



State of Wisconsin
2023 - 2024 LEGISLATURE

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2023 SENATE BILL 631

November 7, 2023 - Introduced by Senator JACQUE, cosponsored by Representatives MAXEY, MACCO, ARMSTRONG, EDMING, MICHALSKI, MURPHY, RETTINGER, STEFFEN and VANDERMEER. Referred to Committee on Shared Revenue, Elections and Consumer Protection.

1 **AN ACT** *to renumber* 6.875 (4) (b) and 6.875 (6) (e); *to renumber and amend*
2 6.87 (6d), 6.87 (9) and 7.51 (1); *to amend* 6.87 (2) (intro.), 6.875 (4) (a), 6.875
3 (6) (a), 7.03 (1) (d), 7.30 (3) (a), 7.315 (1) (a), 7.53 (2) (cm) and 12.60 (1) (a); and
4 **to create** 6.87 (6d) (a) to (L), 6.87 (9) (b), 6.875 (4) (b) 2., 6.875 (6) (e) 2., 6.875
5 (8), 7.30 (7), 7.51 (1) (b), 12.13 (2) (b) 9., 12.13 (2) (b) 10., 12.13 (2) (b) 11., 12.13
6 (3) (zp) and 12.13 (3m) of the statutes; **relating to:** certain kinds of election
7 fraud, defects on absentee ballot certificates, returning absentee ballots to the
8 office of the municipal clerk, appointment of election officials, allowing an
9 employee of a residential care facility or qualified retirement home to serve as
10 a personal care voting assistant during a public health emergency or an
11 incident of infectious disease, and providing a penalty.

Analysis by the Legislative Reference Bureau

RETIREMENT HOMES AND RESIDENTIAL CARE FACILITIES

Personal care voting assistants

Under current law, absentee voting in person inside residential care facilities and qualified retirement homes may be conducted only if the municipal clerk or

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board of election commissioners adopts procedures allowing voters residing in such a facility or home to apply for, receive, and complete an absentee ballot by means of special voting deputies dispatched to the facility or home for that purpose. A municipality that appoints special voting deputies must appoint at least two special voting deputies for the municipality, and the deputies must be eligible voters of the county where the municipality is located. In addition, the two deputies designated to visit each qualified retirement home and residential care facility must be affiliated with different political parties whenever deputies representing different parties are available. Current law prohibits individuals employed at a residential care facility or qualified retirement home in the municipality, or any member of the individual's immediate family, from serving as a special voting deputy.

Under this bill, during a public health emergency or an incident of infectious disease that results in restricting entry to a residential care facility or qualified retirement home, the municipal clerk or board of election commissioners may appoint any individual who is employed at a residential care facility or qualified retirement home in the municipality to serve as a personal care voting assistant. A personal care voting assistant need not be an eligible voter of the county but must be an eligible voter of this state. A personal care voting assistant must complete a two-hour online training prescribed by the Elections Commission and take the same oath of office as a special voting deputy appointed under current law. In addition, the two personal care voting assistants appointed to each facility or home must be affiliated with different political parties whenever assistants representing different parties are available. The bill also prohibits a personal care voting assistant from assisting in or facilitating the registration of any resident of a residential care facility or qualified retirement home.

Under the bill, an employee of the facility or home acting as a personal care voting assistant must complete documentation, on a form prescribed by the Elections Commission, that provides the assistant's name, the name of the voter, and the type of assistance provided to the voter. The form must be separate from the absentee ballot certificate, but the information contained on the form must also be included on the absentee ballot return envelope. The administrator of the home or facility must deliver the forms to the municipal clerk or board of election commissioners and may arrange for an election official, other than a personal care voting assistant, to collect and return the absentee ballots to the clerk or board. Otherwise, all absentee ballots completed with the assistance of a personal care voting assistant must be mailed to the clerk or board.

Entry to a facility

The bill prohibits residential care facilities and qualified retirement homes from denying entry to special voting deputies appointed under current law, except when the facility or home is closed to the public during a public health emergency or an incident of infectious disease. Under the bill, if a home or facility is closed to the public during such an emergency or incident, the home or facility must allow personal care voting assistants to supervise the absentee voting procedure used by occupants of the home or facility.

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In addition, under the bill, no administrator of a qualified retirement home or residential care facility may deny a special voting deputy from entering the home or facility unless the governor declares a public health emergency.

Visits to facilities

Under current law, the special voting deputies must, not later than 5 p.m. on the sixth working day preceding an election, arrange with the administrator of the qualified retirement home or residential care facility one or more convenient times to visit the home or facility. Current law also requires that the visits be no earlier than the fourth Monday preceding the election and no later than 5 p.m. on the Monday preceding the election.

Under the bill, the special voting deputies must make arrangements to visit the qualified retirement homes or residential care facilities no later than 5 p.m. on the 11th working day preceding the election, and the visits may be no earlier than the fourth Monday preceding the election and no later than 5 p.m. on the sixth working day preceding the election.

Under current law, if an eligible voter at a residential care facility or qualified retirement home is not able to cast his or her ballot on two separate visits by special voting deputies to the home or facility, the deputies must notify the municipal clerk or board of election commissioners. The clerk or board may then send the voter an absentee ballot no later than the Friday before the election. Under the bill, if an eligible voter of a facility or home is not able to cast his or her ballot on two separate visits by the special voting deputies because access to the home or facility is restricted due to a public health emergency or incident of infectious disease, the deputies must notify the municipal clerk or board of election commissioners. The clerk or board may then send the voter an absentee ballot as provided under current law.

Penalty

Finally, the bill provides that an employee of a qualified retirement home or residential care facility who coerces an occupant of the home or facility to apply for or not apply for an absentee ballot or to cast or refrain from casting a ballot or who coerces an occupant to cast a ballot for or against a particular candidate or ballot question is guilty of a Class I felony. In addition, an employee of a qualified retirement home or residential care facility who coerces an occupant of the home or facility to register or not register to vote is guilty of a Class I felony.

ELECTION FRAUD

Current law prohibits election officials from committing certain kinds of election fraud, including permitting a person to register to vote or vote when the election official knows the person is not qualified to do so. The bill provides further that no election official may do any of the following:

1. Intentionally assist or cause the casting or counting of a vote or the receipt of a registration that the election official knows is invalid.
2. Intentionally assist or cause a vote or registration to be rejected when the election official knows the vote or registration is valid.
3. Intentionally fail to promptly report election fraud committed by another election official.

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Under the bill, election officials violating the prohibitions described above are guilty of a Class I felony.

ABSENTEE BALLOT CERTIFICATES

Under current law, absentee ballot envelopes include a printed certificate that must be completed, signed by the voter and a qualified witness, and returned to the municipal clerk with the completed ballot so that it is delivered to the polling place no later than 8 p.m. on election day. By completing and signing the certificate, the voter certifies that he or she is entitled to vote in the election and that the voter completed his or her absentee ballot in the presence of the witness. The witness certificate includes the witness's printed name and address in addition to his or her signature. If a municipal clerk receives an absentee ballot with an improperly completed certificate or with no certificate, the clerk may, but is not required to, return the ballot to the voter whenever time permits so that the voter may correct the defect. If a certificate is missing the address of the witness, the ballot may not be counted.

Under the bill, if a municipal clerk receives an absentee ballot with an improperly completed certificate or with no certificate, in addition to being authorized to return the ballot to the elector, the clerk is required to post a notification of the defect on the voter's voter information page on the website that is used by voters for original registration, currently titled MyVote Wisconsin. Additionally, under the bill, the clerk may attempt to notify the voter of the defect by other means.

Additionally, under the bill, an absentee ballot with no certificate or with a certificate that does not include all of the following may not be counted:

1. The voter's printed first name.
2. The voter's printed last name.
3. The voter's house or apartment number.
4. The voter's street name.
5. The voter's municipality.
6. The voter's signature.
7. The witness's printed first name.
8. The witness's printed last name.
9. The witness's house or apartment number.
10. The witness's street name.
11. The witness's municipality.
12. The witness's signature.

Finally, the bill prohibits any person other than the voter, or the witness with respect to the witness certificate, from correcting a defect in the voter's absentee ballot certificate. Whoever violates that prohibition is subject to a fine not to exceed \$500 or imprisonment not to exceed 30 days, or both.

APPOINTMENT OF POLL WORKERS

The bill prohibits the appointment of any poll worker who is an employee of any of the following:

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1. A candidate committee, legislative campaign committee, political action committee, independent expenditure committee, political party, recall committee, or referendum committee, as those terms are defined by law.

2. A political organization required to register with the Federal Election Commission.

3. An issue advocacy group.

MUNICIPAL BOARD OF CANVASSERS

Current law requires that the municipal board of canvassers of each municipality convene immediately following the close of the polls on election day to publicly canvass the ballots cast. The board may not adjourn until the canvass is completed, except that the board may adjourn and reconvene at a central count location to complete the canvass. Current law also requires the municipal clerk to appoint an individual to serve as a member of the board of canvassers if there are one or more temporary vacancies on the board and the number of available members to canvass the ballots is less than three.

The bill allows a municipal board of canvassers to recess as the result of a natural disaster, if a board member is ill or otherwise incapacitated, or if the physical condition of the canvass location is unsuitable for continuing the canvass. However, the bill requires that the board reconvene as soon as possible. In addition, if the board recesses because a member is ill or otherwise incapacitated, the bill requires the municipal clerk to immediately appoint an individual to fill the vacancy on the board to temporarily replace that member.

Because this bill creates a new crime or revises a penalty for an existing crime, the Joint Review Committee on Criminal Penalties may be requested to prepare a report.

For further information see the state and local fiscal estimate, which will be printed as an appendix to this bill.

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

1 **SECTION 1.** 6.87 (2) (intro.) of the statutes is amended to read:
2 6.87 (2) (intro.) Except as authorized under sub. (3) (d), the municipal clerk
3 shall place the ballot in an unsealed envelope furnished by the clerk. The envelope
4 shall have the name, official title and post-office address of the clerk upon its face.
5 The other side of the envelope shall have a printed certificate which shall include a
6 space for the municipal clerk or deputy clerk to enter his or her initials indicating
7 that if the absentee elector voted in person under s. 6.86 (1) (ar), the elector presented

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1 proof of identification to the clerk and the clerk verified the proof presented. The
2 certificate shall also include a space for the municipal clerk or deputy clerk to enter
3 his or her initials indicating that the elector is exempt from providing proof of
4 identification because the individual is a military elector or an overseas elector who
5 does not qualify as a resident of this state under s. 6.10 or is exempted from providing
6 proof of identification under sub. (4) (b) 2. or 3. The certificate shall include a distinct
7 field for each item required to be entered under sub. (6d) and shall be in substantially
8 the following form:

9 **SECTION 2.** 6.87 (6d) of the statutes is renumbered 6.87 (6d) (intro.) and
10 amended to read:

11 6.87 (6d) (intro.) ~~If a certificate is missing the address of a witness, the ballot~~
12 An absentee ballot with no certificate or with a certificate that does not include all
13 of the following may not be counted.:

14 **SECTION 3.** 6.87 (6d) (a) to (L) of the statutes are created to read:

15 6.87 (6d) (a) The elector's printed first name.

16 (b) The elector's printed last name.

17 (c) The elector's house or apartment number.

18 (d) The elector's street name.

19 (e) The elector's municipality.

20 (f) The elector's signature.

21 (g) The witness's printed first name.

22 (h) The witness's printed last name.

23 (i) The witness's house or apartment number.

24 (j) The witness's street name.

25 (k) The witness's municipality.

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1 (L) The witness's signature.

2 **SECTION 4.** 6.87 (9) of the statutes is renumbered 6.87 (9) (a) and amended to
3 read:

4 6.87 (9) (a) If a municipal clerk receives an absentee ballot with an improperly
5 completed certificate or with no certificate, the clerk may return the ballot to the
6 elector, inside the sealed envelope when an envelope is received, together with a new
7 envelope if necessary, whenever time permits the elector to correct the defect and
8 return the ballot within the period authorized under sub. (6), and the clerk shall post
9 a notification of the defect on the elector's voter information page on the website that
10 is used by electors for original registration under s. 6.30 (5). The clerk may also
11 attempt to notify the elector of the defect by other means.

12 **SECTION 5.** 6.87 (9) (b) of the statutes is created to read:

13 6.87 (9) (b) No person other than the elector, or the witness with respect to the
14 witness certificate, may correct a defect in the elector's absentee ballot certificate.
15 Whoever violates this paragraph is guilty of a misdemeanor punishable by a fine not
16 to exceed \$500 or imprisonment not to exceed 30 days, or both.

17 **SECTION 6.** 6.875 (4) (a) of the statutes is amended to read:

18 6.875 (4) (a) For the purpose of absentee voting in qualified retirement homes
19 and residential care facilities, the municipal clerk or board of election commissioners
20 of each municipality in which one or more qualified retirement homes or residential
21 care facilities are located shall appoint at least 2 special voting deputies for the
22 municipality. Except as provided in par. (am), upon application under s. 6.86 (1), (2),
23 or (2m) by one or more qualified electors who are occupants of a home or facility, the
24 municipal clerk or board of election commissioners of the municipality in which the
25 home or facility is located shall dispatch 2 special voting deputies to visit the home

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1 or facility for the purpose of supervising absentee voting procedure by occupants of
2 the home or facility. The clerk or board of election commissioners shall maintain a
3 list, available to the public upon request, of each home or facility where special voting
4 deputies are dispatched. The list shall include the date and time the deputies intend
5 to visit each home or facility. The 2 deputies designated to visit each qualified
6 retirement home and residential care facility shall be affiliated with different
7 political parties whenever deputies representing different parties are available. No
8 qualified retirement home or residential care facility may deny entry to a special
9 voting deputy appointed under this paragraph except if the qualified retirement
10 home or residential care facility is closed to the public during a public health
11 emergency and except if the qualified retirement home or residential care facility is
12 closed to the public during an incident of infectious disease, if the administrator of
13 the qualified retirement home or residential care facility has signed a verifiable
14 statement documenting the incident and filed the statement with the municipal
15 clerk or board of election commissioners. During a public health emergency or an
16 incident of infectious disease, if a qualified retirement home or residential care
17 facility is closed to the public, the qualified retirement home or residential care
18 facility shall allow a personal care voting assistant appointed under sub. (8) to
19 supervise the absentee voting procedure used by occupants of the qualified
20 retirement home or residential care facility.

21 **SECTION 7.** 6.875 (4) (b) of the statutes is renumbered 6.875 (4) (b) 1.

22 **SECTION 8.** 6.875 (4) (b) 2. of the statutes is created to read:

23 6.875 (4) (b) 2. No individual who is employed or retained at a qualified
24 retirement home or residential care facility in the municipality and who is not a
25 personal care voting assistant appointed under sub. (8) (a) 1. may assist an occupant

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1 of the qualified retirement home or residential care facility in completing the
2 occupant's absentee ballot, but such an individual may assist only in distributing the
3 absentee ballots in their unopened envelopes to the occupants who requested the
4 ballots.

5 **SECTION 9.** 6.875 (6) (a) of the statutes is amended to read:

6 6.875 (6) (a) Special voting deputies in each municipality shall, not later than
7 5 p.m. on the ~~6th~~ 11th working day preceding an election, arrange one or more
8 convenient times with the administrator of each qualified retirement home and
9 residential care facility in the municipality that the deputies are scheduled to visit.
10 The time may be no earlier than the 4th Monday preceding the election and no later
11 than 5 p.m. on the ~~Monday~~ 6th working day preceding the election. The municipal
12 clerk shall give notice of each visit by special voting deputies to a qualified retirement
13 home or residential care facility in the same manner that notices of public meetings
14 are provided by presiding officers under s. 19.84 (1) (b) at least 5 working days in
15 advance of each visit, indicating the date and time of the visit. The municipal clerk
16 also shall post a notice at the home or facility and on the Internet indicating the date
17 and time that absentee voting will take place at that home or facility. The notice shall
18 be posted as soon as practicable after arranging the visit but in no case less than 5
19 working days before the visit. A municipal clerk whose municipality does not
20 maintain an Internet site need not comply with the Internet posting requirement.
21 At the designated time, 2 deputies appointed under sub. (4) shall visit the home or
22 facility.

23 **SECTION 10.** 6.875 (6) (e) of the statutes is renumbered 6.875 (6) (e) 1.

24 **SECTION 11.** 6.875 (6) (e) 2. of the statutes is created to read:

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1 6.875 (6) (e) 2. If a qualified elector is not able to cast his or her ballot on 2
2 separate visits by the deputies to the qualified retirement home or residential care
3 facility because access to the qualified retirement home or residential care facility
4 is restricted due to a public health emergency or an incident of infectious disease, the
5 deputies shall so inform the municipal clerk or executive director of the board of
6 election commissioners, who may then send the ballot to the elector no later than 5
7 p.m. on the Friday preceding the election.

8 **SECTION 12.** 6.875 (8) of the statutes is created to read:

9 6.875 (8) (a) 1. For an election held during a public health emergency or an
10 incident of infectious disease that results in restricting access to a qualified
11 retirement home or residential care facility, the municipal clerk or board of election
12 commissioners of each municipality in which one or more qualified retirement homes
13 or residential care facilities are located may appoint any individual who is employed
14 or retained at a qualified retirement home or residential care facility in the
15 municipality to serve as a personal care voting assistant.

16 2. Personal care voting assistants appointed under subd. 1. shall comply with
17 the duties for special voting deputies and complete a 2-hour online training, as
18 prescribed by the commission under s. 7.315 (1) (a). A personal care voting assistant
19 appointed under subd. 1. need not be a qualified elector of the county where the
20 municipality is located but shall be a qualified elector in this state. No personal care
21 voting assistant appointed under subd. 1. may assist with or facilitate the
22 registration of any resident of a qualified retirement home or residential care facility.

23 3. Prior to entering upon his or her duties, each individual appointed to serve
24 as a personal care voting assistant under subd. 1. shall file the oath required by s.
25 7.30 (5). In the oath, the individual shall swear that he or she is qualified to act as

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1 a personal care voting assistant under this subsection, that he or she has read the
2 statutes governing absentee voting, that he or she understands the proper absentee
3 voting procedure, that he or she understands the penalties under s. 12.13 for
4 noncompliance with the procedure, and that his or her sacred obligation will be to
5 fully and fairly implement the absentee voting law and seek to have the intent of the
6 electors ascertained. In addition, the oath shall state that the individual realizes
7 that any error in conducting the voting procedure may result in invalidation of an
8 elector's vote under s. 7.51 (2) (e) and that the individual realizes that absentee
9 voting is a privilege and not a constitutional right. The form of the oath shall be
10 prescribed by the commission.

11 4. The municipal clerk or board of election commissioners shall appoint at least
12 2 individuals employed or retained by the qualified retirement home or residential
13 care facility to serve as personal care voting assistants under subd. 1. The 2 personal
14 care voting assistants for each qualified retirement home or residential care facility
15 shall be affiliated with different political parties whenever personal care voting
16 assistants representing different parties are available.

17 (b) A personal care voting assistant appointed under par. (a) 1. shall complete
18 documentation, on a form prescribed by the commission, that provides the assistant's
19 name, the name of each elector in the qualified retirement home or residential care
20 facility for whom the personal care voting assistant provides assistance, and the type
21 of assistance provided to the elector. The personal care voting assistant shall also
22 include the information contained on the form on the return envelope.

23 (c) The form prescribed under par. (b) shall be a document separate from the
24 absentee ballot certificate and shall be delivered by the administrator of the qualified
25 retirement home or residential care facility to the municipal clerk or board of election

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1 commissioners. Absentee ballots completed with the assistance of personal care
2 voting assistants shall be mailed to the municipal clerk or board of election
3 commissioners, except that the municipal clerk or board of election commissioners
4 may make arrangements with the administrator of the qualified retirement home or
5 residential care facility to have an election official, other than a personal care voting
6 assistant, collect the ballots at the qualified retirement home or residential care
7 facility and return them to the clerk or board.

8 **SECTION 13.** 7.03 (1) (d) of the statutes is amended to read:

9 7.03 (1) (d) Except as otherwise provided in par. (a), special voting deputies
10 appointed under s. 6.875 (4), personal care voting assistants appointed under s. 6.875
11 (8), and other officials and trainees who attend training sessions under s. 6.875 (8)
12 (a) 2., 7.15 (1) (e), or 7.25 (5) may also be compensated by the municipality where they
13 serve at the option of the municipality.

14 **SECTION 14.** 7.30 (3) (a) of the statutes is amended to read:

15 7.30 (3) (a) Not less than 30 days before any election the governing body or
16 board of election commissioners of any municipality, by resolution, may authorize
17 the municipal clerk or executive director of the board of election commissioners to
18 select and employ tabulators for any election. Such authorization applies to the
19 elections specified in the resolution, and if not specified, applies until the
20 authorization is modified or revoked. Each tabulator shall sign the official oath and
21 return it to the municipal clerk before the election.

22 **SECTION 15.** 7.30 (7) of the statutes is created to read:

23 7.30 (7) PROHIBITED EMPLOYMENT. (a) In this subsection:

24 1. "Committee" has the meaning given in s. 11.0101 (6).

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1 2. “Issue advocacy” means communication that provides information about
2 political or social issues and is made to influence the outcome of an election.

3 3. “Issue advocacy group” means any organization whose sole or primary
4 purpose is to engage in issue advocacy.

5 (b) No person who is an employee of any of the following may be appointed as
6 an election official:

7 1. A committee.

8 2. A political organization required to register with the federal election
9 commission.

10 3. An issue advocacy group.

11 **SECTION 16.** 7.315 (1) (a) of the statutes is amended to read:

12 7.315 (1) (a) The commission shall, by rule, prescribe the contents of the
13 training that municipal clerks must provide to inspectors, other than chief
14 inspectors, and to special voting deputies appointed under s. 6.875 (4), and to
15 personal care voting assistants appointed under s. 6.875 (8).

16 **SECTION 17.** 7.51 (1) of the statutes is renumbered 7.51 (1) (a) and amended to
17 read:

18 7.51 (1) (a) Immediately after the polls close the inspectors except any inspector
19 appointed under s. 7.30 (1) (b) shall proceed to canvass publicly all votes received at
20 the polling place. In any municipality where an electronic voting system is used, the
21 municipal governing body or board of election commissioners may provide or
22 authorize the municipal clerk or executive director of the board of election
23 commissioners to provide for the adjournment of the canvass to one or more central
24 counting locations for specified polling places in the manner prescribed in subch. III
25 of ch. 5. No central counting location may be used to count votes at a polling place

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1 where an electronic voting system is not employed. The Except as provided in par.
2 (b), the canvass, whether conducted at the polling place or at a central counting
3 location, shall continue without adjournment until the canvass of all ballots cast and
4 received on or before election day is completed and the return statement is made or,
5 in municipalities where absentee ballots are canvassed under s. 7.52, until the
6 canvass of all absentee ballots cast and received on or before election day is completed
7 and the return statement for those ballots is made. The inspectors shall not permit
8 access to the name of any elector who has obtained a confidential listing under s. 6.47
9 (2) during the canvass, except as authorized in s. 6.47 (8).

10 **SECTION 18.** 7.51 (1) (b) of the statutes is created to read:

11 7.51 (1) (b) The municipal board of canvassers may recess the canvass under
12 par. (a) as the result of a natural disaster, if an inspector is ill or otherwise
13 incapacitated, or if the physical condition of the canvass location is unsuitable for
14 continuing the canvass. The board shall reconvene as soon as possible to complete
15 the canvass of all ballots cast and received on or before election day and make the
16 return statement.

17 **SECTION 19.** 7.53 (2) (cm) of the statutes is amended to read:

18 7.53 (2) (cm) If one or more temporary vacancies on the municipal board of
19 canvassers reduces the number of members to less than 3, the municipal clerk shall
20 appoint a member to fill each vacancy, except in cities of more than 500,000
21 population. In cities of more than 500,000 population, the executive director of the
22 board of election commissioners shall serve as a member of the board of canvassers
23 to fill a temporary vacancy on that board. If the municipal board of canvassers
24 recesses as provided under s. 7.51 (1) (b) because an inspector is ill or otherwise
25 incapacitated, the municipal clerk or the executive director of the board of election

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1 commissioners shall immediately appoint an individual to temporarily serve as a
2 member of the municipal board of canvassers.

3 **SECTION 20.** 12.13 (2) (b) 9. of the statutes is created to read:

4 12.13 (2) (b) 9. Intentionally assist or cause the casting or counting of a vote
5 or the receipt of a registration that is invalid for any reason in addition to those
6 specified in subd. 3.

7 **SECTION 21.** 12.13 (2) (b) 10. of the statutes is created to read:

8 12.13 (2) (b) 10. Intentionally assist or cause the rejection of or failure to
9 otherwise count a valid vote or the rejection of a valid registration.

10 **SECTION 22.** 12.13 (2) (b) 11. of the statutes is created to read:

11 12.13 (2) (b) 11. Intentionally fail to promptly report a violation under this
12 subsection to the commission and to the district attorney for the county in which the
13 violation occurred.

14 **SECTION 23.** 12.13 (3) (zp) of the statutes is created to read:

15 12.13 (3) (zp) Assist in counting or tabulating votes at an election unless the
16 person is a resident of this state, is an election official who is trained to the extent
17 provided by law, and has signed the official oath and returned it to the municipal
18 clerk with respect to that election.

19 **SECTION 24.** 12.13 (3m) of the statutes is created to read:

20 12.13 (3m) ABSENTEE VOTING IN CERTAIN RESIDENTIAL CARE FACILITIES AND
21 RETIREMENT HOMES. (a) No employee of a qualified retirement home, as defined in
22 s. 6.875 (1) (at), or residential care facility, as defined in s. 6.875 (1) (bm), may coerce
23 an occupant of the qualified retirement home or residential care facility to apply for
24 or not apply for an absentee ballot or to cast or refrain from casting a ballot or coerce
25 an occupant to cast a ballot for or against a particular candidate or ballot question.

