

Proposed Administrative Rules for Chapter GAB 3
Voter Registration
Recommended for Board Adoption

GAB 3.01 Voter Registration

In this chapter:

- (5c) “Complete match” means a voter’s name, date of birth, DOT-issued driver’s license number or DOT-issued identification card number or last 4 digits of Social Security number completely matches records maintained by the DOT or SSA.
- (5g) “Deceased matching” means the process by which a municipal clerk uses information provided by the DHS to determine if any deceased voters are registered in his or her municipality.
- (5l) “DHS” means the Wisconsin Department of Health and Family Services, Vital Records Office.
- (5p) “DMV ping notification letter” is the letter sent to voters following a HAVA check if a complete match of voter information does not occur.
- (5t) “DOC” means the Wisconsin Department of Corrections.
- (5x) “DOT” means the Wisconsin Department of Transportation.
- (6e) “HAVA” means the Help America Vote Act of 2002.
- (6m) “HAVA check” means the process by which a self-provider or provider submits a voter’s information through the SVRS to be matched against the DOT or the SSA records to validate the information provided by the voter.
- (6s) “HAVA check listing” means any SVRS generated report that displays the match results between a voter’s full name, date of birth, DOT-issued driver’s license number or DOT-issued identification card number or last 4 digits of Social Security number and records maintained by the DOT or the SSA.
- (7g) “Ineligible voter list” means a list based on information provided by the DOC containing all felons on probation, parole or extended supervision.
- (7r) “Ineligible voter matching” means the process by which a municipal clerk uses ineligible voter information provided by the DOC to determine if any ineligible voters are registered in his or her municipality.
- (14m) “Separation date” is the date on which an individual appearing on the ineligible voter list has his or her civil rights restored.
- (15m) “SSA” means the Social Security Administration.

[Section 3.01(16) is amended to read as follows:]

- (16) “Statewide Voter Registration System” (SVRS) is the election administration software application provided by the board to enable local election officials to register voters, track absentee voting and administer elections.
- (16e) “SVRS Data Standardization” is a document prepared by the board and provided to SVRS users outlining data standardization procedures and SVRS data entry guidelines.
- (16m) “SVRS user” means any individual trained and authorized by the board to access the SVRS.
- (16s) “Voter match report” means the SVRS generated report used by a municipal clerk to view potential deceased, ineligible and duplicate voter matches in a municipality.

GAB 3.25 Voter Registration Duties

- (1) (a) The municipal clerk shall supervise elections and voter registration in the clerk’s municipality, by enforcing all applicable statutes and administrative rules that govern voter registration in Wisconsin.
- (b) The municipal clerk shall ensure the official registration list maintained by the SVRS for the clerk’s municipality is an accurate reflection of the registered voters in the municipality.
- (c) A self-provider shall complete all required election administration and registration tasks within the SVRS as prescribed by the board.
- (d) A provider shall complete all required election administration and registration tasks within the SVRS as prescribed by the board and provide required election administration reports to comply with subsection (b).
- (e) A relier shall assist the provider by providing required information about voter registration application forms in accordance with the terms of any memorandum of understanding in place between the provider and relier.
- (2) HAVA Check. Reliers, self-providers and providers shall perform the following duties necessary to properly conduct HAVA checks:
 - (a) Self-providers and providers shall use the SVRS to initiate and complete a HAVA check upon entry of every voter registration application form.
 - (b) Self-providers and reliers shall use the HAVA check listing to compare information provided by an applicant on the voter registration application form with information maintained by the DOT or the SSA.
 - (c) Self-providers and reliers shall resolve all voter match results that are not a complete match provided by the voter in accordance with instructions provided by the board. If not able to resolve the issue due to a typographical error, the self-provider or relier shall contact voters using the DMV ping notification letter.

- (3) Late Registration. (a) After close of registration the municipal clerk shall allow a voter to register in the municipal clerk's office if the voter provides proof of residence and meets all other eligibility requirements.
- (b) If the municipal clerk registers a voter in the municipal clerk's office after the close of registration, the municipal clerk shall issue a serially numbered certificate of registration to the voter that contains his or her name and address. The municipal clerk shall issue the original certificate to the voter and maintain a copy of the original in the municipal clerk's office. The municipal clerk shall inform the voter to present the certificate to the election inspectors on election day.
- (c) If a municipal clerk receives a voter registration application form by mail that was postmarked after the close of registration for the current election, the municipal clerk shall treat the registration as invalid for the election and immediately notify the voter of his or her other registration options.
- (d) When the board receives voter registration application forms by mail, board staff will immediately forward the applications to the appropriate self-provider or provider. Instructions for handling these forms will be included.
- (4) Election Day. (a) The municipal clerk shall provide election inspectors with the ineligible voter list and instruction sheet on how to use the list when registering voters on election day.
- (b) The municipal clerk shall take all steps necessary to ensure that the poll lists generated from the SVRS contain all properly registered voters in the municipality, and that the voter information contained on the poll list is true and correct.
- (c) The municipal clerk shall train the election inspectors and special registration deputies on what constitutes a valid and complete voter registration application form. The election inspectors and special registration deputies are accountable for voter registration application forms that are submitted on election day which are incomplete, illegible, or otherwise unable to be entered into the SVRS.
- (5) Post-Election. (a) The SVRS user shall record voter participation into the SVRS from the poll list.
- (b) The SVRS user shall record the voter's polling location, and whether they voted at the polls or by absentee ballot in SVRS.
- (c) The SVRS user shall enter election day voter registration application forms into the SVRS.

GAB 3.27 Voter Information Updates and Revisions

- (1) It is the municipal clerk's duty to ensure the information contained within the official registration list maintained in the SVRS for the municipal clerk's municipality is an accurate reflection of the registered voters in the municipality.

- (2) (a) Whenever a municipal clerk receives an update to a voter's record, the self-provider or provider shall promptly update the voter's record within the SVRS and may note the reason for the update in the status comment field.

(b) If a voter provides an update or revision to his or her voter record on election day, the self-provider or provider shall change the voter's record in the SVRS within 30 days of the election and may note the reason for the update in the status comment field.
- (3) The board's staff may add voter registration application forms or update voter information in the SVRS based on information they receive. The board's staff may change a voter's status from eligible to ineligible based on information received. In the event changes are made by the board's staff, notice of the changes shall be promptly sent to the affected provider or self-provider by letter or electronic transmission.
- (4) A new voter registration application form must be completed for a legal name and/or address change. The municipal clerk or provider may obtain other updated information from a voter through a telephone conversation provided the municipal clerk is assured they are speaking to the voter that is requesting their record be updated. The provider or self-provider shall update the voter's information in SVRS as soon as practicable; the status comment field may be used to note the circumstances in which the update was made.
- (5) The municipal clerk may attach a notation to the voter registration application form to reflect the updates made to the voter's record.

GAB 3.28 SVRS Data Entry

- (1) SVRS users are responsible for the data entry of voter registration application forms and other information used to manage and administer elections at the state, county and municipal levels including accuracy of data entered.
- (2) A municipality may enter into a memorandum of understanding or contract with a county, other municipality or third party approved by the GAB director to provide SVRS data entry and other related services.
- (3) SVRS users shall comply with all data entry guidelines published in the "SVRS Data Standardization" document. This document is available electronically on the board's website and in hard-copy by request to the board.

GAB 3.29 Data Quality

- (1) Data Quality Assurance Check. The provider, self-provider and relier shall ensure accurate data entry. A quality assurance check procedure shall be formulated and kept on file by the provider or self-provider and be subject to audit by the GAB staff. An audit may be conducted randomly, or by special request to the GAB staff.
- (2) To prevent duplicate registration records, SVRS users shall view all matches and link to an existing voter record when necessary.
- (3) SVRS users shall take precautions to prevent invalid birthdates.

- (4) The board shall periodically conduct statewide duplicate voter registration and invalid birth date audits and inform providers, self-providers and reliers of the results. Procedures for correcting duplicate voter registrations and invalid birthdates are available electronically on the board's website, through the board's web-based election training system, and in hard-copy by request to the board.
- (5) Address Validation. Providers, self-providers and reliers are responsible for maintaining valid residential addresses for voting purposes in the SVRS. SVRS users shall validate the address provided on the voter registration application form against the residential addresses contained in the SVRS. Procedures for maintaining valid addresses in SVRS are available electronically on the board's website, through the board's web-based election training system, and in hard-copy by request to the board.

GAB 3.30 Address Verification Postcards

- (1) A first-class postcard shall be sent to electors who have completed a voter registration application form on election day, submitted a form by mail or through a special registration deputy. The postcards shall be generated and sent to electors by the board no later than 10 days following entry of information into the SVRS.
- (2) Treatment of Returned Postcards. (a) If a postcard is returned to the municipal clerk by the United States Postal Service (USPS) because the address contained on the postcard was undeliverable, the municipal clerk shall compare the information on the returned card to the voter registration application form to ensure data entry accuracy. Where applicable, the provider or self-provider shall update the voter information contained in the SVRS. The reason for the change may be noted in the status comment field.

(b) Immediately following the change to the voter's address information in the SVRS, the provider or self-provider shall notify the board of the change. The board will re-send a postcard with the updated voter address information no later than 10 days following notification from the provider or self-provider.
- (3) (a) If the address contained on the returned postcard, and the address provided on the original voter registration application match, and no other irregularities may have contributed to the card being returned as undeliverable are present, the self-provider or provider shall change the voter's status in the SVRS from active to inactive and note the reason for the change in the status comment field.

(b) The returned postcard shall be retained in the municipal clerk's office for a minimum of four years from the date the voter's status was changed from active to inactive.

(c) If a postcard sent to an election day registrant under 6.55(3), Wis. Stats. is returned as undeliverable, the municipal clerk shall mail the elector a notice of the change in status, and provide the name of the elector to the board and the district attorney.
- (4) Post-Election Review. The GAB staff may conduct a post-election review of the address verification postcard process to ensure compliance. Corrective action may be taken by the board when deemed necessary.

GAB 3.31 Transferring Registration

- (1) If an elector changes his or her name and/or address, the individual shall be required to complete a new voter registration application form and provide his or her previous name and/or address prior to being permitted to vote.
- (2) Door-to-Door and Mail Registration Canvass. (a) To assist in maintaining accurate voter information on the official registration list, and to promote new voter registration among non-registered residents, the municipal clerk may conduct door-to-door and mail registration canvasses within their municipality.

(b) If a municipal clerk conducts either a door-to-door or mail registration canvass, it must encompass the entire municipality, and must be completed in a uniform manner.

GAB 3.32 Ineligible Voter Matching

- (1) General. (a) The provider or self-provider shall use the ineligible voter matching process in SVRS to comply with the Help America Vote Act of 2002.

(b) Procedures for initiating and determining ineligible voter matching are contained in the materials SVRS users receive during training courses. The procedures are also available electronically on the board's website, through the board's web-based election training system, and in hard-copy by request to the board. The provider or self-provider shall initiate the ineligible voter matching process on a timely basis.

(c) A provider shall send the voter match report to their reliers on a timely basis.

(d) The municipal clerk shall use the information generated by the ineligible voter matching process to compare voter information against information provided by the DOC and determine if a match exists between voters registered in the municipality.

(e) The relier shall return to his or her provider the voter match report containing an indication of whether or not a match exists for every voter that appears on the report.
- (2) If the municipal clerk determines there is a match between a currently registered voter and the results of the ineligible voter matching, the self-provider or provider shall inactivate the voter's record and generate the WI felon notification ineligible letter and may note the reason in the status comment field.

GAB 3.33 Ineligible Voter List

- (1) General. The municipal clerk shall use the ineligible voter list when conducting registration list maintenance, registering voters in person during late registration in the municipal clerk's office, and during the absentee ballot process.
- (2) During Late Registration. If an individual appears at the office of the municipal clerk during the late registration period and wishes to register to vote, the municipal clerk shall compare the individual's name and date of birth against the ineligible voter list.

- (3) If the individual's full name and date of birth are identical to an entry on the ineligible voter list, and the individual's separation date is after election day, the municipal clerk shall notify the individual that they are ineligible to vote.
- (4) During the absentee ballot process. (a) Before an absentee ballot is processed the municipal clerk shall compare the full name and date of birth of the person requesting the ballot with the ineligible voter list to determine if the applicant is eligible to vote in the election for which the ballot is requested.
 - (b) If the individual's full name and date of birth are identical to an entry on the ineligible voter list and the individual's separation date is after election day, the ballot shall be held in the municipal clerk's office, marked as "ineligible to vote per DOC", and preserved with all other election materials. The provider or self-provider shall mark the voter's record as inactive.
 - (c) The municipal clerk shall send the voter notice of the status change using the WI felon notification ineligible letter generated by the SVRS.
 - (d) The municipal clerk shall notify the district attorney of any ineligible voter that submits an absentee ballot.

GAB 3.34 Deceased Matching

- (1) General. (a) The provider or self-provider shall use the deceased matching process in SVRS to comply with the Help America Vote Act of 2002.
 - (b) Procedures for initiating and determining deceased matching are contained in the materials SVRS users receive during training courses. The procedures are also available electronically on the board's website, through the board's web-based election training system, and in hard-copy by request to the board. The provider or self-provider shall initiate the deceased matching process on a timely basis.
 - (c) A provider shall send the voter match report to their reliers on a timely basis.
 - (d) The municipal clerk shall use the information generated by the deceased matching process to compare voter information against information provided by the DHS and determine if a match exists between voters registered in the municipality.
 - (e) The relier shall return to his or her provider the voter match report containing an indication of whether or not a match exists for every voter that appears on the report.
- (2) (a) If the municipal clerk determines there is a match between a currently registered voter and the results of the deceased matching, the self-provider or provider shall inactivate the voter's record.
 - (b) The provider, self-provider and relier shall take appropriate measures to ensure the information provided by the DHS is kept confidential and secure at all times.

GAB 3.35 Provisional Ballots and the SVRS

- (1) (a) Following each election, the municipal clerk shall review election records to determine if any provisional ballots were issued on election day per s. 6.97, Stats.

(b) Within 10 days following an election, the provider or self-provider shall enter into the SVRS the full name, address of the voter, provisional ballot number, the date of the election in which the ballot was issued, and an indication as to whether the provisional ballot was counted or not counted.
- (2) (a) The provisional ballot information entered into the SVRS shall be displayed on a public access website maintained by the board.

(b) A voter issued a provisional ballot on election day may access the website to check the status of his or her provisional ballot.

(c) Municipalities may post similar information about provisional ballots; however this procedure shall not be in lieu of entry of provisional ballot information into the SVRS.

GAB 3.36 Post-Election Voter Participation Audits

- (1) Single Vote Audit. (a) After each election, the municipal clerk shall perform an audit to ensure that no person has voted more than once in his or her municipality. Reliers may compare information contained in pollbooks, inspector statements or any other information compiled on election day to complete this task. Providers and self-providers may also use the automated functions of the SVRS to complete this task.

(b) If a municipal clerk has reason to believe a person has voted more than once in an election, the district attorney shall be notified. The municipal clerk shall monitor the results of any investigation to maintain accurate voter registration data in his or her municipality.
- (2) Ineligible Voter Audit. (a) The board shall conduct an audit after every election to identify potential instances of voting by individuals that appear on the ineligible voter list.

(b) The board shall verify the initial findings of the audit with the DOC to ensure the individual was in fact ineligible on the date of the election.

(c) After the board receives confirmation of the matches from DOC, the board shall send the potential matches to the municipal clerk with instructions to verify that the ineligible individual voted in the election.

(d) The municipal clerk shall contact the board within 10 days with any corrections to the list of potential matches.

(e) After 10 days, the board shall send the final list of potential matches to the appropriate district attorney(s).

(f) If requested by the board, the municipal clerk shall provide copies of relevant election materials including poll lists, voter registration application forms and election inspector statements to the board and the appropriate district attorney(s).

GAB 3.37 Revision of Registration List

- (1) The municipal clerk shall within 90 days following each general election, examine voter registration and voter participation records to identify each qualified elector who has not voted within the previous four years. Providers shall initiate the process and provide the necessary report to reliers.
- (2) (a) Providers and self-providers shall generate a letter from the SVRS notifying the voter that his or her registration will be suspended for failure to vote in the previous four years. The letter shall also notify the voter that they may apply for continuation of their registration by notifying the municipal clerk.

(b) If the municipal clerk does not receive a request for continuation of registration within 30 days of mailing the suspension letter, the self-provider or provider shall inactivate the voter's record in the SVRS.

GAB 3.40 Registration in Office of the County Clerk

- (1) Any qualified elector may register at the office of the county clerk for the county in which the person's residence is located.
- (2) Prior to close of registration. The county clerk shall allow a voter to register in his or her office before the close of registration regardless of the municipality in which the voter resides within the county. If the county clerk is the provider, they shall enter the voter registration application form into SVRS and forward the original to the relier. The voter registration application forms shall be sent to self-providers immediately upon receipt by the county clerk for entry into the SVRS.
- (3) After close of registration. (a) The county clerk shall allow a voter to register in his or her office after the close of registration if the municipality in which the voter is registering is a relier of the county. The county clerk shall require proof of residence and enter the voter registration application form into the SVRS immediately after receipt, and forward the voter registration application form to the relier municipality immediately after the form is entered.

(b) If the county clerk registers a voter in his or her office after the close of registration, they shall issue a serially numbered certificate of registration to the voter that contains his or her full name and address. The county clerk shall place a letter "c" before the serial number issued on the certificate to indicate the voter registered at the county clerk's office after the close of registration. The county clerk shall inform the voter to present the certificate to the election workers on election day. The county clerk shall forward a copy of the certificate of registration to the relier municipal clerk with the voter registration application form.

(c) The county clerk shall direct a voter to register in the office of the municipal clerk if the voter is registering in a municipality that is a self-provider in the county.

GAB 3.41 Annexation and redistricting procedures within the SVRS system

- (1) (a) If a relier municipality annexes or consolidates land, the provider shall be notified by the municipality of the changes.

(b) The provider or self-provider shall update the SVRS to reflect new district information.

(c) Notice of new district information shall be sent to the affected voters by the municipal clerk of the municipality gaining voters as a result of the annexation. Voters affected by annexation are not required to file a new voter registration application form.

(d) The municipality losing voters as a result of an annexation shall send all hard-copy voter registration application forms of the affected voters to the municipality gaining voters as a result of the same annexation.

(e) The municipal clerk of the gaining municipality shall mark the voter registration application form to indicate the change in district information due to an annexation.
- (2) (a) If a redistricting of county supervisory districts takes place under s. 59.10(2)(a), Stats., GAB staff, provider or self-provider shall update the SVRS to reflect the new district information.

(b) Municipal clerks shall inform all voters in the municipality affected by a redistricting of county supervisory districts. Informing voters for purposes of this subsection does not necessarily mean a first-class postcard or letter being sent to every affected voter.