 (1) (a) 3.; and **to create** 5.05 (13) (c) and (d), 5.05 (16),  
8 5.05 (17), 5.07 (2), 5.25 (4) (c), 5.34, 5.35 (6) (a) 4c., 5.35 (6) (d), 5.68 (8), 6.22 (2)  
9 (e), 6.24 (4) (e), 6.256, 6.29 (2) (e), 6.30 (5), 6.34 (2m), 6.34 (2n), 6.34 (3) (d), 6.34  
10 (4), 6.35 (2), 6.36 (1) (bm), 6.86 (1) (ab), 6.86 (1) (ad), 6.86 (3) (d), 6.868, 6.87 (2m),  
11 7.08 (1) (cm), 7.08 (3) (d) to (g), 7.08 (12), 7.08 (13), 7.10 (11), 7.15 (15), 12.17,  
12 12.19, 12.60 (1) (am), 12.60 (1) (an), 12.60 (1) (ap), 12.60 (1) (bn), 19.685 and  
13 343.14 (2p) of the statutes; **relating to:** voter registration; transfer of voter  
14 registration information to certain state and private entities; absentee voting;  
15 residency of election officials; testing of automatic tabulating equipment; use  
16 of powers of attorney by electors; deceptive election practices; voter  
17 intimidation, suppression, and protection; election information provided to  
18 electors at polling places; prosecution of civil prohibited election practice  
19 offenses; challenging the ballots of electors at polling places; proof of residence  
20 for registration and voting purposes; public access to certain information  
21 voluntarily provided by electors; review of certain expenditures of the  
22 Government Accountability Board by the Joint Committee on Finance;

1           granting rule-making authority; providing penalties; and making an  
2           appropriation.

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***Analysis by the Legislative Reference Bureau***

This substitute amendment makes various changes in laws relating to elections and voting. Significant provisions include:

***Voter registration***

Currently, with the exception of individuals who are defined as “military electors” under state law and new or former residents voting for president and vice president, all eligible electors of this state must register in order to vote in an election in this state. The registration period for each election ends on the 20th day before that election, but an eligible elector may register to vote in an election after that date at the office of the municipal clerk or board of election commissioners of the municipality where he or she resides or at the polling place serving his or her residence by providing specified proof of residence. In order to register, an individual must provide his or her name, residence location, citizenship, date of birth, age, and the number of a valid Wisconsin driver’s license or the last four digits of his or her social security number. An individual must also affirm that he or she: 1) has resided in his or her ward (or municipality if not divided into wards) for at least ten days; 2) has not been convicted of a felony for which he or she has not been pardoned and has not completed his or her sentence; 3) is not disqualified on any other ground from voting; and 4) is not registered to vote at any other location. The burden is on the elector to initiate registration and, if the elector’s name, address, or eligibility changes, to initiate any change in registration required to maintain a valid registration.

This substitute amendment makes it the responsibility of the Government Accountability Board (GAB) to use all feasible means to facilitate the registration of all eligible electors of this state who are subject to a registration requirement and the maintenance of the registration of all eligible electors for so long as they remain eligible, except as the law specifically requires electors to take some action to confirm or continue their registrations. Under the substitute amendment, GAB must attempt to facilitate the initial registration of all eligible electors in accordance with the substitute amendment’s requirements and procedures no later than July 1, 2015. To assist with its responsibility, the substitute amendment directs GAB and the Department of Transportation (DOT) to enter into an agreement for the purpose of transferring specified personally identifiable information in DOT’s records to GAB. The substitute amendment requires GAB to maintain the confidentiality of any information that GAB obtains under the agreement and allows a driver’s license or identification card applicant to “opt out” of DOT’s transfer of this information to GAB. Under the substitute amendment, once GAB obtains all the information required under current law to complete an elector’s registration, GAB adds the elector’s name to the statewide registration list. The information then becomes accessible on the Internet. No registration of an elector that is added to the list by

GAB is valid until the elector confirms with GAB, on a form prescribed by GAB, that all the information pertaining to his or her registration is correct and accurate as of the date of the confirmation. The substitute amendment permits an elector to confirm a registration by any of the following means: 1) by electronic means on the Internet using a secure procedure prescribed by GAB; 2) by mail; or 3) by appearing in person at the office of the municipal clerk or board of election commissioners where the elector resides or at the polling place serving the elector's residence. Under the substitute amendment, if an elector does not confirm a registration that has been entered on his or her behalf by GAB, GAB may contact the elector in the manner determined by GAB to obtain confirmation or any necessary correction to the elector's registration. If the elector does not confirm a registration within 60 days of the date that it is entered on the registration list by GAB, GAB must contact the elector to obtain confirmation or any necessary correction. The substitute amendment also permits an individual whose name is added to the registration list by GAB or who wishes to permanently exclude his or her name from the list to file a request to have his or her name deleted or excluded from the list or to revoke a deletion or exclusion request previously made. A deletion or exclusion request or revocation of a deletion or exclusion request may be made in the manner prescribed by GAB. In addition, the substitute amendment directs GAB to notify an individual by first class postcard whenever GAB removes his or her name from the registration list or changes his or her status on the list from eligible to ineligible, other than by request of the elector, except when GAB removes a duplicate entry from the list or changes the name of a deceased person from eligible to ineligible status.

Currently, if an elector is eligible to vote and is not registered to vote, the elector may register to vote and vote at the polling place serving his or her residence on election day by providing proof of residence or by having another elector of the municipality where the polling place is located corroborate his or her registration information. This substitute amendment permits an elector whose registration has been entered on the registration list by GAB to confirm his or her registration and vote on election day at the same polling place in the same manner as currently provided for original registration.

Currently, a qualified elector may register to vote at any election by mail or by completing a registration form with a special registration deputy no later than the 20th day before the election. A qualified elector may also register to vote at an election in person at the office of the municipal clerk or board of election commissioners for the municipality where the elector resides no later than 5 p.m. on the day before the election. In order to register, an elector must provide his or her name and address and certain other information required to ascertain his or her eligibility and must sign the form. With certain exceptions, an elector who registers after the 20th day before an election or an elector who registers by mail and who has not voted before in an election in this state must provide proof of residence prior to voting.

This substitute amendment permits a qualified elector who has a current and valid driver's license or identification card issued by DOT to register to vote at an election electronically on a secure Internet site maintained by GAB. The substitute

amendment requires an electronic registration to be completed no later than the 20th day before an election in order to be valid for that election. Under the substitute amendment, GAB prescribes, by rule, the manner and method of electronic application, together with requirements for affirmation and verification of elector information and the method for receipt of electronic application forms. There is no requirement for a signature. The substitute amendment also permits an elector who is currently registered to vote and who has a current and valid driver's license or identification card to electronically enter a change of name or address using a similar procedure. Under the substitute amendment, an electronic registration is treated the same as a mail registration. The clerk or board of election commissioners of the elector's municipality of residence must verify the registration by sending a first-class letter or postcard to the registrant at the registrant's address and, if the registrant is voting for the first time in an election in this state, the registrant must provide proof of residence before voting in the election. However, the substitute amendment also provides that if an elector who registers electronically provides his or her Wisconsin driver's license number, together with his or her name and date of birth, and GAB is able to instantly verify the information electronically by electronically accessing records of DOT, the elector need not provide proof of residence prior to voting. The substitute amendment directs GAB and DOT to enter into an agreement that permits GAB to verify the necessary information instantly by accessing DOT's electronic files.

Currently, each municipal clerk and board of election commissioners must maintain a file of voter registration forms for the electors of the municipality. This substitute amendment provides that the clerk or board must maintain registrations that are entered electronically in the manner prescribed by GAB, by rule.

Currently, with certain exceptions, if an elector registers to vote by mail and has not voted in an election in this state, the elector must provide proof of residence prior to voting. This substitute amendment extends this requirement to apply to an elector whose registration is initiated by GAB but who has not confirmed his or her registration and has not voted in an election in this state. The substitute amendment also provides that if such an elector provides his or her Wisconsin driver's license number or the last four digits of his or her social security number, together with his or her name and date of birth, and GAB is able to instantly verify the information electronically by electronically accessing records of DOT, the elector need not provide proof of residence before voting.

Currently, in order to register to vote, an elector must provide his or her date of birth. This information becomes a part of the statewide voter registration list. Information on the registration list concerning the date of birth of an elector is not open to public inspection. This substitute amendment limits this restriction only to information concerning the birthday of an elector, thus permitting public access to information concerning an elector's year of birth.

The substitute amendment directs GAB to report to the appropriate standing committees of the legislature, no later than July 1, 2011, concerning its progress in initially implementing the registration system created by the substitute amendment. The report must contain an assessment of the feasibility and

desirability or integration of registration information with information maintained by the departments of Health Services, Children and Families, Workforce Development, Revenue, Regulation and Licensing, and Natural Resources, the University of Wisconsin System and the State Technical College System Board as well as with the the technical colleges in each technical college district.

The substitute amendment also permits GAB to enter into an agreement with any state agency to enable matching of publicly available information in the records of the agency with records of the board to facilitate administration of voter registration by GAB. In addition, the substitute amendment permits GAB to enter into an agreement with any nationally focused nonprofit organization to enable matching of information in the records of that organization with publicly available information in the records of GAB, as well as nonpublic information in the records of GAB obtained from DOT, to facilitate administration of voter registration by GAB. The agreement must require nondisclosure of any information obtained by GAB from DOT.

Currently, information on the statewide voter registration list relating to the date of birth, operator's license number, or social security number of an elector, the confidential address of an elector who is subject to domestic abuse, sexual assault, or stalking, or an accommodation required to assist a disabled elector is open to inspection only by election officials and administrators. This substitute amendment permits GAB to transfer any of this information to another state agency or authority or to a subunit of the state government of another state except information obtained from DOT. However, information obtained from DOT can be shared with a nationally focused nonprofit organization if GAB enters into an agreement with such an organization as described above. The substitute amendment also prohibits a state agency or authority or officer or employee thereof from providing access to any transferred information to a third party. Violators are subject to a forfeiture (civil penalty) of not more than \$500 for each violation.

Currently, municipal clerks and boards of election commissioners must update changes in the voter registration list received on election day no later than 30 days after the date of the election. This substitute amendment permits these changes to be updated within 45 days after a general (November) election, and further permits the legal counsel of GAB to permit a municipal clerk or board of election commissioners, upon application, to update the registration list with changes received on the date of the general election within 60 days after the date of the election.

Currently, when an elector registers to vote in person at the office of the municipal clerk or board of election commissioners after the close of registration for an election, the clerk or board issues a registration certificate to the elector. This substitute amendment provides that the clerk or board shall issue a registration certificate only if the elector does not wish to cast an absentee ballot when registering.

### ***Absentee voting***

This substitute amendment makes various changes in the laws pertaining to absentee voting. Most of the changes relate to absentee voting by military and

overseas electors of this state. State law contains different definitions of the terms “military elector” and “overseas elector.” One set of definitions mirrors the definitions found in federal law. Under federal law, a “military elector” includes 1) a member of a uniformed service on active duty who, by reason of that duty, is absent from the residence where the member is otherwise qualified to vote; 2) a member of the merchant marine who, by reason of service in the merchant marine, is absent from the residence where the member is otherwise qualified to vote; and 3) the spouse or dependent of any such member who, by reason of the duty or service of the member, is absent from the residence where the person is otherwise qualified to vote. The federal definition of “overseas elector” includes an elector who resides outside the United States and who is qualified under federal law to vote in elections for national office in this state because the elector last resided in this state immediately prior to the elector’s departure from the United States. The other set of definitions applies for certain state purposes and includes all the persons who are included in the federal definitions but also includes other persons. The state definition of the term “military elector” includes 1) members of a uniformed service who are not on active duty or who are not absent from their residences by reason of their service or both; 2) members of the merchant marine who are not absent from their residences; 3) civilian employees of the United States and civilians officially attached to a uniformed service who are serving outside the United States; 4) Peace Corps volunteers; and 5) spouses and dependents of these persons who are residing with or accompanying them. The state definition of “overseas elector” includes children of persons who qualify as overseas electors under federal law who are U.S. citizens at least 18 years of age, who are not disqualified from voting in this state, and who are not residents of this state. Significant provisions relating to absentee voting include:

1. Currently, an individual who is a qualified elector of a municipality, other than a “military elector” or an “overseas elector” as defined by state law, may file an application with the municipal clerk or board of election commissioners of the municipality where the individual resides requiring the clerk or board to send an absentee ballot to the individual without further request for every succeeding election held in the same calendar year in which the request is made, or until the individual is no longer a qualified elector of the municipality or the individual otherwise requests. Currently, an elector who is indefinitely confined may file a single request to receive absentee ballots automatically for each election. If a confined elector fails to cast an absentee ballot, the municipal clerk or board of election commissioners notifies the elector that he or she will not receive absentee ballots for subsequent elections unless the elector reapplies to receive ballots within 30 days of receiving the notice. Currently, an overseas elector, as defined by state law, who requests an absentee ballot is sent an absentee ballot for all federal elections that occur in the same calendar year as the year in which the request is made, unless the elector otherwise requests. Current law directs municipal clerks and boards of election commissioners to send military electors, as defined by state law, absentee ballots for every election if they request a ballot for one election and to verify their military status without the necessity of making additional application. The clerk or board must discontinue sending absentee ballots to a military elector if the elector

so requests, the elector no longer qualifies as a military elector of the municipality, or the elector fails to return at least one of the ballots sent to the elector within a period that encompasses three successive general elections.

This substitute amendment directs a municipal clerk or board of election commissioners to send an absentee ballot to an individual who is a qualified elector of the municipality, other than a military elector or an overseas elector, as defined by state law, and who files a valid application to receive an absentee ballot for every election following receipt of the application until the individual no longer qualifies to receive a ballot, the individual requests not to receive ballots, or the individual fails to return absentee ballots that are mailed to the individual for two consecutive elections. Under the substitute amendment, a municipal clerk or board of election commissioners must attempt to notify any individual whose name is removed from the list of electors who automatically receive absentee ballots unless the individual requests that his or her name be removed. The individual may then request to continue to receive absentee ballots if he or she is qualified to do so. The substitute amendment also provides that an overseas elector, as defined by state law, who requests an absentee ballot shall be sent an absentee ballot for all federal elections that occur within the same year in which the ballot is requested or the subsequent year. These changes do not affect the current procedure for sending absentee ballots to military electors, as defined by state law.

2. Currently, all electors who cast an absentee ballot, whether by mail or in person at the office of the municipal clerk or board of election commissioners, must sign a certificate that is printed on the envelope into which they deposit their ballots. The certificate certifies, subject to criminal penalties, that the elector meets specific voting qualifications and personally voted the ballot secretly unless the elector required assistance. The certificate must be witnessed by one adult U.S. citizen who also signs the certificate and certifies subject to the same penalties that the elector's statements are true, the ballot was voted as stated, and the witness did not solicit or advise the elector in casting his or her votes. This substitute amendment provides that for an elector voting an absentee ballot in person at the office of the municipal clerk or board of election commissioners or an alternate site designated by a municipality, GAB may prescribe an envelope to be used in place of the statutory certificate envelope. No witness is required on such envelopes. The substitute amendment requires GAB's envelope to include the words "Official Absentee Ballot," the name of the municipality, and a space for the issuing clerk or deputy clerk to initial the envelope.

3. Currently, the governing body of a municipality may designate a single alternate site for absentee voting in person by electors of the municipality. If designated, this site serves in lieu of the office of the municipal clerk or board of election commissioners as the site where absentee voting is conducted for the election at which the designation is made.

This substitute amendment permits the governing body of a municipality to designate more than one alternate site for absentee voting in person by electors of the municipality. Under the substitute amendment, an alternate site may be used for absentee voting in addition to or in lieu of use of the office of the municipal clerk



or board of election commissioners. The substitute amendment also directs a municipality that designates an alternate site for absentee voting at an election to notify GAB in writing of its designation.

4. Currently, an elector who wishes to cast an absentee ballot must file a written, signed application, but the form of the application is not specified. This substitute amendment provides that an elector who wishes to cast an absentee ballot in person at the office of the municipal clerk or board of election commissioners or at an alternate site must apply on a form prescribed by GAB.

5. Currently, the municipal clerk or board of election commissioners of a municipality must begin distributing absentee ballots to electors who have requested them no later than the 30th day before each September primary and general election and no later than the 21st day before each other primary or election. This substitute amendment retains this requirement but provides that the period for absentee voting in person at the office of the clerk or board or an alternate site begins on the 21st day before each election and ends on the day before each election.

6. Currently, an elector who requests an absentee ballot in person or by mail must make written application and must sign the application. However, if an elector requests an absentee ballot by electronic mail or facsimile transmission, the elector need not file a written application but must enclose with his or her returned ballot a copy of a request for an absentee ballot together with his or her original signature. This substitute amendment deletes the requirement for electors who apply for an absentee ballot by electronic mail or facsimile transmission to provide a request and original signature when returning their ballots.

7. Under current law, any qualified absentee elector may request an absentee ballot by means of electronic mail or facsimile transmission. If an elector so requests, the elector must mail with his or her voted absentee ballot a copy of an absentee ballot application containing his or her original signature. In addition, an absentee elector may request that his or her absentee ballot be transmitted to him or her by electronic mail or facsimile transmission and a municipal clerk or board of election commissioners may transmit the ballot as requested. This substitute amendment provides that the municipal clerk or board of election commissioners must transmit the ballot if the clerk or board receives a valid request.

8. Current law permits a military or overseas elector, as defined in state law, to cast a vote in any general election in which a federal office is to be filled by writing in the name of a candidate on a blank absentee ballot form prescribed by the U.S. government and returning the ballot to the appropriate municipal clerk or board of election commissioners. This substitute amendment permits such a ballot to be cast at any election, including any primary election, at which a federal office is to be filled.

9. This substitute amendment directs GAB, with the assistance of county and municipal clerks and boards of election commissioners, to designate at least one freely accessible means of electronic communication which shall be used to: 1) permit a military or overseas elector, as defined by federal law, to request a voter registration or absentee ballot application and to indicate whether he or she wishes to receive the application electronically or by mail; and 2) permit a municipal clerk or board of election commissioners to transmit an application to a military or overseas elector,

as defined by federal law, electronically or by mail, as requested by the elector, together with related voting, balloting and election information. The substitute amendment also directs GAB, with the assistance of county and municipal clerks and boards of elections commissioners, to maintain a freely accessible system whereby a military or overseas elector who casts an absentee ballot may ascertain whether the ballot has been received by the appropriate municipal clerk or board. No similar provisions exist currently.

10. Under current federal law, states are required to transmit absentee ballots to military and overseas electors no later than 45 days before each federal election at which the electors are entitled to vote, if the electors have requested their ballots by that time. However, a state may request a hardship waiver from the federal government, for a single election only, if the state's primary election date does not permit compliance with this requirement and the state takes other actions to ensure expeditious delivery of absentee ballots to military and overseas electors. This substitute amendment directs GAB to report to the appropriate standing committees of the legislature no later than January 1, 2011, concerning GAB's recommended method for compliance with the federal timeline for the absentee voting process. To achieve compliance, this state will likely need to advance the date of the September primary, beginning in 2012.

11. Currently, an absentee ballot cast by an elector is void unless it is received at the polling place for the elector's residence by 8 p.m. on election night. However, state law provides that if an elector is a military elector, as defined by federal law, the elector has an additional ten days after the general election and 7 days after the September primary for the elector's ballot to be received by his or her municipality if the ballot is postmarked by election day. This substitute amendment extends a similar ten-day dispensation to military electors voting in the presidential preference primary or a special federal election.

12. Currently, an elector who is a military elector, as defined by state law, or an overseas elector, as defined by state law, and who applies for an absentee ballot no later than 30 days before an election may cast a blank write-in ballot at that election in lieu of the official printed ballot, for any candidates for federal office whose offices are contested at that election. The ballot is valid only if it is submitted from a location outside the United States. This substitute amendment permits such an elector to cast a blank write-in absentee ballot after official printed ballots become available if he or she applies for an absentee ballot no later than the latest time permitted for application for an absentee ballot under state law. The substitute amendment also permits a military elector to cast such a ballot even if the ballot is submitted from a location inside the United States, including the elector's permanent residence.

13. Currently, GAB must prescribe uniform instructions for absentee voters. This substitute amendment provides that the instructions must include the specific means of electronic communication that absentee voters may use to file an application for an absentee ballot, to request a voter registration form, or to change their registrations.

14. Currently, an individual may grant the power of attorney to another individual to act on his or her behalf under certain conditions specified by the grantor. This substitute amendment specifically permits an individual who has been granted the power of attorney to act on behalf of another individual and who has authority to act on the grantor's behalf to apply for an absentee ballot on behalf of the grantor if the grantor is unable to sign an application. The substitute amendment also permits such an individual to apply for an absentee ballot on behalf of a hospitalized elector and, if the elector is not registered, to sign the elector's voter registration form on his or her behalf. In addition, the substitute amendment provides that an individual who has been granted a power of attorney to act as the agent of an elector is not permitted to cast a ballot on behalf of the elector, but if the elector has difficulty reading, writing, or understanding English or due to disability is unable to mark a ballot, the elector may request assistance in marking his or her ballot from the agent or, with certain exceptions, from another individual.

15. Currently, the costs incurred by municipalities for mailing absentee ballots to electors and for return of the voted ballots to the municipalities is generally borne by the municipalities in which the electors reside. Postal regulations permit municipalities to use the postal system without charge for mailing and return of absentee ballots for armed forces members and certain other electors. This substitute amendment provides that if a municipality incurs costs for mailing and return of absentee ballots for electors, other than military or overseas electors, as defined by state law, who request that they be sent absentee ballots for multiple elections, the municipality may file a claim for reimbursement of those expenses with GAB and if GAB finds that the claim is substantiated, GAB must pay the claim from state general purpose revenue.

16. Current law permits a qualified elector to apply for an absentee ballot by mail, facsimile transmission, or electronic mail. The law also specifies deadlines for receipt of applications by mail. This substitute amendment provides that the deadlines for receipt of applications by facsimile transmission or electronic mail are the same as those for receipt of applications by mail.

17. This substitute amendment directs GAB to report to the appropriate standing committees of the legislature no later than March 1, 2011, concerning methods by which this state may be able to meet requirements for mailing and return of absentee ballots in a manner that will most effectively take advantage of potential savings that may be available to this state under applicable postal regulations.

### ***Deceptive election practices***

Currently, the statutes provide that no person may knowingly make or publish, or cause to be made or published, a false representation pertaining to a candidate or referendum that is intended to affect voting at an election. Violators may be fined not more than \$1,000 or imprisoned for not more than six months, or both.

This substitute amendment prohibits any person, whether acting in an official capacity or otherwise, from intentionally deceiving any other person regarding the date, time, place, or manner of conducting an election; the qualifications for voting or restrictions on the eligibility of electors to vote in an election; or the endorsement of candidates by specified persons. Any person who violates the prohibition with

intent to prevent any person from exercising the right to vote in an election may be fined not more than \$100,000 or imprisoned for not more than five years, or both.

The substitute amendment permits any person who is aggrieved by an alleged violation to obtain a court order restraining the violation. The substitute amendment also permits any person to file a sworn complaint with GAB alleging that a violation has occurred or is occurring. If GAB finds that the facts alleged in the complaint, if true, would constitute a violation, it must promptly investigate the complaint. If GAB finds that a violation has occurred or is occurring, GAB must take all measures necessary to provide correct information to electors who may have been deceived by the actions of the alleged violator and must refer the matter to the appropriate authority for prosecution.

The substitute amendment also directs GAB to promulgate rules concerning corrective measures that may be appropriate whenever violations occur. In addition, the substitute amendment directs GAB to report biennially to the appropriate standing committees of the legislature with regard to violations and actions taken in response to violations.

### ***Voter intimidation, suppression, and protection***

Currently, no person may make use of or threaten to make use of force, violence, or restraint in order to compel any person to vote or refrain from voting at an election, and no person may, by any act compel, induce, or prevail upon an elector to either vote or refrain from voting at any election for or against a particular candidate or question. Violators may be fined not more than \$10,000 or imprisoned for not more than three years and six months, or both.

This substitute amendment provides that no person may make use of or threaten to make use of force, violence, restraint, or any tactic of coercion or intimidation in order to induce or compel any person to vote or refrain from voting or to refrain from registering to vote at an election, and no person may use or threaten to use force or violence or by use of any threat of any act of coercion or intimidation compel, induce, or prevail upon an elector either to vote or refrain from voting at any election for or against a candidate or question. Violators may be fined not more than \$100,000 or imprisoned for not more than three years, or both.

The substitute amendment also provides that no person may knowingly attempt to prevent or deter another person from voting or registering to vote based upon fraudulent, deceptive, or spurious grounds or information. Violators may be fined not more than \$50,000 or imprisoned for not more than two years, or both.

Currently, municipal clerks and boards of election commissioners are directed by law to post specified materials at each polling place. GAB is directed to publish a manual that may be easily understood by the general public explaining the duties of election officials. Currently, GAB is also directed to ensure that in any jurisdiction in this state that is required under federal law to provide voting materials in a language other than English, the voting system used in that jurisdiction is in compliance with federal law. There is no specific penalty for violations, but the requirements are enforceable administratively and through the court system.

This substitute amendment creates a voter's bill of rights and directs municipal clerks and boards of election commissioners to post a copy of the bill of rights at each

polling place unless otherwise permitted by GAB. The substitute amendment directs GAB to include a number of specific items in its manual. The substitute amendment also requires that at each polling place located in a jurisdiction that is required under federal law to provide voting materials in a language other than English, all required postings must be made in that language as well as in English unless otherwise permitted by GAB. See *Polling place posting requirements*, below. In addition, the substitute amendment directs the municipal clerk or board of election commissioners of any such jurisdiction to contact and coordinate with organizations that advocate for the rights of individuals who speak that language to ensure that each polling place in the jurisdiction adequately serves the needs of these individuals, and to endeavor to ensure that at least one of the election officials who serves at each polling place in the jurisdiction speaks that language. Violators are subject to a forfeiture (civil penalty) of not more than \$500 for each violation.

The substitute amendment also permits, with limited exceptions, any elector of this state to sue for injunctive relief, a court order requiring or prohibiting certain action, or any other appropriate relief, to compel compliance with the substitute amendment's prohibitions and requirements relating to voter intimidation, suppression, and protection. Currently, an elector may be required to pursue administrative relief before filing suit, and in some cases must petition a district attorney or the attorney general to file suit on his or her behalf.

### ***Residency of election officials***

Currently, with certain exceptions, an election official who serves at a polling place must be an elector of the ward or election district served by the polling place. A special registration deputy who serves at a polling place may be an elector of another ward or election district within the municipality where the deputy serves. With certain limitations, a pupil who is 16 or 17 years of age may serve as an election official at the polling place serving his or her residence. A special voting deputy who supervises voting at a nursing home, retirement home, or community-based residential facility must be an elector of the municipality where the home or facility is located. An official who serves at a polling place may be replaced in case of a temporary vacancy by an individual who is an elector of a ward or election district other than a ward or election district that is served by the polling place where the individual serves. With certain limitations, a municipal clerk or deputy clerk who resides outside of a municipality may also serve as an election official in that municipality when required to fill a temporary vacancy.

This substitute amendment provides that an election official must be an elector of the county, or one of the counties, where the municipality where the official serves is located. Under the substitute amendment, a municipal clerk or deputy clerk who is an elector of this state may continue to serve as an election official in case of a temporary vacancy without regard to county residence. The substitute amendment permits a special voting deputy to be an elector of the county, or one of the counties, where the municipality in which the deputy serves is located. The substitute amendment also permits a pupil who is 16 or 17 years of age to serve as an election official at a polling place serving any municipality located wholly or partly within the county within which the pupil resides.

***Polling place posting requirements***

Currently, the law requires a number of notices to be posted at each polling place on election day. The notices include the date and hours of the election, sample ballots, local area maps, voting instructions, election fraud laws, warnings about mismarking ballots in ways that will void them, and other information prescribed by GAB. This substitute amendment adds two new posting requirements (see *Voter intimidation, suppression, and protection*, above). The substitute amendment also permits GAB, directly or by delegation to its legal counsel, to authorize another means of providing notice to affected electors of the information required to be posted, including the new information specified in the substitute amendment, if GAB determines that the alternative means of providing notice is at least as effective as posting.

***Prosecution of civil prohibited practice offenses***

Currently, with limited exceptions, prosecutions of prohibited election practice offenses are conducted by the appropriate district attorney, or in certain cases, by the attorney general. Most of these offenses are criminal, but a few of them are civil offenses. This substitute amendment provides that, with limited exceptions, prosecutions of civil prohibited election practice offenses, including the one created by this substitute amendment (see *Voter intimidation, suppression, and protection*, above), may be prosecuted either by GAB or by the appropriate district attorney.

***Challenging the ballots of electors at polling places***

Currently, any elector may challenge for cause the right of any other elector to vote at a polling place if the challenger knows or suspects that the challenged elector is not a qualified elector. The inspectors of election (poll workers) must then administer oaths to both the challenger and the challenged elector concerning the challenged elector's qualifications. If the inspectors receive the ballot of any elector who has been challenged, they must mark the ballot with the elector's serial number. If canvassing an election, a board of canvassers may review and decide any challenge and may count or reject a challenged ballot accordingly. If a petition for a recount is filed, the board of canvassers may again review and decide whether a challenged ballot is cast by a qualified elector and may count or reject the ballot accordingly. An elector may also challenge the ballot of an absent elector before the inspectors at a polling place or before a board of absentee ballot canvassers in municipalities where absentee ballots are not canvassed at polling places. The challenged elector need not be present when the challenge is made.

This substitute amendment provides that only an elector who resides in the same county as the one in which a challenged elector resides may challenge the ballot of that elector and, if the challenged elector is an elector of a first class city, only an elector who resides in the same aldermanic district as the one in which the challenged elector resides may challenge the ballot of that elector. The substitute amendment, however, permits a district attorney to challenge the ballot of any elector within the prosecutorial district served by the district attorney. The substitute amendment directs the inspectors or board of absentee ballot canvassers to require the challenging elector to provide proof of residence, as defined by law, when making a challenge.

***Withholding of voluntarily provided elector information***

Currently, GAB and municipal clerks must provide public access to information in their records unless otherwise provided by law or unless the custodian demonstrates that the public interest in withholding public access outweighs the strong public interest in providing that access. This substitute amendment provides that whenever GAB or a county or municipal clerk or board of election commissioners has the telephone number, facsimile transmission number, or electronic mail address of an elector that is voluntarily provided by the elector to GAB or to the clerk or board, GAB and the clerk and board are prohibited from providing access to that information except to election officials and employees to be used for the administration of elections.

***Automatic tabulating equipment testing***

Currently, if a municipality uses an electronic voting system at an election that employs automatic tabulating equipment, the municipal clerk or board of election commissioners must conduct a public test not more 10 days before the election to ensure that the equipment correctly counts votes. This substitute amendment permits the test to be conducted at any time after ballots become available prior to the date of the election.

***Proof of residence***

Currently, an elector must provide proof of residence in a form specified by law for various registration and voting purposes. The purposes include voter registration after the close of registration for an election (5 p.m. on the 20th day before the election) and voting for the first time in this state after registering by mail. In order for a specified form of proof to be valid, the proof must contain the current and complete name of the elector and the elector's current and complete address. However, if a student at a university, college, or technical college presents a fee or identification card, and the university, college, or technical college provides a current list of students residing in housing sponsored by the university, college, or technical college to a municipal clerk, and the municipal clerk, special registration deputy, or inspector (poll worker) verifies that the name of the student presenting a card appears on the list, the card need not contain the required information in order to be valid.

This substitute amendment provides that if an elector registers to vote at the office of the municipal clerk or board of election commissioners or an alternate absentee voting site when voting an absentee ballot in person (beginning on the 21st day before an election), the elector must provide proof of residence even if registration for that election has not closed when the elector registers to vote.

The substitute amendment also provides that a municipal clerk, special registration deputy, or inspector must accept a university, college, or technical college fee or identification card presented by a student as proof of residence for registration or voting at an election if the student's university, college, or technical college has provided to the municipal clerk a current list of students residing in housing sponsored by the university, college, or technical college and the student's name appears on the list.

***Review of encumbrances and expenditures by Joint Committee on Finance***

Currently, the the legislature has made appropriations to the GAB for the operation of the board in the current fiscal biennium. This substitute amendment does not change these appropriations. However, the substitute amendment provides that before GAB may encumber or expend any amount of money to implement or administer any provision of the act resulting from enactment of this substitute amendment, GAB's legal counsel must first notify the cochairpersons of the Joint Committee on Finance of the proposed encumbrance or expenditure. The proposed encumbrance or expenditure is then subject to approval of or modification by the committee, but the committee may waive its right to review any proposed encumbrance or expenditure.

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

1           **SECTION 1.** 5.05 (1) (e) of the statutes is amended to read:

2           5.05 (1) (e) Delegate to its legal counsel the authority to intervene in a civil  
3           action or proceeding under sub. (9), issue an order under s. 5.06, exempt a polling  
4           place from accessibility requirements under s. 5.25 (4) (a), permit a municipality to  
5           provide notices required at polling places by alternative means under s. 5.35 (6) (d),  
6           exempt a municipality from the requirement to use voting machines or an electronic  
7           voting system under s. 5.40 (5m), approve an electronic data recording system for  
8           maintaining poll lists under s. 6.79, ~~or~~ authorize nonappointment of an individual  
9           who is nominated to serve as an election official under s. 7.30 (4) (e), or review and  
10          investigate complaints received under s. 12.17 (4) and order corrective measures  
11          under s. 12.17 (5), subject to such limitations as the board deems appropriate.

12          **SECTION 2.** 5.05 (1) (f) of the statutes is amended to read:

13          5.05 (1) (f) Promulgate rules under ch. 227 applicable to all jurisdictions for the  
14          purpose of interpreting or implementing the laws regulating the conduct of elections  
15          or election campaigns or ensuring their proper administration, and shall promulgate  
16          rules to enforce ss. 5.25 (4) (b), 5.34, 5.35 (6) (a) 4c., 12.09, and 12.19 and rules



1 concerning the methods and means of providing corrective information to electors  
2 under s. 12.17 (5).

3 **SECTION 3.** 5.05 (13) (title) of the statutes is amended to read:

4 5.05 (13) (title) TOLL-FREE ELECTION INFORMATION EXCHANGE AND REQUESTS.

5 **SECTION 4.** 5.05 (13) (c) and (d) of the statutes are created to read:

6 5.05 (13) (c) The board shall maintain a freely accessible system under which  
7 a military elector or an overseas elector, as defined in s. 6.34 (1), who casts an  
8 absentee ballot may ascertain whether the ballot has been received by the  
9 appropriate municipal clerk.

10 (d) The board shall designate and maintain at least one freely accessible means  
11 of electronic communication which shall be used for the following purposes:

12 1. To permit a military elector or an overseas elector, as defined in s. 6.34 (1),  
13 to request a voter registration application or an application for an absentee ballot at  
14 any election at which the elector is qualified to vote in this state.

15 2. To permit a military elector or an overseas elector under subd. 1. to designate  
16 whether the elector wishes to receive the applications under subd. 1. electronically  
17 or by mail.

18 3. To permit a municipal clerk to transmit to a military elector or an overseas  
19 elector under subd. 1. a registration application or absentee ballot application  
20 electronically or by mail, as directed by the elector under subd. 2., together with  
21 related voting, balloting, and election information.

22 **SECTION 5.** 5.05 (16) of the statutes is created to read:

23 5.05 (16) INTERAGENCY AGREEMENTS. The board may enter into an agreement  
24 with any agency, as defined in s. 16.70 (1e), to enable electronic matching of publicly

1 available information in the records of the agency with records of the board to  
2 facilitate administration of elector registration by the board under s. 6.256 (1).

3 **SECTION 6.** 5.05 (17) of the statutes is created to read:

4 5.05 (17) AGREEMENTS WITH CERTAIN NONPROFIT ORGANIZATIONS. The board may  
5 enter into an agreement with any nationally focused nonprofit organization to  
6 enable matching of information in the records of that organization with with publicly  
7 available information in the records of the board to facilitate administration of  
8 elector registration by the board under s. 6.256 (1). Notwithstanding ss. 6.256 (12)  
9 and 6.36 (1) (b) 1. a., the agreement may also enable matching of information in the  
10 records of the board that the board obtained from the department of transportation.  
11 The agreement shall require nondisclosure of any information obtained by the board  
12 from the department of transportation.

13 **SECTION 7.** 5.056 of the statutes is amended to read:

14 **5.056 Matching program with secretary of transportation.** The  
15 administrator of the elections division of the board shall enter into the agreement  
16 with the secretary of transportation specified under s. 85.61 (1) to match personally  
17 identifiable information on the official registration list maintained by the board  
18 under s. 6.36 (1), the information specified in s. 6.34 (2m) and (2n), and other  
19 information specified in s. 6.256 (2) with personally identifiable information  
20 maintained by the department of transportation. Subject to s. 343.14 (2p) (b), the  
21 agreement shall provide for the electronic transfer of information under s. 6.256 (2)  
22 to the board on a continuous basis, no less often than monthly.

23 **SECTION 8.** 5.06 (2) of the statutes is amended to read:

24 5.06 (2) No Except as authorized in ss. 5.07 (2) and 12.17 (3), no person who  
25 is authorized to file a complaint under sub. (1), other than the attorney general or

1 a district attorney, may commence an action or proceeding to test the validity of any  
2 decision, action or failure to act on the part of any election official with respect to any  
3 matter specified in sub. (1) without first filing a complaint under sub. (1), nor prior  
4 to disposition of the complaint by the board. A complaint is deemed disposed of if the  
5 board fails to transmit an acknowledgment of receipt of the complaint within 5  
6 business days from the date of its receipt or if the board concludes its investigation  
7 without a formal decision.

8 **SECTION 9.** 5.07 of the statutes is renumbered 5.07 (1).

9 **SECTION 10.** 5.07 (2) of the statutes is created to read:

10 5.07 (2) Whenever a violation of s. 5.25 (4) (b), 5.34 (1) to (6), 5.35 (6) (a) 4c.,  
11 7.08 (3), 12.09, or 12.19 occurs or is proposed to occur, any elector of this state may  
12 sue for injunctive relief, a writ of mandamus or prohibition, or such other legal or  
13 equitable relief as may be appropriate to compel compliance with the law. The action  
14 shall be filed in circuit court for the county where the violation occurs or is proposed  
15 to occur. In such actions, the court shall award costs and reasonable actual attorney  
16 fees to the plaintiff if the plaintiff prevails in the action.

17 **SECTION 11.** 5.25 (4) (b) of the statutes is amended to read:

18 5.25 (4) (b) In any jurisdiction that is subject to the requirement under 42 USC  
19 1973aa-1a to provide voting materials in any a language other than English, the  
20 board shall, for each such language, ensure that the notices specified in s. 5.35 (6)  
21 are given in that language and the voting system used at each polling place in that  
22 jurisdiction is in compliance with 42 USC 1973aa-1a.

23 **SECTION 12.** 5.25 (4) (c) of the statutes is created to read:

24 5.25 (4) (c) In any jurisdiction that is subject to the requirement under 42 USC  
25 1973aa-1a to provide voting materials in a language other than English, the

1 municipal clerk or board of election commissioners shall, for each such language,  
2 contact and coordinate with organizations that advocate for the rights of individuals  
3 who speak that language to ensure that each polling place in the jurisdiction  
4 adequately serves the needs of those individuals and shall endeavor to ensure that  
5 at least one of the election officials who serves at each polling place in the jurisdiction  
6 speaks that language.

7 **SECTION 13.** 5.34 of the statutes is created to read:

8 **5.34 Voter’s bill of rights.** Every qualified elector has the right to:

9 (1) Inspect a sample ballot before voting.

10 (2) Cast a ballot if he or she is in line when his or her polling place closes.

11 (3) Ask for and receive assistance in voting, including assistance in a language  
12 other than English if the elector resides in a jurisdiction where voting materials must  
13 be provided in that language under 42 USC 1073aa–1a.

14 (4) Receive a replacement ballot, up to 3 ballots in all, if he or she spoils a ballot  
15 before casting that ballot.

16 (5) Cast a provisional ballot whenever permitted under s. 6.96 or 6.97.

17 (6) Vote free from coercion or intimidation by any election official or other  
18 person.

19 (7) Cast a ballot using voting materials or equipment that enables the elector’s  
20 ballot to be counted accurately.

21 **SECTION 14.** 5.35 (6) (a) (intro.) of the statutes is amended to read:

22 5.35 (6) (a) (intro.) ~~At~~ Except as authorized under par. (d), at each polling place  
23 in the state, the municipal clerk or board of election commissioners shall post the  
24 following materials, positioned so that they may be readily observed by electors  
25 entering the polling place or waiting in line to vote:

1           **SECTION 15.** 5.35 (6) (a) 4c. of the statutes is created to read:

2           5.35 (6) (a) 4c. A copy of the voter’s bill of rights under s. 5.34.

3           **SECTION 16.** 5.35 (6) (a) 5. of the statutes is amended to read:

4           5.35 (6) (a) 5. Any other voting information directed ~~to be posted~~ by the board  
5 to be posted, or noticed under par. (d).

6           **SECTION 17.** 5.35 (6) (b) of the statutes is amended to read:

7           5.35 (6) (b) ~~At~~ Except as authorized under par. (d), at each polling place in the  
8 state where a consolidated ballot under s. 5.655 is used or an electronic voting system  
9 is utilized at a partisan primary election incorporating a ballot upon which electors  
10 may mark votes for candidates of more than one recognized political party or for  
11 candidates of a recognized political party and independent candidates, the municipal  
12 clerk or board of election commissioners shall prominently post a sign in the form  
13 prescribed by the board warning electors in substance that on any ballot with votes  
14 cast for candidates of more than one recognized political party or any ballot with  
15 votes cast for candidates of a recognized political party and independent candidates,  
16 no votes cast for any candidates for partisan office will be counted unless a preference  
17 for a party or for the independent candidates is made. If the elector designates a  
18 preference, only votes cast for candidates of that preference will be counted.

19           **SECTION 18.** 5.35 (6) (c) of the statutes is amended to read:

20           5.35 (6) (c) ~~At~~ Except as authorized in par. (d), at each polling place located in  
21 a municipality that is served by more than one polling place for an election, the  
22 municipal clerk or board of election commissioners shall prominently post a map of  
23 the geographic area served by the polling place for that election. The posting shall  
24 clearly show the boundaries of the ward or wards served by the polling place for that  
25 election.

1           **SECTION 19.** 5.35 (6) (d) of the statutes is created to read:

2           5.35 **(6)** (d) As an alternative to any posting requirement under this subsection,  
3 the board may authorize another means of providing notice to affected electors of the  
4 information specified in this subsection if the board determines that an alternative  
5 means of providing the information will provide notice to affected electors of that  
6 information that is at least as effective as posting. Any authorization under this  
7 paragraph shall be in writing and shall specify the particular alternative means of  
8 notification of electors that may be used by a municipality.

9           **SECTION 20.** 5.68 (8) of the statutes is created to read:

10           5.68 **(8)** Any municipality that incurs postage costs for mailing and return of  
11 absentee ballots for electors who request under s. 6.86 (2m) that they be sent  
12 absentee ballots for multiple elections may file a claim with the board for  
13 reimbursement of those costs. The claim shall be accompanied by appropriate  
14 substantiation of all postage costs incurred. The board shall audit the claim and, if  
15 the board finds that the costs have been incurred by the municipality, and the costs  
16 would not have been incurred but for the requirement under s. 6.86 (2m) for  
17 municipalities to pay for the mailing and return of absentee ballots for electors who  
18 request that they be sent absentee ballots for multiple elections, the board shall  
19 reimburse the municipality for those postal costs. No claim is payable under this  
20 subsection unless the claim is filed with the board, together with appropriate  
21 substantiation, within 60 days following the date of the election at which the costs  
22 were incurred.

23           **SECTION 21.** 5.84 (1) of the statutes is amended to read:

24           5.84 **(1)** Where any municipality employs an electronic voting system which  
25 utilizes automatic tabulating equipment, either at the polling place or at a central

1 counting location, the municipal clerk shall, on any day ~~not more than 10 days~~ after  
2 ballots become available prior to the date of the election day ~~on~~ at which the  
3 equipment is to be utilized, have the equipment tested to ascertain that it will  
4 correctly count the votes cast for all offices and on all measures. Public notice of the  
5 time and place of the test shall be given by the clerk at least 48 hours prior to the test  
6 by publication of a class 1 notice under ch. 985 in one or more newspapers published  
7 within the municipality if a newspaper is published therein, otherwise in a  
8 newspaper of general circulation therein. The test shall be open to the public. The  
9 test shall be conducted by processing a preaudited group of ballots so marked as to  
10 record a predetermined number of valid votes for each candidate and on each  
11 referendum. The test shall include for each office one or more ballots which have  
12 votes in excess of the number allowed by law and, for a partisan primary election, one  
13 or more ballots which have votes cast for candidates of more than one recognized  
14 political party, in order to test the ability of the automatic tabulating equipment to  
15 reject such votes. If any error is detected, the municipal clerk shall ascertain the  
16 cause and correct the error. The clerk shall make an errorless count before the  
17 automatic tabulating equipment is approved by the clerk for use in the election.

18 **SECTION 22.** 6.22 (2) (e) of the statutes is created to read:

19 6.22 (2) (e) A military elector may file an application for an absentee ballot by  
20 means of electronic mail or facsimile transmission in the manner prescribed in s. 6.86  
21 (1) (ac). Upon receipt of a valid application, the municipal clerk shall send the elector  
22 an absentee ballot or, if the elector so requests, shall transmit an absentee ballot to  
23 the elector by means of electronic mail or facsimile transmission in the manner  
24 prescribed in s. 6.87 (3) (d).

25 **SECTION 23.** 6.22 (4) (a) of the statutes is amended to read:

1           6.22 (4) (a) A request for an absentee ballot by an individual who qualifies as  
2 a military elector shall be treated as a request for an absentee ballot for all elections  
3 unless the individual otherwise requests. Upon receiving a timely request for an  
4 absentee ballot under par. (b) by an individual who qualifies as a military elector, the  
5 municipal clerk shall send or transmit to the elector an absentee ballot for all  
6 elections that occur in the municipality or portion thereof where the elector resides  
7 beginning on the date that the clerk receives the request.

8           **SECTION 24.** 6.22 (4) (e) of the statutes is amended to read:

9           6.22 (4) (e) Whenever the material is mailed, the material shall be prepared  
10 and mailed to make use of the federal free postage laws. If the material does not  
11 qualify for mailing without postage under federal free postage laws, the municipal  
12 clerk shall pay the postage required for mailing to the military elector. If the return  
13 envelope qualifies for mailing free of postage under federal free postage laws, the  
14 clerk shall affix the appropriate legend required by U.S. postal regulations.  
15 Otherwise the municipal clerk shall pay the postage required for return when the  
16 ballot is mailed from within the United States. If the ballot is not mailed by the  
17 military elector from within the United States the military elector shall provide  
18 return postage. ~~The mailing list established under this subsection shall be kept~~  
19 ~~current in the same manner as provided in s. 6.86 (2) (b).~~

20           **SECTION 25.** 6.22 (6) of the statutes is amended to read:

21           6.22 (6) **MILITARY ELECTOR LIST.** Each municipal clerk shall keep an up-to-date  
22 list of all eligible military electors who reside in the municipality; ~~city clerks shall~~  
23 ~~keep the lists by wards~~ in the format prescribed by the board. The list shall contain  
24 the name, latest-known military residence and military mailing address of each  
25 military elector. The list shall indicate whether each elector whose name appears on



1 the list is a military elector, as defined in s. ~~6.36 (2) (e)~~ 6.34 (1), and has so certified  
2 under s. 6.865 (3m). All persons over 18 years of age or who will be 18 years old prior  
3 to an election shall be listed and remain on the list for the duration of their tour of  
4 duty. The list shall be kept current through all possible means. Each clerk shall  
5 exercise reasonable care to avoid duplication of names or listing anyone who is not  
6 eligible to vote. Each clerk shall distribute ~~2 copies of~~ one copy of the list to the  
7 ~~appropriate ward~~ each polling place in the municipality for use on election day.

8 **SECTION 26.** 6.221 (1) of the statutes is amended to read:

9 6.221 (1) In this section, “military elector” has the meaning given in s. ~~6.36 (2)~~  
10 ~~(e)~~ 6.34 (1) and active duty status for any election is determined as of election day.

11 **SECTION 27.** 6.221 (3) (b) of the statutes is amended to read:

12 6.221 (3) (b) At the general election, the presidential preference primary, or a  
13 special election for national office, a ballot that is cast under s. 6.22 by an elector who  
14 is a military elector, that is received by mail from the U.S. postal service, and that  
15 is postmarked no later than election day shall be counted as provided in this section  
16 if it is received by a municipal clerk no later than 5 p.m. on the 10th day after the  
17 election.

18 **SECTION 28.** 6.24 (3) of the statutes is amended to read:

19 6.24 (3) REGISTRATION. The overseas elector shall register in the municipality  
20 where he or she was last domiciled or where the overseas elector’s parent was last  
21 domiciled on a form prescribed by the board designed to ascertain the elector’s  
22 qualifications under this section. The form shall be substantially similar to the  
23 original form under s. 6.33 (1), insofar as applicable. Registration shall be  
24 accomplished in accordance with s. 6.30 (4) or (5).

25 **SECTION 29.** 6.24 (4) (c) of the statutes is amended to read:

1           6.24 (4) (c) Upon receipt of a timely application from an individual who  
2           qualifies as an overseas elector and who has registered to vote in a municipality  
3           under sub. (3), the municipal clerk of the municipality shall send an absentee ballot  
4           to the individual for all subsequent elections for national office to be held during the  
5           year in which the ballot is requested and the subsequent calendar year except as  
6           otherwise provided in this paragraph, unless the individual otherwise requests or  
7           until the individual no longer qualifies as an overseas elector. of the municipality.  
8           The clerk shall not send an absentee ballot for an election if the overseas elector's  
9           name appeared on the registration list in eligible status for a previous election  
10           following the date of the application but no longer appears on the list in eligible  
11           status. The municipal clerk shall ensure that the envelope containing the absentee  
12           ballot is clearly marked as not forwardable. If an overseas elector who files an  
13           application under this subsection no longer resides at the same address that is  
14           indicated on the application form, the elector shall so notify the municipal clerk. The  
15           municipal clerk shall discontinue mailing absentee ballots to an overseas elector  
16           under this subsection if the elector fails to return any absentee ballot mailed to the  
17           elector. The municipal clerk shall notify the elector of any such action not taken at  
18           the elector's request within 5 days, if possible. An overseas elector who fails to cast  
19           an absentee ballot but who remains qualified to receive absentee ballots under this  
20           subsection may then receive absentee ballots for subsequent elections by notifying  
21           the municipal clerk that the elector wishes to continue receiving absentee ballots for  
22           subsequent elections.

23           **SECTION 30.** 6.24 (4) (e) of the statutes is created to read:

24           6.24 (4) (e) An overseas elector may file an application for an absentee ballot  
25           by means of electronic mail or facsimile transmission in the manner prescribed in s.

1 6.86 (1) (ac). Upon receipt of a valid application, the municipal clerk shall send the  
2 elector an absentee ballot or, if the elector so requests, shall transmit an absentee  
3 ballot to the elector by means of electronic mail or facsimile transmission in the  
4 manner prescribed in s. 6.87 (3) (d).

5 **SECTION 31.** 6.25 (1) of the statutes is amended to read:

6 6.25 (1) Any individual who qualifies as a military elector under s. 6.22 (1) (b)  
7 or an overseas elector under s. 6.24 (1) and who transmits an application for an  
8 official absentee ballot for ~~a general election~~ an election for national office, including  
9 a primary election, no later than ~~30 days before election day~~ the latest time specified  
10 for the elector in s. 6.86 (1) (b) may, in lieu of the official ballot, cast a federal write-in  
11 absentee ballot prescribed under 42 USC 1973ff-2 for any candidate or for all of the  
12 candidates of any recognized political party for national office listed on the official  
13 ballot at ~~the general~~ that election if the federal write-in absentee ballot is received  
14 by the appropriate municipal clerk no later than the applicable time prescribed in  
15 s. 6.221 (3) or 6.87 (6).

16 **SECTION 32.** 6.25 (4) (intro.), (a) and (b) of the statutes are consolidated,  
17 renumbered 6.25 (4) and amended to read:

18 6.25 (4) A write-in absentee ballot issued under sub. (1), (2) or (3) is valid only  
19 if ~~all of the following apply: (a) The ballot is submitted from a location outside the~~  
20 ~~United States. (b) The~~ the elector submitting the ballot does not submit an official  
21 ballot within the time prescribed in s. 6.87 (6) and, if the elector is an overseas elector,  
22 the ballot is submitted from a location outside the United States.

23 **SECTION 33.** 6.256 of the statutes is created to read:

24 **6.256 Board shall facilitate registration of electors.** (1) Except as  
25 provided for electors specified in sub. (9) and as otherwise expressly provided, the

1 board shall use all feasible means to facilitate the registration of all eligible electors  
2 of this state who are subject to a registration requirement and the maintenance of  
3 the registration of all eligible electors for so long as they remain eligible.

4 (2) Subject to s. 343.14 (2p) (b), for the purpose of carrying out its functions  
5 under sub. (1), the board shall obtain the following information from the department  
6 of transportation, to the extent that the department has the information:

7 (a) The full name of each individual who holds a current operator's license  
8 issued to the individual under ch. 343 or a current identification card issued to the  
9 individual under s. 343.50, together with the following information pertaining to  
10 that individual:

11 1. The current address of the individual together with any address history and  
12 any name history maintained by the department of transportation.

13 2. The date of birth of the individual.

14 3. The number of the license or identification card issued to the individual.

15 4. The individual's citizenship and any information pertaining to that  
16 citizenship and whether the individual provided proof of citizenship or other  
17 attestation of citizenship to the department of transportation.

18 (b) For each item of information specified in this subsection, the most recent  
19 date that the item of information was provided or obtained by the department of  
20 transportation.

21 (3) The board shall compare the information obtained under sub. (2) with the  
22 information in the registration list under s. 6.36 (1) (a) and shall update that  
23 information, correct inaccuracies in that information, and eliminate duplications in  
24 the list.

1           (4) Except as provided in sub. (9) and this subsection, if the board concludes  
2           that an individual appears eligible to vote in this state but is not registered, and the  
3           board has obtained from reliable sources all the information required under s. 6.33  
4           (1) to complete the individual's registration, the board shall enter the individual's  
5           name on the registration list. If the board has not obtained from reliable sources all  
6           the information pertaining to an individual that is required under s. 6.33 (1), the  
7           board shall attempt to obtain from reliable sources the necessary information under  
8           s. 6.33 (1) that is required to complete the individual's registration. If a  
9           municipality has changed the status of an elector from eligible to ineligible under s.  
10          6.50 (1) and the elector's eligibility, name, or residence have not changed, the board  
11          shall not change the individual's name to eligible status unless the board first  
12          verifies that the individual is eligible and wishes to change his or her status to  
13          eligible.

14          (5) The board shall attempt to contact individuals described in sub. (4) if  
15          necessary to obtain all the information specified in s. 6.33 (1) pertaining to the  
16          individual that is required to complete the individual's registration.

17          (6) If the board is able to obtain all the required information specified in s. 6.33  
18          (1) pertaining to an individual, the board shall enter the name of the individual on  
19          the registration list maintained under s. 6.36 (1) (a).

20          (7) If an individual's name is entered on the registration list by initiative of the  
21          board, the individual's registration is not valid until the individual confirms the  
22          registration under this subsection on a form prescribed by the board. If any  
23          information obtained by the board is not correct or accurate as of the confirmation  
24          date, the individual shall correct the information before confirming his or her  
25          registration. The confirmation shall affirm that all information is correct and

1 accurate as of the date of confirmation, subject to all penalties prescribed by law for  
2 falsifying information or registration. An individual may confirm his or her  
3 registration by any of the following means:

4 (a) By electronic means on the Internet using a secure procedure prescribed by  
5 the board.

6 (b) By mail.

7 (c) By appearing in person at the office of the municipal clerk serving the  
8 municipality where the elector resides or at the polling place serving his or her  
9 residence.

10 (8) If an elector does not confirm a registration that has been entered by the  
11 board under sub. (6), the board may contact the elector in the manner determined  
12 by the board to obtain confirmation of or any necessary correction to the elector's  
13 registration. If an elector does not confirm a registration that has been entered by  
14 the board within 60 days after the board enters the elector's registration under sub.  
15 (6), the board shall promptly contact the elector to obtain confirmation of or any  
16 necessary correction to the elector's registration.

17 (9) Any individual may file a request with the board to exclude his or her name  
18 from the registration list. Any individual whose name is added to the registration  
19 list by the board may file a request with the board or a municipal clerk to have his  
20 or her name deleted from the list. A request for exclusion or deletion shall be filed  
21 in the manner prescribed by the board. An individual who files an exclusion or  
22 deletion request under this subsection may revoke his or her request by the same  
23 means that an individual may request an exclusion or deletion. The board shall  
24 ensure that the name of any individual who has filed an exclusion or deletion request  
25 under this subsection is excluded from the registration list or if the individual's name

1 appears on the list, is removed from the registration list and is not added to the list  
2 at any subsequent time unless the individual files a revocation of his or her request  
3 under this subsection.

4 (10) If the board removes from the registration list the name of an elector who  
5 does not request that his or her name be deleted, other than to correct an entry that  
6 the board positively determines to be a duplication or to change the name of an  
7 individual who is verified to be deceased to ineligible status, the board shall mail the  
8 individual a notice of the removal or change in status by 1st class postcard at the  
9 individual's last-known address. The notice shall provide that the individual may  
10 apply to have his or her status changed to eligible if he or she is a qualified elector.

11 (11) The board shall attempt to facilitate the initial registration of all eligible  
12 electors, except as otherwise provided in this section, no later than July 1, 2015.

13 (12) The board shall maintain the confidentiality of all information obtained  
14 from the department of transportation under sub. (2) and may use this information  
15 only for the purpose of carrying out its functions under sub. (1) and s. 6.34 (2m) and  
16 (2n) and in accordance with the agreement under s. 85.61 (1).

17 **SECTION 34.** 6.275 (1) (b) of the statutes is amended to read:

18 6.275 (1) (b) The total number of electors of the municipality residing in that  
19 county who were ~~preregistered~~ registered or who confirmed their registrations on the  
20 deadline specified in s. 6.28 (1), including valid mail registrations which are  
21 postmarked by that day and valid electronic registrations entered under s. 6.30 (5).

22 **SECTION 35.** 6.275 (1) (c) of the statutes is amended to read:

23 6.275 (1) (c) The total number of electors of the municipality residing in that  
24 county who registered or confirmed their registrations after the close of registration  
25 and prior to the day of the primary or election under ss. 6.29 and 6.86 (3) (a) 2.

1           **SECTION 36.** 6.275 (1) (d) of the statutes is amended to read:

2           6.275 (1) (d) The total number of electors of the municipality residing in that  
3 county who registered or confirmed their registrations on the day of the primary or  
4 election under ss. 6.55 and 6.86 (3) (a) 2.

5           **SECTION 37.** 6.28 (1) of the statutes is amended to read:

6           6.28 (1) REGISTRATION LOCATIONS; DEADLINE. Except as authorized in ss. 6.29,  
7 6.55 (2), and 6.86 (3) (a) 2., registration in person for any election shall close at 5 p.m.  
8 on the 3rd Wednesday preceding the election. Registrations made by mail under s.  
9 6.30 (4) must be delivered to the office of the municipal clerk or postmarked no later  
10 than the 3rd Wednesday preceding the election. Electronic registrations for an  
11 election under s. 6.30 (5) shall close at midnight on the 3rd Wednesday preceding the  
12 election. All applications for registration corrections and additions and registration  
13 confirmations may be made throughout the year at the office of the city board of  
14 election commissioners, at the office of the municipal clerk, at the office of the county  
15 clerk, or at other locations provided by the board of election commissioners or the  
16 common council in cities over 500,000 population or by either or both the municipal  
17 clerk, or the common council, village or town board in all other municipalities and  
18 may also be made during the school year at any high school by qualified persons  
19 under sub. (2) (a). Other registration locations may include but are not limited to fire  
20 houses, police stations, public libraries, institutions of higher education,  
21 supermarkets, community centers, plants and factories, banks, savings and loan  
22 associations and savings banks. Special registration deputies shall be appointed for  
23 each location unless the location can be sufficiently staffed by the board of election  
24 commissioners or the municipal clerk or his or her deputies. An elector who wishes



1 to obtain a confidential listing under s. 6.47 (2) shall register at the office of the  
2 municipal clerk of the municipality where the elector resides.

3 **SECTION 38.** 6.28 (4) of the statutes is amended to read:

4 6.28 (4) AT THE OFFICE OF THE COUNTY CLERK. Any person shall be given an  
5 opportunity to register to vote or to file a registration confirmation form under s.  
6 6.256 (7) at the office of the county clerk for the county in which the person's residence  
7 is located. An applicant for registration may complete the required registration form  
8 under s. 6.33. Unless the county clerk performs registration functions for the  
9 municipality where the elector resides under s. 6.33 (5) (b), the county clerk shall  
10 forward ~~the~~ each form submitted by an elector to the appropriate municipal clerk,  
11 or to the board of election commissioners in cities over 500,000 population within 5  
12 days of receipt. The clerk shall forward the form immediately whenever registration  
13 closes within 5 days of receipt.

14 **SECTION 39.** 6.29 (1) of the statutes is amended to read:

15 6.29 (1) No names may be added to a registration list for any election after the  
16 close of registration, except as authorized under this section or s. 6.55 (2) or 6.86 (3)  
17 (a) 2. Any person whose name is not on the registration list but who is otherwise a  
18 qualified elector and any elector whose name appears on the registration list but  
19 whose registration has not been confirmed is entitled to vote at the election upon  
20 compliance with this section.

21 **SECTION 40.** 6.29 (2) (a) of the statutes is amended to read:

22 6.29 (2) (a) Any qualified elector of a municipality who has not previously filed  
23 a registration form or whose name does not appear on the registration list of the  
24 municipality may register and any elector whose name appears on the registration  
25 list but whose registration has not been confirmed may confirm his or her

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

22 **SECTION 41.** 6.29 (2) (b) of the statutes is amended to read:

23 6.29 (2) (b) Upon the filing of the registration form or confirmation form  
24 required by this section, the municipal clerk or clerk’s agent under s. 6.33 (5) (b) shall  
25 offer to provide the elector with an absentee ballot. If the elector does not cast an

1 absentee ballot at the office of the municipal clerk or agent, the clerk or agent shall  
2 issue a certificate containing the name and address of the elector addressed to the  
3 inspectors of the proper ward or election district directing that the elector be  
4 permitted to cast his or her vote if the elector complies with all requirements for  
5 voting at the polling place. The certificate shall be numbered serially, prepared in  
6 duplicate and one copy preserved in the office of the municipal clerk.

7 **SECTION 42.** 6.29 (2) (d) of the statutes is amended to read:

8 6.29 (2) (d) The inspectors shall record the names of electors who present  
9 certificates in person ~~or for whom certificates are presented with absentee ballots~~  
10 under this section on the list maintained under s. 6.56 (1). ~~These names shall then~~  
11 ~~be added to the registration list if the electors are qualified.~~

12 **SECTION 43.** 6.29 (2) (e) of the statutes is created to read:

13 6.29 (2) (e) The municipal clerk or clerk's agent shall promptly add the names  
14 of qualified electors who register and vote under this section to the registration list.  
15 The clerk or clerk's agent shall add the names of qualified electors who vote at their  
16 polling places in the manner prescribed in s. 6.33 (5) (a).

17 **SECTION 44.** 6.30 (1) of the statutes is amended to read:

18 6.30 (1) IN PERSON. An elector shall apply for registration in person, except as  
19 provided under ~~sub.~~ subs. (4) and (5) and s. 6.86 (3) (a) 2.

20 **SECTION 45.** 6.30 (5) of the statutes is created to read:

21 6.30 (5) BY ELECTRONIC APPLICATION. Any eligible elector who holds a current  
22 and valid operator's license issued under ch. 343 or a current and valid identification  
23 card issued under s. 343.50 may register electronically in the manner prescribed by  
24 the board. The board shall maintain on the Internet a secure registration form that  
25 enables the elector to enter all required information electronically. The board shall

1 prescribe, by rule, the manner and method of electronic application under this  
2 subsection, together with requirements for affirmation and verification of elector  
3 information and the method for receipt of electronic registration forms. The elector  
4 information shall include all information specified for the electronic registration  
5 form under s. 6.33 (1). The board shall also permit an elector who has a current and  
6 valid operator's license issued to the elector under ch. 343 or a current and valid  
7 identification card issued under s. 343.50 to make changes in his or her registration  
8 authorized under s. 6.40 (1) at the same Internet site that is used for original  
9 registration.

10 **SECTION 46.** 6.32 (1) of the statutes is amended to read:

11 6.32 (1) Upon receipt of a registration form that is submitted by mail under s.  
12 6.30 (4) or by electronic application under s. 6.30 (5) or that is submitted by a special  
13 registration deputy appointed under s. 6.26, the board or municipal clerk shall  
14 examine the form for sufficiency.

15 **SECTION 47.** 6.33 (1) of the statutes is amended to read:

16 6.33 (1) The board shall prescribe the format, size, and shape of nonelectronic  
17 registration forms. All nonelectronic forms shall be printed on cards and each item  
18 of information shall be of uniform font size, as prescribed by the board. Except as  
19 provided in this subsection, electronic registration forms shall contain the same  
20 information as the nonelectronic forms, together with any additional information  
21 specified by the board under s. 6.30 (5). The municipal clerk shall supply sufficient  
22 nonelectronic forms to meet voter registration needs. The All registration forms  
23 shall be designed to obtain from each applicant information as to name; date;  
24 residence location; citizenship; date of birth; age; the number of a valid operator's  
25 license issued to the elector under ch. 343 or the last 4 digits of the elector's social

1 security account number; whether the applicant has resided within the ward or  
2 election district for at least 10 days; whether the applicant has been convicted of a  
3 felony for which he or she has not been pardoned, and if so, whether the applicant  
4 is incarcerated, or on parole, probation, or extended supervision; whether the  
5 applicant is disqualified on any other ground from voting; and whether the applicant  
6 is currently registered to vote at any other location. The Except as authorized by rule  
7 under s. 6.30 (5), the form shall include a space for the applicant's signature and the  
8 signature of any corroborating elector. The nonelectronic form shall include a space  
9 to enter the name of any special registration deputy under s. 6.26 or 6.55 (6) or  
10 inspector, municipal clerk, or deputy clerk under s. 6.55 (2) who obtains the form and  
11 a space for the deputy, inspector, clerk, or deputy clerk to sign his or her name,  
12 affirming that the deputy, inspector, clerk, or deputy clerk has accepted the form.  
13 The form shall include a space for entry of the ward and aldermanic district, if any,  
14 where the elector resides and any other information required to determine the offices  
15 and referenda for which the elector is certified to vote. The form shall also include  
16 a space where the clerk may record an indication of whether the form is received by  
17 mail or by electronic application, a space where the clerk may record an indication  
18 of the type of identifying document submitted by the elector as proof of residence  
19 under s. 6.34 or an indication that the elector's information in lieu of proof of  
20 residence was verified under s. 6.34 (2m), whenever required, and a space where the  
21 clerk, for any applicant who possesses a valid voting identification card issued to the  
22 person under s. 6.47 (3), may record the identification serial number appearing on  
23 the voting identification card. Each county clerk shall obtain sufficient registration  
24 forms for completion by an elector who desires to register to vote at the office of the  
25 county clerk under s. 6.28 (4).

1           **SECTION 48.** 6.33 (2) (a) of the statutes is amended to read:

2           6.33 (2) (a) All information may be recorded by any person, except that the ward  
3 and aldermanic district, if any, other geographic information under sub. (1), the  
4 indication of whether the registration is received by mail or by electronic application,  
5 the type of identifying document submitted by the elector as proof of residence under  
6 s. 6.34 or the indication of verification of information in lieu of proof of residence  
7 under s. 6.34 (2m), whenever required, and any information relating to an applicant's  
8 voting identification card shall be recorded by the clerk. ~~Each~~ Except as authorized  
9 under s. 6.30 (5), each applicant shall sign his or her own name unless the applicant  
10 is unable to sign his or her name due to physical disability. In such case, the applicant  
11 may authorize another elector to sign the form on his or her behalf. If the applicant  
12 so authorizes, the elector signing the form shall attest to a statement that the  
13 application is made upon request and by authorization of a named elector who is  
14 unable to sign the form due to physical disability.

15           **SECTION 49.** 6.33 (5) (a) of the statutes is amended to read:

16           6.33 (5) (a) Except as provided in par. (b), whenever a municipal clerk receives  
17 a valid registration or valid change of a name or address under an existing  
18 registration or a change of information when a registration is confirmed under s.  
19 6.256 (7) and whenever a municipal clerk changes a person's registration from  
20 eligible to ineligible status, the municipal clerk shall promptly enter electronically  
21 on the list maintained by the board under s. 6.36 (1) the information required under  
22 that subsection, ~~except that the~~ as provided in this paragraph. ~~The~~ municipal clerk  
23 may update any entries that change on the date of an election ~~in the municipality~~  
24 other than a general election within 30 days after that ~~the~~ date, ~~and the~~ of that  
25 election, and shall update any entries that change on the date of a general election

1 within 45 days after the date of that election, except that the legal counsel of the  
2 board may, upon application of a municipal clerk, permit the clerk to update entries  
3 that change on the date of a general election within 60 days after that election. The  
4 municipal clerk shall provide to the board information that is confidential under s.  
5 6.47 (2) in such manner as the board prescribes.

6 **SECTION 50.** 6.34 (2) of the statutes is amended to read:

7 6.34 (2) Except as authorized in ss. 6.29 (2) (a) and 6.86 (3) (a) 2., upon  
8 completion of a registration form prescribed under s. 6.33 or registration  
9 confirmation form under s. 6.256 (7), each elector who is required to register under  
10 s. 6.27, who is not a military elector or an overseas elector and who registers or  
11 confirms his or her registration after the close of registration under s. 6.29 or 6.86  
12 (3) (a) 2. or who registers at the office of the municipal clerk when voting an absentee  
13 ballot in person, shall provide an identifying document that establishes proof of  
14 residence under sub. (3). ~~Each~~ Except as authorized in subs. (2m) and (2n), each  
15 elector other than a military elector or an overseas elector who is required to register  
16 under s. 6.27 ~~who is not a military elector or an overseas elector,~~ who registers by mail  
17 or by electronic application or confirms a registration entered by the board, and who  
18 has not voted in an election in this state shall, if voting in person, provide an  
19 identifying document that establishes proof of residence under sub. (3) or, if voting  
20 by absentee ballot, provide a copy of an identifying document that establishes proof  
21 of residence under sub. (3). If the elector registered by mail or by electronic  
22 application or the elector is confirming a registration entered by the board, the  
23 identifying document may not be a residential lease.

24 **SECTION 51.** 6.34 (2m) of the statutes is created to read:

1           6.34 **(2m)** If an elector who registers by electronic application under s. 6.30 (5)  
2 would otherwise be required to provide proof of residence under sub. (2) but provides,  
3 in lieu of proof of residence, the number of a current and valid operator's license  
4 issued under ch. 343 together with the elector's name and date of birth, and if the  
5 board is able to verify the information provided by the elector electronically at the  
6 time of registration or voting, the elector is not required to provide proof of residence.

7           **SECTION 52.** 6.34 (2n) of the statutes is created to read:

8           6.34 **(2n)** If an elector who confirms a registration that has been entered by the  
9 board under s. 6.256 (7) would otherwise be required to provide proof of residence  
10 under sub. (2) but provides, in lieu of proof of residence, the number of a current and  
11 valid operator's license issued under ch. 343 or the last 4 digits of the elector's social  
12 security account number together with the elector's name and date of birth, and the  
13 board is able to verify the information electronically at the time of confirmation or  
14 voting, the elector is not required to provide proof of residence.

15           **SECTION 53.** 6.34 (3) (a) 7. of the statutes is amended to read:

16           6.34 **(3)** (a) 7. A university, college, or technical college fee or identification card  
17 that contains a photograph of the cardholder. ~~A card under this subdivision that does~~  
18 ~~not contain the information specified in par. (b) shall be considered proof of residence~~  
19 ~~if the university, college, or technical college that issued the card provides a certified~~  
20 ~~and current list of students who reside in housing sponsored by the university,~~  
21 ~~college, or technical college to the municipal clerk prior to the election showing the~~  
22 ~~current address of the students and if the municipal clerk, special registration~~  
23 ~~deputy, or inspector verifies that the student presenting the card is included on the~~  
24 ~~list.~~

25           **SECTION 54.** 6.34 (3) (b) (intro.) of the statutes is amended to read:



1           6.34 (3) (b) (intro.) The Except as provided in par. (d), identifying documents  
2 prescribed in par. (a) shall contain all of the following in order to be considered proof  
3 of residence:

4           **SECTION 55.** 6.34 (3) (d) of the statutes is created to read:

5           6.34 (3) (d) The municipal clerk and the inspectors of election shall accept a  
6 university, college, or technical college fee or identification card that contains a  
7 photograph of the cardholder as proof of residence at any election regardless of  
8 whether the card contains the information specified in par. (b) if the university,  
9 college, or technical college that issued the card provides to the municipal clerk, for  
10 use at the election, a certified copy of a current list of students who reside in housing  
11 sponsored by the university, college, or technical college showing the names and  
12 current addresses of the students. Upon presentation of such a card, the municipal  
13 clerk, special registration deputy, or inspector shall verify that the name of the  
14 student presenting the card is included on the list.

15           **SECTION 56.** 6.34 (4) of the statutes is created to read:

16           6.34 (4) The board shall maintain a system that electronically verifies, on an  
17 instant basis, the validity of the information specified in sub. (2m) and (2n)  
18 submitted by an elector who confirms a registration or who registers electronically  
19 with the information maintained by the department of transportation pursuant to  
20 the board's agreement with the secretary of transportation under s. 5.056.

21           **SECTION 57.** 6.35 (1) (intro.) of the statutes is amended to read:

22           6.35 (1) (intro.) Under the direction of the municipal clerk or board of election  
23 commissioners, the original registration forms shall be filed in one of the following  
24 ways, except as provided in ~~sub.~~ subs. (1m) and (2):

25           **SECTION 58.** 6.35 (2) of the statutes is created to read:

1           6.35 (2) The board shall prescribe, by rule, the procedure and methods by which  
2 municipal clerks and boards of election commissioners shall maintain records of  
3 registrations that are entered electronically under s. 6.30 (5).

4           **SECTION 59.** 6.36 (1) (a) of the statutes is amended to read:

5           6.36 (1) (a) The board shall compile and maintain electronically an official  
6 registration list. The list shall contain the name and address of each registered  
7 elector in the state, the date of birth of the elector, the ward and aldermanic district  
8 of the elector, if any, and, for each elector, a unique registration identification number  
9 assigned by the board, the number of a valid operator's license issued to the elector  
10 under ch. 343, if any, or the last 4 digits of the elector's social security account  
11 number, if any, any identification serial number issued to the elector under s. 6.47  
12 (3), the date of any election in which the elector votes, an indication of whether the  
13 elector is a military elector, as defined in ~~sub. (2) (e)~~ s. 6.34 (1), who has so certified  
14 under s. 6.865 (3m), an indication of whether the elector is an overseas elector, as  
15 defined in s. 6.24 (1), any information relating to the elector that appears on the  
16 current list transmitted to the board by the department of corrections under s. 301.03  
17 (20m), an indication of any accommodation required under s. 5.25 (4) (a) to permit  
18 voting by the elector, an indication of the method by which the elector's registration  
19 form was received, if any information in the elector's registration was obtained by  
20 initiative of the board, whether the registration of the individual has been confirmed  
21 under s. 6.256 (7), and such other information as may be determined by the board to  
22 facilitate administration of elector registration requirements.

23           **SECTION 60.** 6.36 (1) (b) 1. a. of the statutes is amended to read:

24           6.36 (1) (b) 1. a. ~~No~~ Except as provided in par. (bm), no person other than an  
25 employee of the board, a county clerk, a deputy county clerk, an executive director

1 of a county board of election commissioners, a deputy designated by the executive  
2 director, a municipal clerk, a deputy municipal clerk, an executive director of a city  
3 board of election commissioners, or a deputy designated by the executive director  
4 may view the ~~date of birth~~ birthday, operator's license number, or social security  
5 account number of an elector, the address of an elector to whom an identification  
6 serial number is issued under s. 6.47 (3), or any indication of an accommodation  
7 required under s. 5.25 (4) (a) to permit voting by an elector.

8 **SECTION 61.** 6.36 (1) (bm) of the statutes is created to read:

9 6.36 (1) (bm) 1. In this paragraph, "state authority" has the meaning given in  
10 s. 19.62 (8).

11 2. Except as provided in s. 6.256 (12), the board may transfer any information  
12 in the official registration list to which access is restricted under par. (b) 1. a. to any  
13 state authority or to a subunit of the state government of another state.

14 **SECTION 62.** 6.36 (2) (a) of the statutes is amended to read:

15 6.36 (2) (a) Except as provided in par. (b), each registration list prepared for use  
16 as a poll list at a polling place or for purposes of canvassing absentee ballots at an  
17 election shall contain the full name and address of each registered elector; a blank  
18 column for the entry of the serial number of the electors when they vote or the poll  
19 list number used by the municipal board of absentee ballot canvassers in canvassing  
20 absentee ballots; an indication whether the registration of an elector has been  
21 confirmed under s. 6.256 (7), if confirmation is required; an indication next to the  
22 name of each elector for whom proof of residence under s. 6.34 is required; and a form  
23 of certificate bearing the certification of the administrator of the elections division  
24 of the board stating that the list is a true and complete registration list of the  
25 municipality or the ward or wards for which the list is prepared.

1           **SECTION 63.** 6.36 (2) (c) of the statutes is amended to read:

2           6.36 (2) (c) The list shall contain, next to the name of each elector, an indication  
3 of whether proof of residence under s. 6.34 is required for the elector to be permitted  
4 to vote. ~~Proof~~ Except as provided in s. 6.34 (2m) and (2n), proof of residence is  
5 required if the elector is not a military elector or an overseas elector and the elector  
6 registers by mail or by electronic application or has not confirmed his or her  
7 registration under s. 6.256 (7) and has not previously voted in an election in this  
8 state.

9           **SECTION 64.** 6.40 (1) (a) 1. of the statutes is amended to read:

10           6.40 (1) (a) 1. Any registered elector shall transfer registration after a change  
11 of residence within the state by filing in person with the municipal clerk or by mailing  
12 to the municipal clerk a signed request stating his or her present address, affirming  
13 that this will be his or her residence for 10 days prior to the election and providing  
14 the address where he or she was last registered. Alternatively, the elector may  
15 transfer his or her registration at the proper polling place or other registration  
16 location under s. 6.02 (2) in accordance with s. 6.55 (2) (a), or, if the elector has a  
17 current and valid operator's license issued to the elector under ch. 343 or a current  
18 and valid identification card issued under s. 343.50, the elector may transfer his or  
19 her registration electronically under s. 6.30 (5). If an elector is voting in the ward  
20 or election district where the elector formerly resided, the change shall be effective  
21 for the next election.

22           **SECTION 65.** 6.40 (1) (c) of the statutes is amended to read:

23           6.40 (1) (c) *Name change.* Whenever an elector's name is legally changed,  
24 including a change by marriage or divorce, the elector shall transfer his or her  
25 registration to his or her legal name by appearing in person or mailing to the

1 municipal clerk a signed request for a transfer of registration to such name.  
2 Alternatively, a registered elector may make notification of a name change at his or  
3 her polling place under s. 6.55 (2) (d), or, if the elector has a current and valid  
4 operator's license issued to the elector under ch. 343 or a current and valid  
5 identification card issued under s. 343.50, the elector may make notification of a  
6 name change electronically under s. 6.30 (5).

7 **SECTION 66.** 6.50 (10) of the statutes is amended to read:

8 6.50 (10) Any qualified elector whose registration is changed from eligible to  
9 ineligible status under this section may reregister as provided under s. 6.28 (1), 6.29  
10 (2), or 6.55 (2), or, if the elector has a current and valid operator's license issued to  
11 the elector under ch. 343 or a current and valid identification card issued under s.  
12 343.50, may reregister under s. 6.30 (5).

13 **SECTION 67.** 6.54 of the statutes is amended to read:

14 **6.54 Failure to register; rights.** No name may be added to the registration  
15 list after the close of registration, but any person whose name is not on the  
16 registration list or whose registration has not been confirmed under s. 6.256 (7), if  
17 confirmation is required, but who is otherwise a qualified elector, is entitled to vote  
18 at the election upon compliance with s. 6.29 or 6.55.

19 **SECTION 68.** 6.55 (title) of the statutes is amended to read:

20 **6.55 (title) Polling place registration and registration confirmation;**  
21 **voting by certification.**

22 **SECTION 69.** 6.55 (2) (a) 1. of the statutes is amended to read:

23 6.55 (2) (a) 1. Except where the procedure under par. (c) or (cm) is employed,  
24 any person who qualifies as an elector in the ward or election district where he or she  
25 desires to vote, but has not previously filed a registration form, whose registration

1 appears on the registration list but has not been confirmed under s. 6.256 (7) or who  
2 was registered at another location, may request permission to vote at the polling  
3 place for that ward or election district, or at an alternate polling place assigned under  
4 s. 5.25 (5) (b). When a proper request is made, the inspector shall require the person  
5 to execute a registration form or confirmation form prescribed by the board. The An  
6 original registration form shall be completed in the manner provided under s. 6.33  
7 (2) and shall contain all information required under s. 6.33 (1), together with the  
8 following certification:

9 “I, ....., hereby certify that, to the best of my knowledge, I am a qualified elector,  
10 having resided at .... for at least 10 days immediately preceding this election, and I  
11 have not voted at this election.”

12 **SECTION 70.** 6.55 (2) (b) of the statutes is amended to read:

13 6.55 (2) (b) Upon executing the a registration form or confirmation form under  
14 par. (a), the elector shall provide proof of residence under s. 6.34. If the elector cannot  
15 provide proof of residence, the information contained in the elector’s registration  
16 form or confirmation form shall be corroborated in a statement that is signed by any  
17 another elector who resides in the same municipality as the registering elector and  
18 that contains the current street address of the corroborating elector. The  
19 corroborator shall then provide proof of residence as provided in s. 6.34. If the elector  
20 is registering to vote or confirming his or her registration in the general election and  
21 the elector presents a valid driver’s license issued by another state, the inspector or  
22 deputy shall record on a separate list the name and address of the elector, the name  
23 of the state, and the license number and expiration date of the license. The signing  
24 by the elector executing the registration form or confirmation form and the signing  
25 by any corroborator shall be in the presence of the special registration deputy or

1 inspector who shall then print his or her name on and sign the form, indicating that  
2 the deputy or inspector has accepted the form. Upon compliance with this procedure,  
3 the elector shall be permitted to cast his or her vote, if the elector complies with all  
4 other requirements for voting at the polling place.

5 **SECTION 71.** 6.55 (2) (c) 1. and 2. of the statutes are amended to read:

6 6.55 (2) (c) 1. As an alternative to registration or confirmation of registration  
7 under par. (a) at ~~the~~ a polling place under pars. (a) and (b), the board of election  
8 commissioners, or the governing body of any municipality may by resolution require  
9 a person who qualifies as an elector and who is not registered or confirmed and  
10 desires to register or confirm his or her registration on the day of an election to do  
11 so at another readily accessible location in the same building as the polling place  
12 serving the elector's residence or at an alternate polling place assigned under s. 5.25  
13 (5) (b), instead of at the polling place serving the elector's residence. In such case,  
14 the municipal clerk shall prominently post a notice of the registration location at the  
15 polling place. The elector who desires to register or confirm his or her registration  
16 shall execute a registration form or confirmation form as prescribed under par. (a)  
17 and provide proof of residence as provided under s. 6.34. If the elector cannot provide  
18 proof of residence, the information contained in the registration form or confirmation  
19 form shall be corroborated in the manner provided in par. (b). If the elector is  
20 registering to vote or confirming his or her registration in the general election and  
21 the elector presents a valid driver's license issued by another state, the municipal  
22 clerk, deputy clerk, or special registration deputy shall record on a separate list the  
23 name and address of the elector, the name of the state, and the license number and  
24 expiration date of the license. The signing by the elector executing the registration  
25 form or confirmation form and the signing by any corroborator shall be in the

1 presence of the municipal clerk, deputy clerk or special registration deputy. The  
2 municipal clerk, the deputy clerk, or the special registration deputy shall then print  
3 his or her name and sign the form, indicating that the clerk, deputy clerk, or deputy  
4 has accepted the form. ~~Upon proper completion of registration, the municipal clerk,~~  
5 ~~deputy clerk or special registration deputy shall serially number the registration and~~  
6 ~~give one copy to the elector for presentation at the polling place serving the elector's~~  
7 ~~residence or an alternate polling place assigned under s. 5.25 (5) (b).~~

8 2. Upon compliance with the procedures under subd. 1., the municipal clerk or  
9 deputy clerk shall issue a certificate addressed to the inspectors of the proper polling  
10 place directing that the elector be permitted to cast his or her vote if the elector  
11 complies with all requirements for voting at the polling place. The clerk shall enter  
12 the name and address of the elector on the face of the certificate. If the elector's  
13 registration or confirmation is corroborated, the clerk shall also enter the name and  
14 address of the corroborator on the face of the certificate. The certificate shall be  
15 numbered serially and prepared in duplicate. The municipal clerk shall preserve one  
16 copy in his or her office.

17 **SECTION 72.** 6.55 (2) (cs) of the statutes is amended to read:

18 6.55 (2) (cs) The board shall provide to each municipal clerk a list prepared for  
19 use at each polling place showing the name and address of each person whose name  
20 appears on the list provided by the department of corrections under s. 301.03 (20m)  
21 as ineligible to vote on the date of the election, whose address is located in the area  
22 served by that polling place, and whose name does not appear on the poll list for that  
23 polling place. Prior to permitting an elector to register to vote or to confirm a  
24 registration in accordance with s. 6.256 (7) under this subsection or s. 6.86 (3) (a) 2.,  
25 the inspectors or special registration deputies shall review the list. If the name of



1 an elector who wishes to register to vote appears on the list, the inspectors or special  
2 registration deputies shall inform the elector or the elector's agent that the elector  
3 is ineligible to register to vote. If the elector or the elector's agent maintains that the  
4 elector is eligible to vote in the election, the inspectors or special registration  
5 deputies shall permit the elector to register or to confirm his or her registration but  
6 shall mark the elector's registration form as "ineligible to vote per Department of  
7 Corrections." If the elector wishes to vote, the inspectors shall require the elector to  
8 vote by ballot and shall challenge the ballot as provided in s. 6.79 (2) (dm).

9 **SECTION 73.** 6.55 (5) of the statutes is amended to read:

10 6.55 (5) Any person who violates falsifies a statement under this section may  
11 be punished as provided in ss. 12.13 (3) (g) and 12.60 (1) (b).

12 **SECTION 74.** 6.79 (4) of the statutes is amended to read:

13 6.79 (4) SUPPLEMENTAL INFORMATION. When any elector provides proof of  
14 residence under s. 6.15, 6.29 or 6.55 (2), the election officials shall enter the type of  
15 identifying document provided on the poll list, or separate list maintained under sub.  
16 (2) (c). If the document submitted as proof of identity or residence includes a number  
17 which applies only to the individual holding that document, the election officials  
18 shall also enter that number on the list. When any elector corroborates the  
19 registration ~~identity or residence~~ or confirmation of registration of any person  
20 offering to vote under s. 6.55 (2) (b) or (c), or the registration ~~identity or residence~~ or  
21 confirmation of any person registering on election day under s. 6.86 (3) (a) 2., the  
22 election officials shall also enter the name and address of the corroborator next to the  
23 name of the elector whose information is being corroborated on the poll list, or the  
24 separate list maintained under sub. (2) (c). When any person offering to vote has

1 been challenged and taken the oath, following the person’s name on the poll list, the  
2 officials shall enter the word “Sworn”.

3 **SECTION 75.** 6.855 (title) of the statutes is amended to read:

4 **6.855 (title) Alternate absentee ballot site sites.**

5 **SECTION 76.** 6.855 (1) of the statutes is amended to read:

6 6.855 (1) The governing body of a municipality may elect to designate ~~a site~~  
7 one or more sites other than the office of the municipal clerk or board of election  
8 commissioners as ~~the a~~ location from which electors of the municipality may request  
9 and vote absentee ballots and to which voted absentee ballots shall may be returned  
10 by electors for any election. ~~The designated site shall be located as near as~~  
11 practicable to the office of the municipal clerk or board of election commissioners and  
12 ~~no~~ No alternate site may be designated that affords an advantage to any political  
13 party. An election by a governing body to designate an alternate site under this  
14 section shall be made no fewer than 14 days prior to the time that absentee ballots  
15 are available for the primary under s. 7.15 (1) (cm), if a primary is scheduled to be  
16 held, or ~~at least~~ no fewer than 14 days prior to the time that absentee ballots are  
17 available for the election under s. 7.15 (1) (cm), if a primary is not scheduled to be  
18 held, and shall remain in effect until at least the day after the election. ~~If the~~  
19 ~~governing body of a municipality makes an election under this section, no function~~  
20 ~~related to voting and return of absentee ballots that is to be conducted at the~~  
21 ~~alternate site may be conducted in the office of the municipal clerk or board of~~  
22 ~~election commissioners.~~ An alternate site may be used for absentee voting in  
23 addition to or in lieu of use of the office of the municipal clerk or board of election  
24 commissioners. No later than the latest time specified in this subsection for  
25 designation of an alternate site for absentee voting at an election, a municipality

1 designating an alternate site shall provide written notice to the board of the  
2 designation of the site, the address of the site, and the election at which it will be in  
3 operation.

4 **SECTION 77.** 6.855 (2) of the statutes is amended to read:

5 6.855 (2) The municipal clerk or board of election commissioners shall  
6 prominently display a notice of the designation of the each alternate site selected  
7 under sub. (1) in the office of the municipal clerk or board of election commissioners  
8 beginning on the date that the site is designated under sub. (1) and continuing  
9 through the period that absentee ballots are available for the election and for any  
10 primary under s. 7.15 (1) (cm). The notice shall specify the days and hours of  
11 operation of each alternate site and the days and hours of operation of the office of  
12 the municipal clerk or board of election commissioners. If the municipal clerk or  
13 board of election commissioners maintains a Web site on the Internet, the clerk or  
14 board of election commissioners shall post a notice of the designation of the each  
15 alternate site selected under sub. (1) on the Web site during the same period that  
16 notice is displayed in the office of the clerk or board of election commissioners.

17 **SECTION 78.** 6.86 (1) (a) (intro.) of the statutes is amended to read:

18 6.86 (1) (a) (intro.) Any elector of a municipality who is registered to vote  
19 whenever required and who qualifies under ss. 6.20 and 6.85 as an absent elector  
20 may make written application to the municipal clerk of that municipality for an  
21 official ballot by one of the following methods:

22 **SECTION 79.** 6.86 (1) (a) 3. of the statutes is amended to read:

23 6.86 (1) (a) 3. By signing submitting a statement under sub. (2) (a).

24 **SECTION 80.** 6.86 (1) (a) 3. of the statutes, as affected by 2009 Wisconsin Act ....

25 (this act), is repealed and recreated to read:

1           6.86 (1) (a) 3. By filing a request to receive absentee ballots under sub. (2m) (a)  
2 or s. 6.22 (4) or 6.24 (4).

3           **SECTION 81.** 6.86 (1) (ab) of the statutes is created to read:

4           6.86 (1) (ab) The application shall be signed by the elector except as authorized  
5 in par. (ag) and subs. (2m) (a) and (3) (a) 1.

6           **SECTION 82.** 6.86 (1) (ac) of the statutes is amended to read:

7           6.86 (1) (ac) Any elector qualifying under par. (a) may make written application  
8 to the municipal clerk for an official ballot by means of facsimile transmission or  
9 electronic mail. Any application under this paragraph shall need not contain a copy  
10 of the applicant's original signature. ~~An elector requesting a ballot under this~~  
11 ~~paragraph shall return with the voted ballot a copy of the request bearing an original~~  
12 ~~signature of the elector as provided in s. 6.87 (4).~~

13           **SECTION 83.** 6.86 (1) (ad) of the statutes is created to read:

14           6.86 (1) (ad) The board shall prescribe the form of applications for absentee  
15 ballots by electors who vote in person at the office of the municipal clerk or an  
16 alternate site designated under s. 6.855.

17           **SECTION 84.** 6.86 (1) (b) of the statutes is amended to read:

18           6.86 (1) (b) Except as provided in this section, if application is made by mail,  
19 facsimile transmission, or electronic mail, the application, ~~signed by the elector,~~ shall  
20 be received no later than 5 p.m. on the 5th day immediately preceding the election.  
21 If application is made in person, the application shall be made no later than 5 p.m.  
22 on the day preceding the election. If Except as provided in par. (c), if the elector is  
23 making written application for an absentee ballot at the September primary or, the  
24 general election, the presidential preference primary, or a special election for  
25 national office, and the application indicates that the elector is a military elector, as

1 defined in s. 6.36 (2) (c), the application shall be received by the municipal clerk no  
2 later than 5 p.m. on election day. If the application indicates that the reason for  
3 requesting an absentee ballot is that the elector is a sequestered juror, the  
4 application shall be received no later than 5 p.m. on election day. If the application  
5 is received after 5 p.m. on the Friday immediately preceding the election, the  
6 municipal clerk or the clerk's agent shall immediately take the ballot to the court in  
7 which the elector is serving as a juror and deposit it with the judge. The judge shall  
8 recess court, as soon as convenient, and give the elector the ballot. The judge shall  
9 then witness the voting procedure as provided in s. 6.87 and shall deliver the ballot  
10 to the clerk or agent of the clerk who shall deliver it to the polling place or, in  
11 municipalities where absentee ballots are canvassed under s. 7.52, to the municipal  
12 clerk as required in s. 6.88. If application is made under sub. (2) or (2m), the  
13 application may be received no later than 5 p.m. on the Friday immediately  
14 preceding the election.

15 **SECTION 85.** 6.86 (1) (b) of the statutes, as affected by 2009 Wisconsin Act ...  
16 (this act), is amended to read:

17 6.86 (1) (b) Except as provided in this section, if application is made by mail,  
18 facsimile transmission, or electronic mail, the application shall be received no later  
19 than 5 p.m. on the 5th day immediately preceding the election. If application is made  
20 in person, the application shall be made no later than 5 p.m. on the day preceding  
21 the election. Except as provided in par. (c), if the elector is making written  
22 application for an absentee ballot at the September primary, the general election, the  
23 presidential preference primary, or a special election for national office, and the  
24 application indicates that the elector is a military elector, as defined in s. ~~6.36 (2) (e)~~  
25 6.34 (1), the application shall be received by the municipal clerk no later than 5 p.m.

1 on election day. If the application indicates that the reason for requesting an  
2 absentee ballot is that the elector is a sequestered juror, the application shall be  
3 received no later than 5 p.m. on election day. If the application is received after 5 p.m.  
4 on the Friday immediately preceding the election, the municipal clerk or the clerk's  
5 agent shall immediately take the ballot to the court in which the elector is serving  
6 as a juror and deposit it with the judge. The judge shall recess court, as soon as  
7 convenient, and give the elector the ballot. The judge shall then witness the voting  
8 procedure as provided in s. 6.87 and shall deliver the ballot to the clerk or agent of  
9 the clerk who shall deliver it to the polling place or, in municipalities where absentee  
10 ballots are canvassed under s. 7.52, to the municipal clerk as required in s. 6.88. If  
11 application is made under sub. ~~(2)~~ or (2m), the application may be received no later  
12 than 5 p.m. on the Friday immediately preceding the election.

13 **SECTION 86.** 6.86 (1) (c) of the statutes is amended to read:

14 6.86 (1) (c) If an application is made ~~by mail~~ by a military elector, as defined  
15 in s. 6.22 (1) (b), by mail, facsimile transmission, or electronic mail, the application  
16 shall be received no later than 5 p.m. on the Friday immediately preceding the  
17 election.

18 **SECTION 87.** 6.86 (2) of the statutes is repealed.

19 **SECTION 88.** 6.86 (2m) of the statutes is renumbered 6.86 (2m) (a) and amended  
20 to read:

21 6.86 (2m) (a) An Except as provided in this subsection, any elector other than  
22 an elector who is ~~eligible to receive absentee ballots under sub. (2)~~ receives an  
23 absentee ballot under s. 6.22 (4) or 6.24 (4) (c) may by written application filed with  
24 the municipal clerk of the municipality where the elector resides require that an  
25 absentee ballot be sent to the elector automatically for every succeeding election ~~that~~

1 ~~is held within the same calendar year in which the application is filed until the~~  
2 ~~elector is no longer an elector of the municipality or the elector otherwise requests.~~  
3 If an elector is unable to sign the application and has designated an agent with the  
4 power of attorney and the agent has authority to act on the elector's behalf, the agent  
5 may file the application. The application form and instructions shall be prescribed  
6 by the board, and furnished upon request to any elector by each municipal clerk. The  
7 municipal clerk shall thereupon mail an absentee ballot to the elector for all  
8 succeeding elections that are held in the municipality ~~during the same calendar year~~  
9 ~~that the application is filed~~, except that the clerk shall not send an absentee ballot  
10 for an election if the elector's name appeared on the registration list in eligible status  
11 for a previous election following the date of the application but no longer appears on  
12 the list in eligible status. The municipal clerk shall ensure that the envelope  
13 containing the absentee ballot is clearly marked as not forwardable. If an elector who  
14 files an application under this subsection no longer resides at the same address that  
15 is indicated on the application form, the elector shall so notify the municipal clerk.  
16 The municipal clerk shall discontinue mailing absentee ballots to an elector under  
17 this subsection upon receipt of reliable information that the elector no longer  
18 ~~qualifies for the service~~ as an elector of the municipality. In addition, the municipal  
19 clerk shall discontinue mailing absentee ballots to an elector under this subsection  
20 if the elector fails to return the absentee ballots mailed to the elector for 2 consecutive  
21 elections. The municipal clerk shall notify the elector of any such action not taken  
22 at the elector's request within 5 days, if possible. An elector who fails to cast an  
23 absentee ballot for 2 consecutive elections but who remains qualified to receive  
24 absentee ballots under this subsection may then receive absentee ballots for

1 subsequent elections by notifying the municipal clerk that the elector wishes to  
2 continue receiving absentee ballots for subsequent elections.

3 (b) If a municipal clerk is notified by an elector that the elector’s residence is  
4 changed to another municipality within this state, the municipal clerk shall forward  
5 the request to the municipal clerk of that municipality and that. The municipal clerk  
6 shall honor the request, except as provided in this subsection of that municipality  
7 shall thereupon send an absentee ballot to the elector for each succeeding election  
8 held in the municipality until the elector is no longer an elector of the municipality  
9 or the elector otherwise requests, except as otherwise provided in this subsection.

10 **SECTION 89.** 6.86 (3) (a) of the statutes is amended to read:

11 6.86 (3) (a) 1. Any elector who is registered and whose registration is confirmed,  
12 whenever confirmation is required, and who is hospitalized, may apply for and  
13 obtain an official ballot by agent. The agent may apply for and obtain a ballot for the  
14 hospitalized absent elector by presenting a form prescribed by the board and  
15 containing the required information supplied by the hospitalized elector and signed  
16 by that elector and any other elector residing in the same municipality as the  
17 hospitalized elector, corroborating the information contained therein. The  
18 corroborating elector shall state on the form his or her full name and address.  
19 Notwithstanding sub. (2m) (a), if the hospitalized elector has designated the agent  
20 with the power of attorney and the agent has authority to act on the elector’s behalf,  
21 the agent may sign the application form on behalf of the elector.

22 2. If a hospitalized elector is not registered, the elector may register or confirm  
23 his or her registration by agent under this subdivision at the same time that the  
24 elector applies for an official ballot by agent under subd. 1. To register the elector  
25 under this subdivision, the agent shall present a completed registration form that



1 contains the required information supplied by the elector and the elector's signature,  
2 unless the elector is unable to sign due to physical disability. In this case To confirm  
3 a registration under this subdivision, the agent shall present a completed  
4 registration confirmation form under s. 6.256 (7). If the elector is unable to sign  
5 either form due to physical disability, the elector may authorize another elector to  
6 sign on his or her behalf. Any elector signing a form on another elector's behalf shall  
7 attest to a statement that the application or confirmation is made on request and by  
8 authorization of the named elector, who is unable to sign the form due to physical  
9 disability. The agent shall present this statement along with all other information  
10 required under this subdivision. Except as otherwise provided in this subdivision,  
11 the agent shall in every case provide proof of the elector's residence under s. 6.34.  
12 If the elector has designated the agent with the power of attorney and the agent has  
13 authority to act on the elector's behalf, the agent may sign the registration form on  
14 behalf of the elector. If the elector is registering to vote for or confirming an elector's  
15 registration for voting in the general election and the elector's agent presents a valid  
16 driver's license issued to the elector by another state, the municipal clerk shall record  
17 on a separate list the name and address of the elector, the name of the state, and the  
18 license number and expiration date of the license. If the agent cannot present proof  
19 of residence, the registration form or confirmation form shall be signed and  
20 substantiated by another elector residing in the elector's municipality of residence,  
21 corroborating the information in the form. The form shall contain the full name and  
22 address of the corroborating elector. The elector's agent shall then present proof of  
23 the corroborating elector's residence under s. 6.34.

24 **SECTION 90.** 6.86 (3) (c) of the statutes is amended to read:

1           6.86 (3) (c) An application under par. (a) 1. may be made and a registration form  
2           or confirmation form under par. (a) 2. may be filed in person at the office of the  
3           municipal clerk not earlier than 7 days before an election and not later than 5 p.m.  
4           on the day of the election. A list of hospitalized electors applying for ballots under  
5           par. (a) 1. shall be made by the municipal clerk and used to check that the electors  
6           vote only once, and by absentee ballot. If Except as provided in s. 6.34 (2m) and (2n),  
7           if the elector is registering for the election after the close of registration or if the  
8           elector registered by mail or by electronic application or the elector confirmed his or  
9           her registration after the close of registration and has not voted in an election in this  
10          state, the municipal clerk shall inform the agent that proof of residence under s. 6.34  
11          is required and the elector shall enclose proof of residence under s. 6.34 in the  
12          envelope with the ballot. The ballot shall be sealed by the elector and returned to the  
13          municipal clerk either by mail or by personal delivery of the agent; but if the ballot  
14          is returned on the day of the election, the agent shall make personal delivery to the  
15          polling place serving the hospitalized elector's residence before the closing hour or,  
16          in municipalities where absentee ballots are canvassed under s. 7.52, to the  
17          municipal clerk no later than 8 p.m. on election day.

18           **SECTION 91.** 6.86 (3) (d) of the statutes is created to read:

19           6.86 (3) (d) A power of attorney agent is not permitted to cast an absentee ballot  
20          on behalf of a hospitalized elector, but if a hospitalized elector has difficulty reading,  
21          writing, or understanding English or due to disability is unable to mark a ballot, the  
22          elector may request assistance in marking his or her ballot from the power of  
23          attorney agent or another individual specified in s. 6.82 (2) (a).

24           **SECTION 92.** 6.865 (title) of the statutes is amended to read:

25           **6.865 (title) Federal absentee ballot requests ballots.**

1           **SECTION 93.** 6.865 (3) of the statutes is repealed.

2           **SECTION 94.** 6.865 (3m) (a) of the statutes is amended to read:

3           6.865 **(3m)** (a) ~~Except as provided in par. (c), if any elector who certifies~~ If an  
4 individual who will be a military elector on election day applies for an absentee  
5 ballot, the individual may certify that he or she will be a military elector on election  
6 day requests an absentee ballot, the municipal clerk shall send or transmit to the  
7 elector an absentee ballot for all elections that occur in the municipality or portion  
8 thereof where the elector resides beginning on the date that the clerk receives the  
9 request and ending on the day after the 3rd successive general election that follows  
10 receipt of the request, unless the elector otherwise requests. In addition, the  
11 municipal clerk shall continue to send or transmit to the elector an absentee ballot  
12 for all elections ending on the day after the 3rd successive general election that  
13 follows any election at which the elector returns an absentee ballot under this section  
14 or renews his or her request under par. (c) and the municipal clerk shall treat the  
15 ballot as provided under s. 6.221.

16           **SECTION 95.** 6.865 (3m) (b) of the statutes is amended to read:

17           6.865 **(3m)** (b) A military elector may indicate an alternate address on his or  
18 her absentee ballot application. If the elector's ballot is returned as undeliverable  
19 prior to the deadline for receipt and return of absentee ballots under ~~sub. (3)~~ s. 6.87  
20 (6) and the elector remains eligible to receive absentee ballots under this subsection,  
21 the municipal clerk shall immediately send or transmit an absentee ballot to the  
22 elector at the alternate address.

23           **SECTION 96.** 6.865 (3m) (c) of the statutes is repealed.

24           **SECTION 97.** 6.868 of the statutes is created to read:

1           **6.868 Period for absentee voting in person.** The period for absentee voting  
2 in person at the office of the municipal clerk or an alternate site designated under  
3 s. 6.855 begins on the 21st day before each election and ends on the day before each  
4 election.

5           **SECTION 98.** 6.869 of the statutes is amended to read:

6           **6.869 Uniform instructions.** The board shall prescribe uniform instructions  
7 for municipalities to provide to absentee voters. The instructions shall include the  
8 specific means of electronic communication that an absentee elector may use to file  
9 an application for an absentee ballot and, if the absentee elector is required to  
10 register, to request a registration form or change his or her registration. The  
11 instructions also shall include information concerning the procedure for correcting  
12 errors in marking a ballot and obtaining a replacement for a spoiled ballot. The  
13 procedure shall, to the extent possible, respect the privacy of each elector and  
14 preserve the confidentiality of each elector’s vote.

15           **SECTION 99.** 6.87 (2) (intro.) of the statutes is amended to read:

16           6.87 (2) (intro.) Except as authorized under sub. (3) (d), the municipal clerk  
17 shall place the ballot in an unsealed envelope furnished by the clerk. The Except as  
18 provided in sub. (2m) and s. 6.24 (4) (d), the envelope shall have the name, official  
19 title and post-office address of the clerk upon its face. The other side of the envelope  
20 shall have a printed certificate in substantially the following form:

21           **SECTION 100.** 6.87 (2m) of the statutes is created to read:

22           6.87 (2m) The board shall prescribe the form of an absentee ballot envelope for  
23 use by electors voting absentee ballots in person at the office of the municipal clerk  
24 or an alternate site designated under s. 6.855. No witness is required on such  
25 envelopes. The form shall include the words “Official Absentee Ballot,” the name of

1 the municipality, and a space for the issuing clerk or deputy clerk to initial the  
2 envelope. Upon receiving the envelope from the elector, the issuing clerk or deputy  
3 clerk shall initial the envelope.

4 **SECTION 101.** 6.87 (3) (d) of the statutes is amended to read:

5 6.87 (3) (d) A municipal clerk ~~may~~ shall, if the clerk is reliably informed by an  
6 absent elector of a facsimile transmission number or electronic mail address where  
7 the elector can receive an absentee ballot, transmit a facsimile or electronic copy of  
8 the absent elector's ballot to that elector in lieu of mailing under this subsection if,  
9 ~~in the judgment of the clerk, the time required to send the ballot through the mail~~  
10 ~~may not be sufficient to enable return of the ballot by the time provided under sub.~~  
11 ~~(6).~~ An elector may receive an absentee ballot ~~under this subsection~~ only if the elector  
12 has filed a valid application for the ballot under s. 6.86 (1). If the clerk transmits an  
13 absentee ballot ~~under this paragraph~~ to an absent elector electronically, the clerk  
14 shall also transmit a facsimile or electronic copy of the text of the material that  
15 appears on the certificate envelope prescribed in sub. (2), together with instructions  
16 prescribed by the board. The instructions shall require the absent elector to make  
17 and subscribe to the certification as required under sub. (4) and to enclose the  
18 absentee ballot in a separate envelope contained within a larger envelope, that shall  
19 include the completed certificate. The elector shall then affix sufficient postage  
20 unless the absentee ballot qualifies for mailing free of postage under federal free  
21 postage laws and shall mail the absentee ballot to the municipal clerk. Except as  
22 authorized in s. 6.97 (2), an absentee ballot received ~~under this paragraph~~ from an  
23 elector who receives the ballot electronically shall not be counted unless it is cast in  
24 the manner prescribed in this paragraph and sub. (4) and in accordance with the  
25 instructions provided by the board.

1           **SECTION 102.** 6.87 (4) of the statutes is amended to read:

2           6.87 (4) Except as otherwise provided in sub. (2m) and s. 6.875, the elector  
3 voting absentee shall make and subscribe to the certification before one witness who  
4 is an adult U.S. citizen. The absent elector, in the presence of the witness, shall mark  
5 the ballot in a manner that will not disclose how the elector’s vote is cast. The elector  
6 shall then, still in the presence of the witness, fold the ballots so each is separate and  
7 so that the elector conceals the markings thereon and deposit them in the proper  
8 envelope. If a consolidated ballot under s. 5.655 is used, the elector shall fold the  
9 ballot so that the elector conceals the markings thereon and deposit the ballot in the  
10 proper envelope. If proof of residence is required, the elector shall enclose proof of  
11 residence under s. 6.34 in the envelope. ~~Proof~~ Except as authorized in s. 6.34 (2m)  
12 and (2n), proof of residence is required if the elector is not a military elector or an  
13 overseas elector, as defined in s. 6.34 (1), and the elector registered by mail or by  
14 electronic application or confirmed his or her registration after the close of  
15 registration and has not voted in an election in this state. ~~If the elector requested~~  
16 ~~a ballot by means of facsimile transmission or electronic mail under s. 6.86 (1) (ac),~~  
17 ~~the elector shall enclose in the envelope a copy of the request which bears an original~~  
18 ~~signature of the elector.~~ The elector may receive assistance under sub. (5). The  
19 return envelope shall then be sealed. The witness may not be a candidate. The  
20 envelope shall be mailed by the elector, or delivered in person, to the municipal clerk  
21 issuing the ballot or ballots. If the envelope is mailed from a location outside the  
22 United States, the elector shall affix sufficient postage unless the ballot qualifies for  
23 delivery free of postage under federal law. Failure to return an unused ballot in a  
24 primary does not invalidate the ballot on which the elector’s votes are cast. Return  
25 of more than one marked ballot in a primary or return of a ballot prepared under s.

1 5.655 or a ballot used with an electronic voting system in a primary which is marked  
2 for candidates of more than one party invalidates all votes cast by the elector for  
3 candidates in the primary.

4 **SECTION 103.** 6.87 (9) of the statutes is amended to read:

5 6.87 (9) If a municipal clerk receives an absentee ballot by mail with an  
6 improperly completed certificate or with no certificate, the clerk may return the  
7 ballot to the elector, inside the sealed envelope when an envelope is received, together  
8 with a new envelope if necessary, whenever time permits the elector to correct the  
9 defect and return the ballot within the period authorized under sub. (6).

10 **SECTION 104.** 6.875 (3) of the statutes is amended to read:

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

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

5 **SECTION 105.** 6.875 (4) (a) of the statutes is amended to read:

6 6.875 (4) (a) For the purpose of absentee voting in nursing homes and qualified  
7 retirement homes and qualified community-based residential facilities, the  
8 municipal clerk or board of election commissioners of each municipality in which one  
9 or more nursing homes or qualified retirement homes or qualified community-based  
10 residential facilities are located shall appoint at least 2 special voting deputies for  
11 the municipality. Upon application under s. 6.86 (1), ~~(2)~~, or (2m) by one or more  
12 qualified electors who are occupants of a nursing home or qualified retirement home  
13 or qualified community-based residential facility, the municipal clerk or board of  
14 election commissioners of the municipality in which the home or facility is located  
15 shall dispatch 2 special voting deputies to visit the home or qualified  
16 community-based residential facility for the purpose of supervising absentee voting  
17 procedure by occupants of the home or qualified community-based residential  
18 facility. The clerk shall maintain a list, available to the public upon request, of each  
19 nursing home or qualified retirement home or qualified community-based  
20 residential facility where an elector has requested an absentee ballot. The list shall  
21 include the date and time the deputies intend to visit each home or facility. The 2  
22 deputies designated to visit each nursing home or qualified retirement home and  
23 qualified community-based residential facility shall be affiliated with different  
24 political parties whenever deputies representing different parties are available.

25 **SECTION 106.** 6.875 (4) (b) of the statutes is amended to read:



1           6.875 (4) (b) Nominations for the special voting deputy positions described in  
2 par. (a) may be submitted by the 2 recognized political parties whose candidates for  
3 governor or president received the greatest numbers of votes in the municipality at  
4 the most recent general election. The deputies An individual who serves as a special  
5 voting deputy shall be an elector of the county, or one of the counties, in which the  
6 municipality is located. Each special voting deputy shall be specially appointed to  
7 carry out the duties under par. (a) for the period specified in s. 7.30 (6) (a). The clerk  
8 or board of election commissioners may revoke an appointment at any time. No  
9 individual who is employed or retained, or within the 2 years preceding appointment  
10 has been employed or retained, at a nursing home or qualified retirement home or  
11 qualified community-based residential facility in the municipality, or any member  
12 of the individual's immediate family, as defined in s. 19.42 (7), may be appointed to  
13 serve as a deputy.

14           **SECTION 107.** 6.875 (6) (c) 1. of the statutes is amended to read:

15           6.875 (6) (c) 1. Upon their visit to the home or facility under par. (a), the  
16 deputies shall personally offer each elector who has filed a proper application for an  
17 absentee ballot the opportunity to cast his or her absentee ballot. If an elector is  
18 present who has not filed a proper application for an absentee ballot, the 2 deputies  
19 may accept an application from the elector and shall issue a ballot to the elector if  
20 the elector is qualified and the application is proper. The deputies shall each witness  
21 the certification and may, upon request of the elector, assist the elector in marking  
22 the elector's ballot. The deputies shall then sign the certification as witnesses and,  
23 if they provide assistance, shall sign the back of the ballot indicating that they  
24 provided assistance. All voting shall be conducted in the presence of the deputies.  
25 Upon request of the elector, a relative of the elector who is present in the room may

1 assist the elector in marking the elector’s ballot. No individual other than a deputy  
2 may witness the certification and no individual other than a deputy or relative of an  
3 elector may render voting assistance to the elector.

4 **SECTION 108.** 6.88 (3) (b) of the statutes is amended to read:

5 6.88 (3) (b) When the inspectors find that a certification is insufficient, that the  
6 applicant is not a qualified elector in the ward or election district, that the ballot  
7 envelope is open or has been opened and resealed, that the ballot envelope contains  
8 more than one ballot of any one kind or, except in municipalities where absentee  
9 ballots are canvassed under s. 7.52, that the certificate of an elector who received an  
10 absentee ballot by facsimile transmission or electronic mail is missing, or if proof is  
11 submitted to the inspectors that an elector voting an absentee ballot has since died,  
12 the inspectors shall not count the ballot. The inspectors shall endorse every ballot  
13 not counted on the back, “rejected (giving the reason)”. The inspectors shall reinsert  
14 each rejected ballot into the ~~certificate~~ envelope in which it was delivered and enclose  
15 the ~~certificate~~ envelopes and ballots, and securely seal the ballots and envelopes in  
16 an envelope marked for rejected absentee ballots. The inspectors shall endorse the  
17 envelope, “rejected ballots” with a statement of the ward or election district and date  
18 of the election, signed by the chief inspector and one of the inspectors representing  
19 each of the 2 major political parties and returned to the municipal clerk in the same  
20 manner as official ballots voted at the election.

21 **SECTION 109.** 6.88 (3) (c) of the statutes is amended to read:

22 6.88 (3) (c) The inspectors shall review each ~~certificate~~ absentee ballot envelope  
23 to determine whether any absentee ballot is cast by an elector whose name appears  
24 on the poll list as ineligible to vote at the election by reason of a felony conviction.  
25 If the inspectors receive an absentee ballot that has been cast by an elector whose

1 name appears on the poll list as ineligible for that reason, the inspectors shall  
2 challenge the ballot as provided in s. 6.92 and treat the ballot in the manner provided  
3 in s. 6.95.

4 **SECTION 110.** 6.925 of the statutes is amended to read:

5 **6.925 Elector making challenge in person.** Any elector may challenge for  
6 cause any person offering to vote whom the elector knows or suspects is not a  
7 qualified elector. Except as authorized in this section, the challenging elector shall  
8 be an elector of the same county as the challenged elector and, if the challenged  
9 elector is an elector of a 1st class city, the challenging elector shall be an elector of  
10 the same aldermanic district as the challenged elector. If the challenging elector is  
11 a district attorney, the district attorney shall be an elector of the prosecutorial  
12 district in which he or she serves. The inspectors shall require the challenging  
13 elector to provide proof of residence under s. 6.34 before accepting the challenge. If  
14 a person is challenged as unqualified by an elector, one of the inspectors may  
15 administer the oath or affirmation to the challenged elector under s. 6.92 and ask the  
16 challenged elector the questions under that section which are appropriate to test the  
17 elector's qualifications. In addition, one of the inspectors shall administer the  
18 following oath or affirmation to the challenging elector: "You do solemnly swear (or  
19 affirm) that you will fully and truly answer all questions put to you regarding the  
20 challenged person's place of residence and qualifications as an elector of this  
21 election"; and election." Except as authorized in this section, the inspector shall also  
22 require the challenging elector to swear (or affirm) that he or she is an elector of the  
23 same county as the challenged elector and, if the challenged elector is an elector of  
24 a 1st class city, to swear or affirm that he or she is an elector of the same aldermanic  
25 district as the challenged elector. The inspector shall then ask questions which are

1 appropriate as determined by the board, by rule, to test the qualifications of the  
2 challenged elector. If the challenging elector is a district attorney, the district  
3 attorney shall swear (or affirm) that he or she is an elector of the prosecutorial  
4 district served by the district attorney.

5 **SECTION 111.** 6.93 of the statutes is amended to read:

6 **6.93 Challenging the absent elector.** The vote of any absent elector may be  
7 challenged for cause by any inspector or by another elector and the inspectors of  
8 election shall have all the power and authority given them to hear and determine the  
9 legality of the ballot the same as if the ballot had been voted in person. In  
10 municipalities where absentee ballots are canvassed under s. 7.52, the vote of an  
11 absentee elector may be challenged as provided in s. 7.52 (5). Except as authorized  
12 in s. 6.925 for district attorneys, any challenging elector shall be an elector of the  
13 same county as the challenged elector and, if the challenged elector is an elector of  
14 a 1st class city, the challenging elector shall be an elector of the same aldermanic  
15 district as the challenged elector. The inspectors shall require the challenging  
16 elector to provide proof of residence under s. 6.34 before accepting the challenge.

17 **SECTION 112.** 7.08 (1) (c) of the statutes is amended to read:

18 7.08 (1) (c) Prescribe forms required by ss. 6.24 (3) and (4), 6.30 (4), 6.33 (1),  
19 6.40 (1) (a), 6.47 (1) (am) 2. and (3), 6.55 (2), ~~and, 6.86 (2) to (1) (ad) and (3), and 6.87~~  
20 ~~(2m).~~ All such forms shall contain a statement of the penalty applicable to false or  
21 fraudulent registration or voting through use of the form. Forms are not required  
22 to be furnished by the board.

23 **SECTION 113.** 7.08 (1) (cm) of the statutes is created to read:

1           7.08 (1) (cm) Prescribe the form required by s. 6.30 (5). The form shall contain  
2 a statement of the penalty applicable to false or fraudulent registration or voting  
3 through use of the form.

4           **SECTION 114.** 7.08 (3) (d) to (g) of the statutes are created to read:

5           7.08 (3) (d) Be written in clear, unambiguous language.

6           (e) Be indexed by subject.

7           (f) Contain specific examples of common problems encountered at polling  
8 places on election day and detailed, specific procedures for resolving those problems.

9           (g) Include an explanation of all of the following:

10           1. Laws and rules governing solicitation by individuals and groups at a polling  
11 place.

12           2. Procedures to be followed with respect to electors whose names do not appear  
13 on the registration list.

14           3. Proper operation of any electronic voting system used at a polling place.

15           4. Procedures for handling of ballots.

16           5. Procedures governing spoiled ballots.

17           6. Procedures to be followed after a polling place closes.

18           7. Rights of electors at the polls.

19           8. Procedures for handling of emergency situations.

20           9. Procedures for handling and processing of provisional ballots.

21           10. Security procedures.

22           **SECTION 115.** 7.08 (12) of the statutes is created to read:

23           7.08 (12) REMEDIES FOR DECEPTIVE ELECTION PRACTICES. Disseminate through  
24 the Internet and radio, television, and newspaper advertisements information

1 concerning complaint procedures and remedies for deceptive election practices  
2 under s. 12.17.

3 **SECTION 116.** 7.08 (13) of the statutes is created to read:

4 7.08 (13) WITHHOLD PERSONAL INFORMATION PROVIDED TO BOARD. Withhold from  
5 public access under s. 19.35 (1) the telephone number, facsimile transmission  
6 number, or electronic mail address of any elector who voluntarily provides that  
7 information to the board or to a county or municipal clerk. The board may transfer  
8 the information to any official or employee who has access to the information in the  
9 registration list under s. 6.36 (1) (b) 1. a. to be used for the administration of elections.

10 **SECTION 117.** 7.10 (11) of the statutes is created to read:

11 7.10 (11) WITHHOLD PERSONAL INFORMATION PROVIDED TO CLERK. The county clerk  
12 shall withhold from public inspection under s. 19.35 (1) the telephone number,  
13 facsimile transmission number, or electronic mail address of any elector who  
14 voluntarily provides that information to the clerk or to the board or a municipal clerk.  
15 The county clerk may transfer the information to any official or employee who has  
16 access to the information in the registration list under s. 6.36 (1) (b) 1. a. to be used  
17 for the administration of elections.

18 **SECTION 118.** 7.15 (1) (cm) of the statutes is amended to read:

19 7.15 (1) (cm) Prepare official absentee ballots for delivery to electors requesting  
20 them, and send an official absentee ballot to each elector who has requested one for  
21 voting outside the office of the municipal clerk or an alternate site designated under  
22 s. 6.855 no later than the 30th day before each September primary and general  
23 election and no later than the 21st day before each other primary and election if the  
24 request is made before that day; otherwise, the municipal clerk shall send an official  
25 absentee ballot within one day of the time the elector's request is received.

1           **SECTION 119.** 7.15 (1) (j) of the statutes is amended to read:

2           7.15 (1) (j) Send an absentee ballot automatically to each person making an  
3 authorized request therefor in accordance with s. 6.22 (4), 6.24 (4) (c), or 6.86 (2) ~~or~~  
4 (2m).

5           **SECTION 120.** 7.15 (2m) of the statutes is amended to read:

6           7.15 (2m) OPERATION OF ALTERNATE ABSENTEE BALLOT SITE. In a municipality in  
7 which the governing body has elected to establish an one or more alternate absentee  
8 ballot site sites under s. 6.855, the municipal clerk shall operate such site as though  
9 it were his or her office for absentee ballot purposes and shall ensure that such site  
10 is adequately staffed.

11           **SECTION 121.** 7.15 (4) of the statutes is amended to read:

12           7.15 (4) RECORDING ELECTORS. ~~Within~~ Except as authorized in s. 6.33 (5) (a),  
13 within 30 days after each election, the municipal clerk shall enter on the registration  
14 list under the name of each elector of the municipality who has voted at the election  
15 an indication of the date of the election in which the elector voted.

16           **SECTION 122.** 7.15 (15) of the statutes is created to read:

17           7.15 (15) WITHHOLD PERSONAL INFORMATION PROVIDED TO CLERK. The municipal  
18 clerk shall withhold from public inspection under s. 19.35 (1) the telephone number,  
19 facsimile transmission number, or electronic mail address of any elector who  
20 voluntarily provides that information to the clerk or to the board or county clerk. The  
21 municipal clerk may transfer the information to any official or employee who has  
22 access to the information in the registration list under s. 6.36 (1) (b) 1. a. to be used  
23 for the administration of elections.

24           **SECTION 123.** 7.30 (2) (a) of the statutes is amended to read:

1           7.30 (2) (a) Only election officials appointed under this section or s. 6.875 may  
2     conduct an election. ~~Except as otherwise provided in this paragraph and in ss. 7.15~~  
3     ~~(1) (k) and 7.52 (1) (b), each~~ Each election official shall be a qualified elector of the  
4     ~~ward or wards, or the election district, for which the polling place is established. A~~  
5     ~~special registration deputy who is appointed under s. 6.55 (6) or an election official~~  
6     ~~who is appointed under this section to fill a vacancy under par. (b) need not be a~~  
7     ~~resident of the ward or wards, or the election district, but shall be a resident of the~~  
8     ~~municipality~~ county, or one of the counties, in which the municipality served by the  
9     ~~polling place is located, except as authorized in par. (am) and except~~ that if a  
10    municipal clerk or deputy clerk serves as a registration deputy or is appointed to fill  
11    a vacancy under par. (b), the clerk or deputy clerk need not be ~~a resident of the~~  
12    ~~municipality~~ an elector of any county, but shall be ~~a resident of the~~ an elector of this  
13    state. ~~No more than 2 individuals holding the office of clerk or deputy clerk may serve~~  
14    ~~without regard to municipal residency in any municipality at any election.~~ Special  
15    registration deputies who are appointed under s. 6.55 (6) may be appointed to serve  
16    more than one polling place. All officials appointed under this section shall be able  
17    to read and write the English language, be capable, and be of good understanding,  
18    and may not be a candidate for any office to be voted for at an election at which they  
19    serve. In 1st class cities, they may hold no public office other than notary public.  
20    Except as authorized under subs. (1) (b) and (4) (c), all inspectors shall be affiliated  
21    with one of the 2 recognized political parties which received the largest number of  
22    votes for president, or governor in nonpresidential general election years, in the ward  
23    or combination of wards served by the polling place at the last election. Excluding  
24    the inspector who may be appointed under sub. (1) (b), the party which received the  
25    largest number of votes is entitled to one more inspector than the party receiving the



1 next largest number of votes at each polling place. Election officials appointed under  
2 this section may serve the electors of more than one ward where wards are combined  
3 under s. 5.15 (6) (b). If a municipality is not divided into wards, the ward  
4 requirements in this paragraph apply to the municipality at large.

5 **SECTION 124.** 7.30 (2) (am) of the statutes is amended to read:

6 7.30 (2) (am) Except as otherwise provided in this paragraph, a pupil who is  
7 16 or 17 years of age and who is enrolled in grades 9 to 12 in a public or private school  
8 may serve as an inspector at ~~the a~~ polling place serving ~~the pupil's residence~~ any  
9 municipality located wholly or partly within the county within which the pupil  
10 resides, with the approval of the pupil's parent or guardian. Any pupil who has at  
11 least a 3.0 grade point average or the equivalent may serve. In addition, a school  
12 board or governing body of a private school may establish criteria for service by a  
13 pupil who does not have at least a 3.0 grade point average or the equivalent. A pupil  
14 may serve as an inspector at a polling place under this paragraph only if at least one  
15 election official at the polling place other than the chief inspector is a qualified elector  
16 of this state. No pupil may serve as chief inspector at a polling place under this  
17 paragraph. Before appointment by any municipality of a pupil as an inspector under  
18 this paragraph, the municipal clerk shall obtain written authorization from the  
19 pupil's parent or guardian for the pupil to serve for the election for which he or she  
20 is appointed. In addition, if a pupil does not have at least a 3.0 grade point average  
21 or the equivalent, the municipal clerk shall obtain written certification from the  
22 principal of the school where the pupil is enrolled that the pupil meets any criteria  
23 established by the school board or governing body for service as an inspector. Upon  
24 appointment of a pupil to serve as an inspector, the municipal clerk shall notify the

1 principal of the school where the pupil is enrolled of the name of the pupil and the  
2 date of the election at which the pupil has been appointed to serve.

3 **SECTION 125.** 7.30 (2) (b) of the statutes is amended to read:

4 7.30 (2) (b) When a vacancy occurs in an office under this section, the vacancy  
5 shall be filled by appointment of the municipal clerk. Unless the vacancy occurs in  
6 the position of an inspector appointed under sub. (1) (b), the vacancy shall be filled  
7 from the remaining names on the lists submitted under sub. (4) or from additional  
8 names submitted by the chairperson of the county party committee of the  
9 appropriate party under sub. (4) whenever names are submitted under sub. (4) (d).  
10 If the vacancy is due to candidacy, sickness or any other temporary cause, the  
11 appointment shall be a temporary appointment and effective only for the election at  
12 which the temporary vacancy occurs. The same qualifications that applied to  
13 original appointees shall be required of persons who fill vacancies except that a  
14 vacancy may be filled in cases of emergency or because of time limitations by a person  
15 ~~who resides in another aldermanic district or ward within the municipality, and if~~  
16 ~~a municipal clerk or deputy clerk fills the vacancy, the clerk or deputy, but not more~~  
17 ~~than a total of 2 individuals in any municipality, may serve~~ who resides in this state,  
18 without regard to the clerk's or deputy's ~~municipality~~ county of residence, if the clerk  
19 or deputy meets the other qualifications.

20 **SECTION 126.** 7.41 (4) of the statutes is amended to read:

21 7.41 (4) No individual exercising the right under sub. (1) may view the  
22 confidential portion of a registration list maintained under s. 6.36 (4) or a poll list  
23 maintained under s. 6.79 (6). However, the inspectors or municipal clerk shall  
24 disclose to such an individual, upon request, the existence of such a list, the number  
25 of electors whose names appear on the list, and the number of those electors who have

1 voted at any point in the proceedings. No such individual may view the ~~certificate~~  
2 absentee ballot envelope of an absent elector who obtains a confidential listing under  
3 s. 6.47 (2).

4 **SECTION 127.** 7.51 (3) (d) of the statutes is amended to read:

5 7.51 (3) (d) Except in municipalities where absentee ballots are canvassed  
6 under s. 7.52, all absentee ~~certificate~~ ballot envelopes which have been opened shall  
7 be returned by the inspectors to the municipal clerk in a securely sealed carrier  
8 envelope which is clearly marked “used absentee ~~certificate~~ ballot envelopes”. The  
9 envelopes shall be signed by the chief inspector and 2 other inspectors. Except when  
10 the ballots are used in a municipal or school district election only, the municipal clerk  
11 shall transmit the used envelopes to the county clerk.

12 **SECTION 128.** 7.52 (1) (b) of the statutes is amended to read:

13 7.52 (1) (b) A municipality that adopts the canvassing procedure under this  
14 section may appoint additional inspectors under s. 7.30 (2) (a) to assist the absentee  
15 ballot board of canvassers in canvassing absentee ballots under this section. In such  
16 case, an odd number of inspectors shall be appointed, and at no time may there be  
17 less than 3 inspectors who serve. Except as authorized in s. 7.30 (4) (c), all inspectors  
18 shall be affiliated with one of the 2 recognized political parties receiving the largest  
19 numbers of votes for president, or for governor in nonpresidential general election  
20 years, in the municipality. The party whose candidate received the largest number  
21 of votes in the municipality is entitled to one more inspector than the party whose  
22 candidate received the next largest number of votes in the municipality. Each  
23 inspector so appointed shall be a qualified elector of the county, or one of the counties,  
24 in which the municipality is located. The inspectors who are appointed under this

1 paragraph shall serve under the direction and supervision of the board of absentee  
2 ballot canvassers.

3 **SECTION 129.** 7.52 (3) (b) of the statutes is amended to read:

4 7.52 (3) (b) When the board of absentee ballot canvassers finds that a  
5 certification is insufficient, that the applicant is not a qualified elector in the ward  
6 or election district, that the ballot envelope is open or has been opened and resealed,  
7 that the ballot envelope contains more than one ballot of any one kind, or that the  
8 certificate of an elector who received an absentee ballot by facsimile transmission or  
9 electronic mail is missing, or if proof is submitted to the board of absentee ballot  
10 canvassers that an elector voting an absentee ballot has since died, the board of  
11 absentee ballot canvassers shall not count the ballot. Each member of the board of  
12 absentee ballot canvassers shall endorse every ballot not counted on the back as  
13 “rejected (giving the reason).” The board of absentee ballot canvassers shall reinsert  
14 each rejected ballot into the ~~certificate~~ envelope in which it was delivered and enclose  
15 the ~~certificate~~ envelopes and ballots, and securely seal the ballots and envelopes in  
16 an envelope marked for rejected absentee ballots. The board of absentee ballot  
17 canvassers shall endorse the envelope as “rejected ballots,” with a statement of the  
18 ward or election district and date of the election, and each member of the board of  
19 absentee ballot canvassers shall sign the statement. The board of absentee ballot  
20 canvassers shall then return the envelope containing the ballots to the municipal  
21 clerk.

22 **SECTION 130.** 7.52 (4) (i) of the statutes is amended to read:

23 7.52 (4) (i) All absentee ~~certificate~~ ballot envelopes that have been opened shall  
24 be returned by the board of absentee ballot canvassers to the municipal clerk in a  
25 securely sealed carrier envelope that is clearly marked “used absentee ~~certificate~~

1 ballot envelopes.” The envelopes shall be signed by each member of the board of  
2 absentee ballot canvassers. Except when the ballots are used in a municipal or school  
3 district election only, the municipal clerk shall transmit the used envelopes to the  
4 county clerk.

5 **SECTION 131.** 7.52 (5) of the statutes is renumbered 7.52 (5) (a) and amended  
6 to read:

7 7.52 (5) (a) The vote of any absent elector may be challenged for cause by the  
8 board of absentee ballot canvassers or by another elector and the board of absentee  
9 ballot canvassers shall have all the power and authority given the inspectors to hear  
10 and determine the legality of the ballot the same as if the ballot had been voted in  
11 person. Except as authorized in s. 6.925 for district attorneys, any challenging  
12 elector shall be an elector of the same ward or election district as the challenged  
13 elector and, if the challenged elector is an elector of a 1st class city, the challenging  
14 elector shall be an elector of the same aldermanic district as the challenged elector.  
15 The board of absentee ballot canvassers shall require the challenging elector to  
16 provide proof of residence under s. 6.34.

17 **SECTION 132.** 7.52 (6) (a) of the statutes is renumbered 7.52 (6) and amended  
18 to read:

19 7.52 (6) The board of absentee ballot canvassers shall review each ~~certificate~~  
20 absentee ballot envelope to determine whether any absentee ballot is cast by an  
21 elector whose name appears on the poll list as ineligible to vote at the election,  
22 including ineligibility to vote by reason of a felony conviction. If the board of absentee  
23 ballot canvassers receives an absentee ballot that has been cast by an elector whose  
24 name appears on the poll list as ineligible to vote, the inspectors shall challenge the  
25 ballot in the same manner as provided for inspectors making challenges under s. 6.92

1 and shall treat the ballot in the manner as provided for treatment of challenged  
2 ballots by inspectors under s. 6.95.

3 **SECTION 133.** 7.52 (6) (b) of the statutes is renumbered 7.52 (5) (b) and amended  
4 to read:

5 7.52 (5) (b) ~~Any elector may challenge for cause any absentee ballot.~~ For the  
6 purpose of deciding upon ballots that are challenged for any reason, the board of  
7 absentee ballot canvassers may call before it any person whose absentee ballot is  
8 challenged if the person is available to be called. If the person challenged refuses to  
9 answer fully any relevant questions put to him or her by the board of absentee ballot  
10 canvassers under s. 6.92, the board of absentee ballot canvassers shall reject the  
11 person's vote. If the challenge is not withdrawn after the person offering to vote has  
12 answered the questions, one of the members of the board of absentee ballot  
13 canvassers shall administer to the person the following oath or affirmation: "You do  
14 solemnly swear (or affirm) that: you are 18 years of age; you are a citizen of the United  
15 States; you are now and for 10 days have been a resident of this ward except under  
16 s. 6.02 (2), stats.; you have not voted at this election; you have not made any bet or  
17 wager or become directly or indirectly interested in any bet or wager depending upon  
18 the result of this election; you are not on any other ground disqualified to vote at this  
19 election." If the person challenged refuses to take the oath or affirmation, the  
20 person's vote shall be rejected. If the person challenged answers fully all relevant  
21 questions put to the elector by the board of absentee ballot canvassers under s. 6.92,  
22 takes the oath or affirmation, and fulfills the applicable registration requirements,  
23 and if the answers to the questions given by the person indicate that the person meets  
24 the voting qualification requirements, the person's vote shall be received.

25 **SECTION 134.** 9.01 (1) (b) 2. of the statutes is amended to read:

1           9.01 (1) (b) 2. The board of canvassers shall then examine the absentee ballot  
2 envelopes. Any defective absentee ballot envelopes shall be laid aside, properly  
3 marked and carefully preserved. The number of voters shall be reduced by the  
4 number of ballot envelopes set aside under this subdivision. An absentee ballot  
5 envelope is defective only if it is not witnessed ~~or~~, if a witness is required for the voter  
6 casting the ballot, if it is not signed by the voter, or if the certificate accompanying  
7 an absentee ballot that the voter received by facsimile transmission or electronic  
8 mail is missing.

9           **SECTION 135.** 10.01 (2) (e) of the statutes is amended to read:

10           10.01 (2) (e) Type E—The type E notice shall state the qualifications for  
11 absentee voting, the procedures for obtaining an absentee ballot in the case of  
12 registered and unregistered voters, the places ~~and the deadlines for application and~~  
13 ~~return of application~~ where electors may cast absentee ballots in person, including  
14 any alternate site or sites designated under s. 6.855, the deadlines for making  
15 application and for return of absentee ballots, and the office hours during which an  
16 elector may cast an absentee ballot in the municipal clerk's office or at ~~an~~ each  
17 alternate site under s. 6.855. The municipal clerk shall publish a type E notice on  
18 the 4th Tuesday preceding each spring primary and election, on the 4th Tuesday  
19 preceding each September primary and general election, on the 4th Tuesday  
20 preceding the primary for each special national, state, county or municipal election  
21 if any, on the 4th Tuesday preceding a special county or municipal referendum, and  
22 on the 3rd Tuesday preceding each special national, state, county or municipal  
23 election to fill an office which is not held concurrently with the spring or general  
24 election. The clerk of each special purpose district which calls a special election shall  
25 publish a type E notice on the 4th Tuesday preceding the primary for the special

1 election, if any, on the 4th Tuesday preceding a special referendum, and on the 3rd  
2 Tuesday preceding a special election for an office which is not held concurrently with  
3 the spring or general election except as authorized in s. 8.55 (3).

4 **SECTION 136.** 12.09 (1) and (3) of the statutes are amended to read:

5 12.09 (1) No person may personally or through an agent make use of or  
6 threaten to make use of force, violence, ~~or restraint,~~ or any tactic of coercion or  
7 intimidation in order to induce or compel any person to vote or refrain from voting  
8 or to refrain from registering to vote at an election.

9 (3) No person may personally or through an agent, ~~by any use or threaten to~~  
10 use force or violence or by use or threat of any act of coercion or intimidation compel,  
11 induce, or prevail upon an elector either to vote or refrain from voting at any election  
12 for or against a particular candidate or question at a referendum.

13 **SECTION 137.** 12.13 (1) (b) of the statutes is amended to read:

14 12.13 (1) (b) Falsely procures registration, confirms inaccurate registration  
15 information, or makes false statements to the municipal clerk, board of election  
16 commissioners or any other election official whether or not under oath.

17 **SECTION 138.** 12.13 (1) (c) of the statutes is amended to read:

18 12.13 (1) (c) Registers as an elector in more than one place for the same election  
19 or confirms 2 or more simultaneous registrations to vote in the same election.

20 **SECTION 139.** 12.13 (1) (d) of the statutes is amended to read:

21 12.13 (1) (d) Impersonates a registered elector or a person whose unconfirmed  
22 registration appears on the registration list or poses as another person for the  
23 purpose of voting at an election.

24 **SECTION 140.** 12.13 (2) (b) 3. of the statutes is amended to read:



1           12.13 (2) (b) 3. Permit registration, confirmation of registration or receipt of a  
2 vote from a person who the official knows is not a legally qualified elector or who has  
3 refused after being challenged to make the oath or to properly answer the necessary  
4 questions pertaining to the requisite requirements and residence; or put into the  
5 ballot box a ballot other than the official’s own or other one lawfully received.

6           **SECTION 141.** 12.17 of the statutes is created to read:

7           **12.17 Deceptive election practices. (1)** In this section, “election-related  
8 information” means information concerning any of the following:

9           (a) The date, time, place, or manner of conducting an election.

10           (b) The qualifications for or restrictions on the eligibility of electors voting at  
11 an election, including any criminal penalties associated with voting in an election or  
12 a voter’s registration status or eligibility.

13           (c) The explicit endorsement by any person of a candidate at an election.

14           **(2)** No person, whether acting under color of law or otherwise, may  
15 intentionally induce another person to refrain from registering or voting at an  
16 election by knowingly providing that person with false election-related information.

17           **(3)** Any person who is aggrieved by an alleged violation of sub. (2) may bring  
18 an action for injunctive relief in circuit court for the county where the violation is  
19 alleged to occur.

20           **(4)** Any person may file a verified complaint with the board alleging facts that  
21 the person believes to constitute a violation of sub. (2). The complaint shall be filed  
22 under s. 5.05 (2m) (c).

23           **(5)** Notwithstanding s. 5.05 (2m) (c), the board shall promptly review each  
24 complaint received under sub. (4), and if the board finds that the facts alleged in the  
25 complaint, if true, would constitute a violation of sub. (2), the board shall promptly

1 investigate the complaint. Notwithstanding s. 5.05 (2m) (c) 11., if the board finds  
2 that a violation of sub. (2) has occurred or is occurring, the board shall take all  
3 measures necessary to provide correct information to electors who may have been  
4 deceived by the actions of the alleged violator, and shall refer the matter to the  
5 appropriate authority for prosecution in accordance with ss. 5.05 (2m) (i) and 12.60  
6 (4).

7 (6) (a) No later than 90 days after each each general election, the board shall  
8 report to the chief clerk of each house of the legislature for referral to the appropriate  
9 standing committees under s. 13.172 (2) concerning any complaints under sub. (4)  
10 that were acted upon or referred by the board under sub. (5) during the period  
11 beginning with the date of the 2nd preceding general election and ending with the  
12 preceding general election. Except as provided in par. (b), the report shall include  
13 a description of the alleged deceptive election practices that were the subject of each  
14 complaint, any corrective measures taken by the board with regard to the subject  
15 matter of the complaint, the board's evaluation of the effectiveness of those corrective  
16 measures, the status of any prosecution relating to the subject matter of the  
17 complaint, a compilation of the number and types of allegations made that were  
18 acted upon or referred by the board under sub. (5), the locations and segments of the  
19 population that were affected by the alleged deceptive election practices, and the  
20 status of any investigations conducted by the board under sub. (5).

21 (b) The board may exclude from the report under par. (a) any information that,  
22 if disclosed, would interfere with a pending investigation of a violation of the law.

23 (c) The board shall post a copy of each report submitted under this subsection  
24 on the Internet.

25 **SECTION 142.** 12.19 of the statutes is created to read:

1           **12.19 Voter suppression.** No person may knowingly attempt to prevent or  
2 deter another person from voting or registering to vote based upon fraudulent,  
3 deceptive, or spurious grounds or information. A violation of this section includes:

4           **(1)** Challenging another person’s right to register or vote at an election based  
5 upon information the person knows is false.

6           **(2)** Attempting to induce another person to refrain from registering or voting  
7 by providing that person with information the person knows is false.

8           **SECTION 143.** 12.60 (1) (a) of the statutes is amended to read:

9           12.60 **(1)** (a) Whoever violates s. ~~12.09~~, 12.11 or 12.13 (1), (2) (b) 1. to 7. or (3)  
10 (a), (e), (f), (j), (k), (L), (m), (y) or (z) is guilty of a Class I felony.

11           **SECTION 144.** 12.60 (1) (am) of the statutes is created to read:

12           12.60 **(1)** (am) Whoever violates s. 12.17 (2) with the intent to prevent any  
13 person from exercising the right to vote in an election is guilty of a Class D felony.

14           **SECTION 145.** 12.60 (1) (an) of the statutes is created to read:

15           12.60 **(1)** (an) Whoever violates s. 12.09 is guilty of a Class D felony.

16           **SECTION 146.** 12.60 (1) (ap) of the statutes is created to read:

17           12.60 **(1)** (ap) Whoever violates s. 12.19 is guilty of a Class E felony.

18           **SECTION 147.** 12.60 (1) (bn) of the statutes is created to read:

19           12.60 **(1)** (bn) If a municipal clerk or executive director of a board of election  
20 commissioners fails to ensure compliance with s. 5.25 (4) (b) or to post the materials  
21 specified in s. 5.35 (6) (a) at each polling place located in the municipality served by  
22 the clerk or executive director at any election, except as authorized in s. 5.35 (6) (d),  
23 or the executive director of the government accountability board fails to include any  
24 of the materials specified in s. 7.08 (3) in the election manual, the violator may be  
25 required to forfeit not more than \$500 for each violation.

1           **SECTION 148.** 12.60 (4) of the statutes is amended to read:

2           12.60 (4) Prosecutions of civil offenses under this chapter shall be conducted  
3 in the manner prescribed in s. 11.60 (4). Prosecutions of criminal offenses under this  
4 chapter shall be conducted in accordance with the manner prescribed in s. 11.61 (2).

5           **SECTION 149.** 19.685 of the statutes is created to read:

6           **19.685 Access to information provided by Government Accountability**  
7 **Board.** No state authority and no officer or employee thereof may provide access to  
8 information in any record of the authority that was obtained by the authority from  
9 the government accountability board under s. 6.36 (1) (bm).

10          **SECTION 150.** 20.511 (1) (b) of the statutes, as affected by 2009 Wisconsin Act  
11 28, is amended to read:

12          20.511 (1) (b) *Election-related cost reimbursement.* Biennially, the amounts in  
13 the schedule to reimburse municipalities for claims allowed under s. 5.68 (7) and (8).

14          **SECTION 151.** 85.61 (1) of the statutes is amended to read:

15          85.61 (1) The secretary of transportation and the administrator of the elections  
16 division of the government accountability board shall enter into an agreement to  
17 match personally identifiable information on the official registration list maintained  
18 by the government accountability board under s. 6.36 (1), the information specified  
19 in s. 6.34 (2m) and (2n), and other information specified in s. 6.256 (2) with personally  
20 identifiable information in the operating record file database under ch. 343 and  
21 vehicle registration records under ch. 341, notwithstanding ss. 110.09 (2), 342.06 (1)  
22 (eg), and 343.14 (2j), to the extent required to enable the secretary of transportation  
23 and the administrator of the elections division of the government accountability  
24 board to verify the accuracy of the information provided for the purpose of voter  
25 registration. Notwithstanding ss. 110.09 (2), 342.06 (1) (eg), and 343.14 (2j), but

1 subject to s. 343.14 (2p) (b) the agreement shall provide for the transfer of electronic  
2 information under s. 6.256 (2) to the board on a continuous basis, no less often than  
3 monthly.

4 **SECTION 152.** 343.14 (2p) of the statutes is created to read:

5 343.14 **(2p)** (a) The forms for application for a license or identification card or  
6 for renewal thereof shall inform the applicant of the department's duty to make  
7 available to the government accountability board the information described in s.  
8 6.256 (2) for the purposes specified in s. 6.256 (1) and (3) and shall provide the  
9 applicant an opportunity to elect not to have this information made available for  
10 these purposes.

11 (b) If the applicant elects not to have the information described in s. 6.256 (2)  
12 made available for the purposes specified in s. 6.256 (1) and (3), the department shall  
13 not make this information available for these purposes. This paragraph does not  
14 preclude the department from making available to the government accountability  
15 board information for the purposes specified in s. 6.34 (2m) or for any purpose other  
16 than those specified in s. 6.256 (1) and (3).

17 **SECTION 153.** 939.50 (3) (d) of the statutes is amended to read:

18 939.50 **(3)** (d) For a Class D felony, a fine not to exceed \$100,000 or  
19 imprisonment not to exceed 25 years, or both, except that for a violation of s. 12.09,  
20 the term of imprisonment may not exceed 3 years and for a violation of s. 12.17, the  
21 term of imprisonment may not exceed 5 years.

22 **SECTION 154.** 939.50 (3) (e) of the statutes is amended to read:

23 939.50 **(3)** (e) For a Class E felony, a fine not to exceed \$50,000 or imprisonment  
24 not to exceed 15 years, or both, except that for a violation of s. 12.19, the term of  
25 imprisonment may not exceed 2 years.

1           **SECTION 155. Nonstatutory provisions.**

2           (1) PROGRESS REPORTS ON IMPLEMENTATION. No later than the 20th day following  
3 the end of each calendar quarter, the government accountability board and the  
4 department of transportation shall each report to the appropriate standing  
5 committees of the legislature in the manner provided in section 13.172 (3) of the  
6 statutes concerning its progress in implementing an electronic voter registration  
7 system. The board and department shall continue to file reports under this  
8 subsection until the board determines that implementation is complete and the  
9 performance of the system is satisfactory.

10          (2) STUDY OF OPTIONS FOR CORRECTIVE ACTION. The government accountability  
11 board, in consultation with the department of justice and the federal election  
12 assistance commission, shall study the feasibility of providing corrective information  
13 that may be required under section 12.17 (5) of the statutes, as created by this act,  
14 through public service announcements, other uses of broadcast media, or an  
15 emergency alert system. No later than the first day of the 7th month beginning after  
16 the effective date of this subsection, the board shall report its findings and  
17 recommendations to the chief clerk of each house of the legislature, in the manner  
18 provided under section 13.172 (2) of the statutes, for referral to the appropriate  
19 standing committees of each house.

20          (3) REPORT CONCERNING CHANGE IN ABSENTEE VOTING TIMELINE. No later than  
21 January 1, 2011, the Government Accountability Board shall report to the  
22 appropriate standing committees of the legislature, in the manner prescribed in  
23 section 13.172 (3) of the statutes, concerning the board's recommended method for  
24 compliance by this state with the timeline for absentee voting prescribed in 42 USC  
25 1973ff-1 (a) (8) (A).

1           (4) INITIAL SHARING OF REGISTRATION INFORMATION. Notwithstanding sections  
2           85.61 (1), 110.09 (2), 342.06 (1) (eg), and 343.14 (2j) of the statutes, as affected by this  
3           act, the department of transportation shall enter into and begin transferring  
4           information under a revised agreement with the administrator of the elections  
5           division of the government accountability board pursuant to section 85.61 (1) of the  
6           statutes, as affected by this act, no later than the first day of the 4th month beginning  
7           after the effective date of this subsection.

8           (5) REPORT ON VOTER REGISTRATION INFORMATION INTEGRATION. No later than July  
9           1, 2011, the board shall report to the appropriate standing committees of the  
10          legislature, in the manner specified in section 13.172 (3) of the statutes, concerning  
11          its progress in initially implementing a system to ensure the complete and  
12          continuous registration of all eligible electors in this state, specifically including the  
13          operability and utility of information integration with the department of  
14          transportation and the desirability and feasibility of integrating public information  
15          maintained by other state agencies and by technical colleges with the board's  
16          registration information to enhance the completeness and accuracy of the  
17          information. At a minimum, the report shall contain an assessment of the feasibility  
18          and desirability of the integration of registration information with information  
19          maintained by the departments of health services, children and families, workforce  
20          development, revenue, regulation and licensing, and natural resources, the  
21          University of Wisconsin System, and the technical college system board, as well as  
22          the technical colleges within each technical college district.

23          (6) REPORT ON METHODS FOR REALIZING SAVINGS IN POSTAL EXPENSES. No later than  
24          March 1, 2011, the government accountability board shall report to the appropriate  
25          standing committees of the legislature, in the manner prescribed in section 13.172

1 (3) of the statutes, concerning methods whereby this state may be able to meet  
2 requirements for mailing and return of absentee ballots in a manner that will most  
3 effectively take advantage of potential savings that may be available to this state  
4 under applicable postal regulations.

5 (7) REVIEW OF EXPENDITURES MADE TO IMPLEMENT THIS ACT.

6 (a) Notwithstanding section 20.511 of the statutes and all provisions of this act,  
7 the government accountability board shall not encumber or expend any amount of  
8 money to implement or administer this act unless the legal counsel to the board first  
9 notifies the cochairpersons of the joint committee on finance in writing of the  
10 proposed encumbrance or expenditure. If the cochairpersons do not notify the legal  
11 counsel that the committee has scheduled a meeting for the purpose of reviewing the  
12 proposed expenditure within 14 working days after the date of the legal counsel's  
13 notification, the board may encumber or expend the money as proposed. If, within  
14 14 working days after the date of the legal counsel's notification, the cochairpersons  
15 notify the legal counsel that the committee has scheduled a meeting for the purpose  
16 of reviewing the proposed encumbrance or expenditure, the board shall not make the  
17 proposed encumbrance or expenditure unless the committee approves the proposed  
18 encumbrance or expenditure or modifies and approves the proposed encumbrance or  
19 expenditure. If the committee modifies and approves the proposed encumbrance or  
20 expenditure, the board may make the proposed encumbrance or expenditure only as  
21 modified by the committee.

22 (b) Paragraph (a) does not apply after June 30, 2011.

23 (8) REQUIRED GENERAL FUND BALANCE. Section 20.003 (4) of the statutes does not  
24 apply to the action of the legislature in enacting this act.

25 **SECTION 156. Fiscal changes.**



1 (1) In the schedule under section 20.005 (3) of the statutes for the appropriation  
2 to the government accountability board under section 20.511 (1) (a) of the statutes,  
3 as affected by the acts of 2009, the dollar amount is increased by \$-0- for the first  
4 fiscal year of the fiscal biennium in which this subsection takes effect to implement  
5 the provisions of this act. In the schedule under section 20.005 (3) of the statutes for  
6 the appropriation to the government accountability board under section 20.511 (1)  
7 (a) of the statutes, as affected by the acts of 2009, the dollar amount is increased by  
8 \$-0- for the second fiscal year of the fiscal biennium in which this subsection takes  
9 effect to implement the provisions of this act.

10 (2) In the schedule under section 20.005 (3) of the statutes for the appropriation  
11 to the department of transportation under section 20.395 (4) (aq) of the statutes, as  
12 affected by the acts of 2009, the dollar amount is increased by \$-0- for the first fiscal  
13 year of the fiscal biennium in which this subsection takes effect to implement the  
14 provisions of this act. In the schedule under section 20.005 (3) of the statutes for the  
15 appropriation to the department of transportation under section 20.395 (4) (aq) of the  
16 statutes, as affected by the acts of 2009, the dollar amount is increased by \$-0- for  
17 the second fiscal year of the fiscal biennium in which this subsection takes effect to  
18 implement the provisions of this act.

19 **SECTION 157. Initial applicability.**

20 (1) Except as provided in subsections (2) to (4) and except with respect to the  
21 requirements in section 7.08 (3) (d) to (g) of the statutes, as created by this act, this  
22 act first applies with respect to elections held on the effective date of this subsection.

23 (2) The treatment of sections 6.24 (4) (c), 6.86 (1) (a) 3. (by SECTION 80) and (b)  
24 (by SECTION 85), (2), and (2m), 6.865 (title) (3), and (3m) (a), (b), and (c), 6.875 (3) and  
25 (4) (a), 7.08 (1) (c), and 7.15 (1) (j) of the statutes first applies with respect to requests

1 for absentee ballots made for voting at elections held on or after the effective date of  
2 this subsection.

3 (3) The treatment of sections 5.056 (with respect to electronic voter  
4 registration), 6.24 (3), 6.275 (1) (b), 6.28 (1) (with respect to electronic voter  
5 registration), 6.30 (1) and (5), 6.32 (1), 6.33 (1) and (2) (a), 6.34 (2) (with respect to  
6 electronic voter registration), (2m), and (4) (with respect to electronic voter  
7 registration), 6.35 (1) (intro.) and (2), 6.36 (2) (c) (with respect to electronic voter  
8 registration), 6.40 (1) (a) 1. and (c), 6.50 (10), 6.86 (3) (c) (with respect to electronic  
9 voter registration), 6.87 (4) (with respect to electronic voter registration), 7.08 (1)  
10 (cm), and 85.61 (1) (with respect to electronic voter registration) of the statutes first  
11 applies with respect to registration for voting at the 2012 spring primary election.

12 (4) The treatment of sections 6.875 (4) (b), 7.30 (2) (a), (am), and (b), and 7.52  
13 (1) (b) of the statutes first applies with respect to appointments to election official  
14 positions made after the effective date of this subsection.

15 **SECTION 158. Effective dates.** This act takes effect on the day after  
16 publication, except as follows:

17 (1) The treatment of sections 6.24 (4) (c), 6.86 (1) (a) 3. (by SECTION 80) and (b)  
18 (by SECTION 85), (2), and (2m), 6.865 (title), (3), and (3m) (a), (b), and (c), 6.875 (3) and  
19 (4) (a), 7.08 (1) (c), and 7.15 (1) (j) of the statutes and SECTION 157 (2) of this act take  
20 effect on the 90th day beginning after publication.

21 (2) The treatment of section 7.08 (3) (d) to (g) of the statutes takes effect on  
22 January 1, 2011.

23 (END)