



State of Wisconsin
2013 - 2014 LEGISLATURE



LRBs0267/1
TKK:all:rs

**SENATE SUBSTITUTE AMENDMENT 1,
TO SENATE BILL 459**

February 11, 2014 – Offered by Senator LAZICH.

1 **AN ACT to amend** 6.15 (2) (bm), 6.29 (2) (b), 6.33 (1), 6.33 (2) (a), 6.34 (2), 6.36
2 (1) (a), 6.36 (2) (a), 6.36 (2) (c), 6.55 (2) (b), 6.55 (2) (c) 1., 6.79 (2) (d), 6.79 (4),
3 6.82 (1) (a) and 6.88 (3) (a) of the statutes; **relating to:** recording the type of
4 identifying document provided by an elector as proof of residence.

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

5 **SECTION 1.** 6.15 (2) (bm) of the statutes is amended to read:
6 6.15 (2) (bm) Except as authorized in s. 6.79 (7), when making application in
7 person at the office of the municipal clerk, each applicant shall present proof of
8 identification. If any document presented by the applicant is not proof of residence
9 under s. 6.34, the applicant shall also present proof of residence under s. 6.34. The
10 clerk shall verify that the name on the proof of identification presented by the elector
11 conforms to the name on the elector's application and, shall verify that any

1 photograph appearing on that document reasonably resembles the elector, and shall
2 enter the type of identifying document submitted by the elector as proof of residence,
3 the name of the entity or institution that issued the identifying document, and, if the
4 identifying document includes a number that applies only to the individual holding
5 that document, the last 4 digits of that number on the application form. If the
6 number on the identifying document submitted by the elector has 6 or fewer digits,
7 the clerk shall enter only the last 2 digits of that number.

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

9 6.29 (2) (b) Upon the filing of the registration form required by this section, the
10 municipal clerk or clerk's agent under s. 6.33 (5) (b) shall enter the type of identifying
11 document submitted by the elector as proof of residence, the name of the entity or
12 institution that issued the identifying document, and, if the identifying document
13 includes a number that applies only to the individual holding that document, the last
14 4 digits of that number on the registration form. If the number on the identifying
15 document submitted by the elector has 6 or fewer digits, the clerk shall enter only
16 the last 2 digits of that number. The municipal clerk or clerk's agent under s. 6.33
17 (5) (b) shall issue a certificate containing the name and address of the elector
18 addressed to the inspectors of the proper ward or election district directing that the
19 elector be permitted to cast his or her vote if the elector complies with all
20 requirements for voting at the polling place. The certificate shall be numbered
21 serially, prepared in duplicate and one copy preserved in the office of the municipal
22 clerk.

23 **SECTION 3.** 6.33 (1) of the statutes is amended to read:

24 6.33 (1) The board shall prescribe the format, size, and shape of registration
25 forms. All forms shall be printed on cards and each item of information shall be of

1 uniform font size, as prescribed by the board. The municipal clerk shall supply
2 sufficient forms to meet voter registration needs. The forms shall be designed to
3 obtain from each applicant information as to name; date; residence location; location
4 of previous residence immediately before moving to current residence location;
5 citizenship; date of birth; age; the number of a current and valid operator's license
6 issued to the elector under ch. 343 or the last 4 digits of the elector's social security
7 account number; whether the applicant has resided within the ward or election
8 district for at least 28 consecutive days; whether the applicant has been convicted of
9 a felony for which he or she has not been pardoned, and if so, whether the applicant
10 is incarcerated, or on parole, probation, or extended supervision; whether the
11 applicant is disqualified on any other ground from voting; and whether the applicant
12 is currently registered to vote at any other location. The form shall include a space
13 for the applicant's signature. Below the space for the signature, the form shall state
14 "Falsification of information on this form is punishable under Wisconsin law as a
15 Class I felony." The form shall include a space to enter the name of any special
16 registration deputy under s. 6.26 or 6.55 (6) or inspector, municipal clerk, or deputy
17 clerk under s. 6.55 (2) who obtains the form and a space for the deputy, inspector,
18 clerk, or deputy clerk to sign his or her name, affirming that the deputy, inspector,
19 clerk, or deputy clerk has accepted the form. The form shall include a space for entry
20 of the ward and aldermanic district, if any, where the elector resides and any other
21 information required to determine the offices and referenda for which the elector is
22 certified to vote. The form shall also include a space where the clerk may record an
23 indication of whether the form is received by mail; a space where the clerk ~~may~~ shall
24 record an indication of the type of identifying document submitted by the elector as
25 proof of residence under s. 6.34, ~~whenever required,~~ and the name of the entity or

1 institution that issued the identifying document, and, if the identifying document
2 includes a number that applies only to the individual holding that document, that
3 number. The form shall also include a space where the clerk, for any applicant who
4 possesses a valid voting identification card issued to the person under s. 6.47 (3), may
5 record the identification serial number appearing on the voting identification card.
6 Each county clerk shall obtain sufficient registration forms for completion by an
7 elector who desires to register to vote at the office of the county clerk under s. 6.28
8 (4).

9 **SECTION 4.** 6.33 (2) (a) of the statutes is amended to read:

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

21 **SECTION 5.** 6.34 (2) of the statutes is amended to read:

22 6.34 (2) Upon completion of a registration form prescribed under s. 6.33, each
23 eligible elector who is required to register under s. 6.27, who is not a military elector
24 or an overseas elector, ~~and who registers after the close of registration under s. 6.29~~
25 ~~or 6.86 (3) (a) 2.,~~ shall provide an identifying document that establishes proof of

1 residence under sub. (3). Each eligible elector who is required to register under s.
2 6.27, who is not a military elector or an overseas elector, who registers by mail, and
3 who has not voted in an election in this state shall, if voting in person, provide an
4 identifying document that establishes proof of residence under sub. (3) or, if voting
5 by absentee ballot, provide a copy of an identifying document that establishes proof
6 of residence under sub. (3). If the elector registered by mail, the identifying
7 document may not be a residential lease.

8 **SECTION 6.** 6.36 (1) (a) of the statutes is amended to read:

9 6.36 (1) (a) The board shall compile and maintain electronically an official
10 registration list. The list shall contain the name and address of each registered
11 elector in the state; the date of birth of the elector; the ward and aldermanic district
12 of the elector, if any, ~~and, for each elector;~~ a unique registration identification
13 number assigned to the elector by the board, the number of a valid operator's license
14 issued to the elector under ch. 343, if any, or the last 4 digits of the elector's social
15 security account number, if any; any identification serial number issued to the
16 elector under s. 6.47 (3); the date of any election in which the elector votes; an
17 indication of whether the elector is an overseas elector, as defined in s. 6.24 (1); any
18 information relating to the elector that appears on the current list transmitted to the
19 board by the department of corrections under s. 301.03 (20m); an indication of any
20 accommodation required under s. 5.25 (4) (a) to permit voting by the elector; an
21 indication of the method by which the elector's registration form was received; and
22 the type of identifying document submitted by the elector as proof of residence under
23 s. 6.34, the name of the entity or institution that issued the identifying document,
24 and, if the identifying document included a number that applies only to the
25 individual holding that document, up to the last 4 digits of that number. If the

1 number on the identifying document submitted by the elector had 6 or fewer digits,
2 the list under this paragraph may not contain more than the last 2 digits of that
3 number. The list under this paragraph may contain such other information as may
4 be determined by the board to facilitate administration of elector registration
5 requirements.

6 **SECTION 7.** 6.36 (2) (a) of the statutes is amended to read:

7 6.36 (2) (a) Except as provided in par. (b), each registration list prepared for use
8 as a poll list at a polling place or for purposes of canvassing absentee ballots at an
9 election shall contain the full name and address of each registered elector; a blank
10 column for the entry of the serial number of the electors when they vote or the poll
11 list number used by the municipal board of absentee ballot canvassers in canvassing
12 absentee ballots; ~~an indication next to the name of each elector for whom proof of~~
13 ~~residence under s. 6.34 is required;~~ a space for entry of the type of and the name of
14 the entity or institution that issued the identifying document submitted by the
15 elector as proof of residence under s. 6.34; a space for entry of the elector's signature,
16 or if another person signed the elector's registration form for the elector by reason
17 of the elector's physical disability, the word "exempt"; and a form of certificate
18 bearing the certification of the administrator of the elections division of the board
19 stating that the list is a true and complete registration list of the municipality or the
20 ward or wards for which the list is prepared. The board shall, by rule, prescribe the
21 space and location for entry of each elector's signature on the poll list which shall
22 provide for entry of the signature without changing the orientation of the poll list
23 from the orientation used by the election officials.

24 **SECTION 8.** 6.36 (2) (c) of the statutes is amended to read:

1 6.36 (2) (c) The list shall contain, next to the name of each elector, an indication
2 of whether proof of residence under s. 6.34 is required for the elector to be permitted
3 to vote. If proof of residence is provided, the type of identifying document submitted
4 by the elector and the name of the entity or institution that issued the identifying
5 document shall be entered on the list in the space provided. Proof of residence is
6 required if the elector is not a military elector or an overseas elector and the elector
7 registers by mail and has not previously voted in an election in this state.

8 **SECTION 9.** 6.55 (2) (b) of the statutes is amended to read:

9 6.55 (2) (b) Upon executing the registration form under par. (a), the elector
10 shall provide proof of residence under s. 6.34. The signing by the elector executing
11 the registration form shall be in the presence of the special registration deputy or
12 inspector ~~who~~. Upon receipt of the registration form, the deputy or inspector shall
13 enter both the type of identifying document submitted by the elector as proof of
14 residence and the name of the entity or institution that issued the identifying
15 document in the space provided on the form. The deputy or inspector shall then print
16 his or her name on and sign the form, indicating that the deputy or inspector has
17 accepted the form. Upon compliance with this procedure, the elector shall be
18 permitted to cast his or her vote, if the elector complies with all other requirements
19 for voting at the polling place.

20 **SECTION 10.** 6.55 (2) (c) 1. of the statutes is amended to read:

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

1 elector's residence or at an alternate polling place assigned under s. 5.25 (5) (b),
2 instead of at the polling place serving the elector's residence. In such case, the
3 municipal clerk shall prominently post a notice of the registration location at the
4 polling place. An eligible elector who desires to register shall execute a registration
5 form as prescribed under par. (a) and provide proof of residence as provided under
6 s. 6.34. The signing by the person executing the registration form shall be in the
7 presence of the municipal clerk, deputy clerk, or special registration deputy. Upon
8 receipt of the registration form, the municipal clerk, deputy clerk, or special
9 registration deputy shall enter the type of identifying document submitted by the
10 elector as proof of residence, the name of the entity or institution that issued the
11 identifying document, the last 4 digits of and, if the identifying document includes
12 a number that applies only to the individual holding that document, that number in
13 the space provided on the form. If the number on the identifying document submitted
14 by the elector has 6 or fewer digits, the clerk shall enter only the last 2 digits of that
15 number. The municipal clerk, the deputy clerk, or the special registration deputy
16 shall then print his or her name and sign the form, indicating that the clerk, deputy
17 clerk, or deputy has accepted the form. Upon proper completion of registration, the
18 municipal clerk, deputy clerk, or special registration deputy shall serially number
19 the registration and give one copy to the person for presentation at the polling place
20 serving the person's residence or an alternate polling place assigned under s. 5.25 (5)
21 (b).

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

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

1 of residence. If proof of residence is provided, the officials shall enter both the type
2 of identifying document submitted as proof of residence and the name of the entity
3 or institution that issued the identifying document in the space provided on the
4 registration form poll list and shall verify that the name and address on the
5 identification ~~identifying document submitted as proof of residence provided~~ is the
6 same as the name and address shown on the registration list. If proof of residence
7 is required and not provided, or if the elector does not present proof of identification
8 under par. (a), whenever required, the officials shall offer the opportunity for the
9 elector to vote under s. 6.97.

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

11 6.79 (4) SUPPLEMENTAL INFORMATION. When any elector provides proof of
12 residence under s. 6.15, 6.29 or 6.55 (2), the election officials shall enter both the type
13 of identifying document provided and the name of the entity or institution that
14 issued the identifying document on the poll list, or separate list maintained under
15 sub. (2) (c). ~~If the document submitted as proof of identity or residence includes a~~
16 ~~number which applies only to the individual holding that document, the election~~
17 ~~officials shall also enter that number on the list.~~ When any person offering to vote
18 has been challenged and taken the oath, following the person's name on the poll list,
19 the officials shall enter the word "Sworn".

20 **SECTION 13.** 6.82 (1) (a) of the statutes is amended to read:

21 6.82 (1) (a) When any inspectors are informed that an eligible elector is at the
22 entrance to the polling place who as a result of disability is unable to enter the polling
23 place, they shall permit the elector to be assisted in marking a ballot by any
24 individual selected by the elector, except the elector's employer or an agent of that
25 employer or an officer or agent of a labor organization which represents the elector.

1 Except as authorized in s. 6.79 (6) and (7), the individual selected by the elector shall
2 present to the inspectors proof of identification and, if the proof of identification does
3 not constitute proof of residence under s. 6.34, shall also provide proof of residence
4 under s. 6.34 for the assisted elector, ~~whenever required,~~ and all other information
5 necessary for the elector to obtain a ballot under s. 6.79 (2). The inspectors shall
6 verify that the name on the proof of identification presented by the person assisting
7 the elector conforms to the elector's name on the poll list or separate list ~~and,~~ shall
8 verify that any photograph appearing on that document reasonably resembles the
9 elector, and shall enter both the type of identifying document submitted by the
10 assisted elector as proof of residence and the name of the entity or institution that
11 issued the identifying document in the space provided on the poll list or separate list.

12 The inspectors shall then issue a ballot to the individual selected by the elector and
13 shall accompany the individual to the polling place entrance where the assistance
14 is to be given. If the ballot is a paper ballot, the assisting individual shall fold the
15 ballot after the ballot is marked by the assisting individual. The assisting individual
16 shall then immediately take the ballot into the polling place and give the ballot to an
17 inspector. The inspector shall distinctly announce that he or she has "a ballot offered
18 by (stating person's name), an elector who, as a result of disability, is unable to
19 enter the polling place without assistance". The inspector shall then ask, "Does
20 anyone object to the reception of this ballot?" If no objection is made, the inspectors
21 shall record the elector's name under s. 6.79 and deposit the ballot in the ballot box,
22 and shall make a notation on the poll list: "Ballot received at poll entrance".

23 **SECTION 14.** 6.88 (3) (a) of the statutes is amended to read:

24 6.88 (3) (a) Except in municipalities where absentee ballots are canvassed
25 under s. 7.52, at any time between the opening and closing of the polls on election day,

1 the inspectors shall, in the same room where votes are being cast, in such a manner
2 that members of the public can hear and see the procedures, open the carrier
3 envelope only, and announce the name of the absent elector or the identification
4 serial number of the absent elector if the elector has a confidential listing under s.
5 6.47 (2). When the inspectors find that the certification has been properly executed,
6 the applicant is a qualified elector of the ward or election district, and the applicant
7 has not voted in the election, they shall enter an indication on the poll list next to the
8 applicant's name indicating an absentee ballot is cast by the elector. They shall then
9 open the envelope containing the ballot in a manner so as not to deface or destroy the
10 certification thereon. The inspectors shall take out the ballot without unfolding it
11 or permitting it to be unfolded or examined. Unless the ballot is cast under s. 6.95,
12 the inspectors shall verify that the ballot has been endorsed by the issuing clerk. If
13 the poll list indicates that proof of residence under s. 6.34 is required and proof of
14 residence is enclosed, the inspectors shall enter both the type of identifying
15 document submitted by the absent elector and the name of the entity or institution
16 that issued the identifying document on the poll list in the space provided. If the poll
17 list indicates that proof of residence under s. 6.34 is required and no proof of
18 residence is enclosed or the name or address on the document that is provided is not
19 the same as the name and address shown on the poll list, the inspectors shall proceed
20 as provided under s. 6.97 (2). The inspectors shall then deposit the ballot into the
21 proper ballot box and enter the absent elector's name or voting number after his or
22 her name on the poll list in the same manner as if the elector had been present and
23 voted in person.

24 **SECTION 15. Initial applicability.**

