



State of Wisconsin  
2011 – 2012 LEGISLATURE



LRB-0434/1  
JTK:kjf:rs

## 2011 BILL

1        **AN ACT** *to repeal* 6.26 (2) (d), 6.275 (1) (c), 6.29, 6.32 (3), 6.54, 6.55 (2) (a) 2., 6.55  
2            (2) (cm), 6.55 (3) (b), 6.55 (6) and 6.86 (3) (a) 2.; *to renumber* 6.86 (3) (a) 1.; *to*  
3            *renumber and amend* 6.55 (2) (a) 1., 6.55 (2) (d), 6.55 (3) (a) and 6.97 (3); *to*  
4            *amend* 6.10 (3), 6.15 (2) (a), 6.15 (3), 6.275 (1) (b), 6.275 (1) (d), 6.28 (1), 6.30  
5            (1), 6.32 (4), 6.33 (1), 6.33 (2) (b), 6.34 (2), 6.36 (5), 6.40 (1) (a) 1., 6.40 (1) (c), 6.45  
6            (1), 6.45 (1m), 6.50 (10), 6.55 (title), 6.55 (2) (b), 6.55 (2) (c) 1., 6.55 (2) (cs), 6.56  
7            (1), 6.56 (3), 6.56 (5), 6.79 (2) (b) and (c), 6.79 (4), 6.86 (3) (b), 6.86 (3) (c), 6.97  
8            (1), 6.97 (2), 7.03 (1) (d), 7.15 (1) (L), 7.30 (2) (a), 7.315 (1) (a) and (b) 1., 7.37 (13),  
9            10.02 (3) (a), 12.13 (3) (v) and 17.29; *to repeal and recreate* 6.15 (2) (title); and  
10           *to create* 6.79 (2) (dn), 6.86 (1) (d) and 6.97 (3) (b) of the statutes; **relating to:**  
11           the deadline and procedure for voter registration and determination of  
12           residency for voting purposes.

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

Under current law, with limited exceptions, a person must register before being permitted to vote in this state. With certain exceptions, the deadline for voter

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registration at an election is 5 p.m. on the third Wednesday preceding the election. Registrations made by mail must be delivered to the office of the municipal clerk or board of election commissioners or postmarked no later than this deadline. However, under current law, voters may also register in person at the office of the municipal clerk or board of election commissioners until 5 p.m. on the day before the election or, in most cases, may register at the proper polling place or other designated location on election day. If an elector registers at the office of the municipal clerk or board of election commissioners after the close of registration or at a polling place or other designated location on election day, the elector must present acceptable proof of residence or have another elector of the same municipality sign a statement corroborating the elector's registration. The corroborating elector must then present acceptable proof of residence.

This bill provides that the deadline for registration is 5 p.m. on the tenth day preceding the election. Under the bill, in-person registrations must be completed by this deadline, and registrations made by mail must be delivered or postmarked no later than this deadline. The bill discontinues the procedure for registration at polling places and other designated locations on election day. However, the bill permits an elector who changes his or her name or who moves to a new residence within the same ward or, if a municipality is not divided into wards, within the same municipality, to update his or her registration at the proper polling place or other designated location on election day.

The bill provides that if an elector claims to have registered to vote in an election at the address where the elector seeks to vote no later than the tenth day before the election but the elector's name does not appear on the registration list at that address, the elector may cast a marked, provisional ballot. If by 4 p.m. on the day after the election, the elector submits proof to the municipal clerk or executive director of the municipal board of election commissioners that the elector was properly registered and the clerk or executive director notifies the appropriate board or boards of canvassers of that fact, the provisional ballot is counted.

If enacted, this bill will activate certain requirements under the National Voter Registration Act (commonly referred to as the motor voter law), from which this state is currently exempt. Primarily, these requirements include simultaneous voter registration with motor vehicle driver's license applications and renewals, voter registration at any office that provides public assistance, voter registration at any office that primarily provides state-funded services to persons with disabilities, and voter registration at armed forces recruiting offices. In addition, the bill will activate a requirement under the federal Help America Vote Act of 2002 that authorizes voters whose ballots are not accepted at federal elections to cast provisional ballots in those elections. This state is currently exempt from that requirement.

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

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

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1           **SECTION 1.** 6.10 (3) of the statutes is amended to read:

2           6.10 (3) ~~When an elector moves from one ward to another or his or her residence~~  
3 ~~from one municipality to another municipality within the state after the last~~  
4 ~~registration day but at least 10 days before the election, the elector may vote in and~~  
5 ~~be considered a resident of the new ward or municipality where residing upon~~  
6 ~~transferring registration under s. 6.40 (1) or upon registering at the proper polling~~  
7 ~~place or other registration location in the new ward or municipality under s. 6.55 (2)~~  
8 ~~or 6.86 (3) (a) 2. If the elector moves within 10 days of or from one ward to another~~  
9 ~~ward in the same municipality during the 10-day period preceding an election, the~~  
10 ~~elector shall vote in the elector's old former ward or municipality if otherwise~~  
11 ~~qualified to vote there. When an elector moves his or her residence within a ward~~  
12 ~~or within a municipality that is not divided into wards prior to the 10-day period~~  
13 ~~preceding an election, the elector may vote in the municipality where the elector~~  
14 ~~resides on election day by appearing at the polling place serving the elector's~~  
15 ~~residence on election day and transferring his or her registration under s. 6.40 (1).~~

16           **SECTION 2.** 6.15 (2) (title) of the statutes is repealed and recreated to read:

17           6.15 (2) (title) APPLICATION FOR BALLOT.

18           **SECTION 3.** 6.15 (2) (a) of the statutes is amended to read:

19           6.15 (2) (a) The elector's request for the application form may be made in person  
20 to the municipal clerk of the municipality where the person resides. Application may  
21 be made not sooner than 9 13 days nor later than 5 p.m. on the day before the election,  
22 ~~or may be made at the proper polling place in the ward or election district in which~~  
23 ~~the elector resides. If an elector makes application before election day, the. The~~  
24 application form shall be returned to the municipal clerk after the affidavit has been

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1 signed in the presence of the clerk or any officer authorized by law to administer  
2 oaths. The affidavit shall be in substantially the following form:

3 STATE OF WISCONSIN

4 County of ....

5 I, ....., do solemnly swear that I am a citizen of the United States; that prior to  
6 establishing Wisconsin residence, my legal residence was in the .... (town) (village)  
7 (city) of ....., state of ....., residing at .... (street address); that on the day of the next  
8 presidential election, I shall be at least 18 years of age and that I have been a legal  
9 resident of the state of Wisconsin since ....., .... (year), residing at .... (street address),  
10 in the [... ward of the .... aldermanic district of] the (town) (village) (city) of ....., county  
11 of .....; that I have resided in the state less than 10 days, that I am qualified to vote  
12 for president and vice president at the election to be held November ....., .... (year),  
13 that I am not voting at any other place in this election and that I hereby make  
14 application for an official presidential ballot, in accordance with section 6.15 of the  
15 Wisconsin statutes.

16 Signed ....

17 P.O. Address ....

18 Subscribed and sworn to before me this .... day of ....., .... (year)

19 ....(Name)

20 ....(Title)

21 **SECTION 4.** 6.15 (3) of the statutes is amended to read:

22 **6.15 (3) PROCEDURE AT POLLING PLACE USE OF ELECTRONIC VOTING SYSTEMS. ~~An~~**  
23 ~~eligible elector may appear at the polling place for the ward or election district where~~  
24 ~~he or she resides and make application for a ballot under sub. (2). Except as~~  
25 ~~otherwise provided in this subsection, an elector who casts a ballot under this~~

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1 subsection shall follow the same procedure required for casting a ballot at the  
2 municipal clerk's office under sub. (2). The inspectors shall perform the duties of the  
3 municipal clerk, except that the inspectors shall return the cancellation card under  
4 sub. (2) (b) to the municipal clerk and the clerk shall forward the card as provided  
5 in sub. (2) (c) if required. Upon proper completion of the application and cancellation  
6 card and submittal of proof of residence under s. 6.34 or providing corroboration of  
7 residence, the inspectors shall permit the elector to cast his or her ballot for president  
8 and vice president. The elector shall mark the ballot and, unless the ballot is utilized  
9 with an electronic voting system, the elector shall fold the ballot, and deposit the  
10 ballot into the ballot box or give it to the inspector. The inspector shall deposit it  
11 directly into the ballot box. Voting machines or ballots utilized with electronic voting  
12 systems may only be used by electors voting under this section if they permit voting  
13 for president and vice president only.

14 **SECTION 5.** 6.26 (2) (d) of the statutes is repealed.

15 **SECTION 6.** 6.275 (1) (b) of the statutes is amended to read:

16 6.275 (1) (b) The total number of electors of the municipality residing in that  
17 county who were preregistered registered on the deadline specified in s. 6.28 (1),  
18 including valid mail registrations which are postmarked by that day.

19 **SECTION 7.** 6.275 (1) (c) of the statutes is repealed.

20 **SECTION 8.** 6.275 (1) (d) of the statutes is amended to read:

21 6.275 (1) (d) The total number of electors of the municipality residing in that  
22 county who registered transferred their registrations on the day of the primary or  
23 election under ss. s. 6.55 and 6.86 (3) (a) 2 (2).

24 **SECTION 9.** 6.28 (1) of the statutes is amended to read:

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1           6.28 (1) REGISTRATION LOCATIONS; DEADLINE. Except as authorized in ~~ss. 6.29, s.~~  
2           6.55 (2), ~~and 6.86 (3) (a) 2.~~, registration in person for any election shall close at 5 p.m.  
3           on the 3rd Wednesday preceding the election. Registrations made by mail ~~under s.~~  
4           ~~6.30 (4)~~ must be delivered to the office of the municipal clerk or postmarked no later  
5           than the 3rd Wednesday preceding the election. All applications for registration  
6           corrections and additions may be made throughout the year at the office of the city  
7           board of election commissioners, at the office of the municipal clerk, at the office of  
8           the county clerk, or at other locations provided by the board of election  
9           commissioners or the common council in cities over 500,000 population or by either  
10          or both the municipal clerk, or the common council, village or town board in all other  
11          municipalities and may also be made during the school year at any high school by  
12          qualified persons under sub. (2) (a). Other registration locations may include but are  
13          not limited to fire houses, police stations, public libraries, institutions of higher  
14          education, supermarkets, community centers, plants and factories, banks, savings  
15          and loan associations and savings banks. Special registration deputies shall be  
16          appointed for each location unless the location can be sufficiently staffed by the board  
17          of election commissioners or the municipal clerk or his or her deputies. An elector  
18          who wishes to obtain a confidential listing under s. 6.47 (2) shall register at the office  
19          of the municipal clerk of the municipality where the elector resides.

20           **SECTION 10.** 6.29 of the statutes is repealed.

21           **SECTION 11.** 6.30 (1) of the statutes is amended to read:

22           6.30 (1) IN PERSON. An elector shall apply for registration in person, except as  
23          provided under sub. (4) ~~and s. 6.86 (3) (a) 2.~~

24           **SECTION 12.** 6.32 (3) of the statutes is repealed.

25           **SECTION 13.** 6.32 (4) of the statutes is amended to read:

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1           6.32 (4) If the form is sufficient to accomplish registration and the clerk has no  
2 reliable information to indicate that the proposed elector is not qualified, the clerk  
3 shall enter the elector's name on the registration list and transmit a 1st class letter  
4 or postcard to the registrant, specifying the date of registration and the elector's  
5 ward or aldermanic district, or both, if any, and polling place. The letter or postcard  
6 shall be sent within 10 days of receipt of the form. If the letter or postcard is returned,  
7 or if the clerk is informed of a different address than the one specified by the elector,  
8 the clerk shall change the status of the elector on the list from eligible to ineligible.  
9 The letter or postcard shall be marked in accordance with postal regulations to  
10 ensure that it will be returned to the clerk if the elector does not reside at the address  
11 given on the letter or postcard.

12           **SECTION 14.** 6.33 (1) of the statutes is amended to read:

13           6.33 (1) The board shall prescribe the format, size, and shape of registration  
14 forms. All forms shall be printed on cards and each item of information shall be of  
15 uniform font size, as prescribed by the board. The municipal clerk shall supply  
16 sufficient forms to meet voter registration needs. The forms shall be designed to  
17 obtain from each applicant information as to name; date; residence location;  
18 citizenship; date of birth; age; the number of a valid operator's license issued to the  
19 elector under ch. 343 or the last 4 digits of the elector's social security account  
20 number; whether the applicant has resided within the ward or election district for  
21 at least 10 days; whether the applicant has been convicted of a felony for which he  
22 or she has not been pardoned, and if so, whether the applicant is incarcerated, or on  
23 parole, probation, or extended supervision; whether the applicant is disqualified on  
24 any other ground from voting; and whether the applicant is currently registered to  
25 vote at any other location. The form shall include a space for the applicant's

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1 signature and the signature of any corroborating elector. The form shall include a  
2 space to enter the name of any special registration deputy under s. 6.26 ~~or 6.55 (6)~~  
3 or inspector, municipal clerk, or deputy clerk under s. 6.55 (2) who obtains the form  
4 and a space for the deputy, inspector, clerk, or deputy clerk to sign his or her name,  
5 affirming that the deputy, inspector, clerk, or deputy clerk has accepted the form.  
6 The form shall include a space for entry of the ward and aldermanic district, if any,  
7 where the elector resides and any other information required to determine the offices  
8 and referenda for which the elector is certified to vote. The form shall also include  
9 a space where the clerk may record an indication of whether the form is received by  
10 mail, a space where the clerk may record an indication of the type of identifying  
11 document submitted by the elector as proof of residence under s. 6.34, whenever  
12 required, and a space where the clerk, for any applicant who possesses a valid voting  
13 identification card issued to the person under s. 6.47 (3), may record the  
14 identification serial number appearing on the voting identification card. Each  
15 county clerk shall obtain sufficient registration forms for completion by an elector  
16 who desires to register to vote at the office of the county clerk under s. 6.28 (4).

17 **SECTION 15.** 6.33 (2) (b) of the statutes is amended to read:

18 6.33 (2) (b) ~~Except as provided in s. 6.86 (3) (a) 2., the~~ The registration form  
19 shall be signed by the registering elector and any corroborating elector under s. ~~6.29~~  
20 ~~(2) (a) or 6.55 (2)~~ before the clerk, issuing officer, or registration deputy. The form  
21 shall contain a certification by the registering elector that all statements are true  
22 and correct.

23 **SECTION 16.** 6.34 (2) of the statutes is amended to read:

24 6.34 (2) ~~Except as authorized in ss. 6.29 (2) (a) and 6.86 (3) (a) 2., upon~~  
25 ~~completion of a registration form prescribed under s. 6.33, each elector who is~~

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1 ~~required to register under s. 6.27, who is not a military elector or an overseas elector~~  
2 ~~and who registers after the close of registration under s. 6.29 or 6.86 (3) (a) 2., shall~~  
3 ~~provide an identifying document that establishes proof of residence under sub. (3).~~

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

10 **SECTION 17.** 6.36 (5) of the statutes is amended to read:

11 6.36 (5) After each general election, the board shall contact the chief election  
12 official of each state from which an elector who voted in that election presented a  
13 valid driver's license under s. ~~6.29 (2) (a)~~, 6.55 (2) (b) or (c) 1., ~~or 6.86 (3) (a) 2.~~ for so  
14 long as the license remains valid. The board shall inquire whether the holder of the  
15 driver's license voted in that election in that state.

16 **SECTION 18.** 6.40 (1) (a) 1. of the statutes is amended to read:

17 6.40 (1) (a) 1. Any registered elector shall may transfer registration after a  
18 change of residence within the state by filing in person with the municipal clerk of  
19 the municipality where the elector resides or by mailing to the municipal clerk a  
20 signed request stating his or her present address, affirming that this will be his or  
21 her residence for 10 days prior to the election and providing the address where he or  
22 she was last registered. Alternatively, the elector may transfer his or her registration  
23 at the proper polling place or other registration location under s. 6.02 (2) in  
24 accordance with s. 6.55 (2) (a). ~~If an elector is voting in the ward or election district~~  
25 ~~where the elector formerly resided~~ changes his or her residence from one

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1 municipality to another or from one ward to another within the same municipality,  
2 within 10 days of an election, the change shall be effective for the next election.

3 **SECTION 19.** 6.40 (1) (c) of the statutes is amended to read:

4 6.40 (1) (c) *Name change.* Whenever an elector's name is legally changed,  
5 including a change by marriage or divorce, the elector shall transfer his or her  
6 registration to his or her legal name by appearing in person or mailing to the  
7 municipal clerk a signed request for a transfer of registration to such name.  
8 Alternatively, a registered elector may make notification of a name change at his or  
9 her polling place under s. 6.55 ~~(2)~~ ~~(d)~~ (1).

10 **SECTION 20.** 6.45 (1) of the statutes is amended to read:

11 6.45 (1) After the deadline for revision of the registration list, the municipal  
12 clerk shall make copies of the list for election use. The registration list and any  
13 supplemental lists which are prepared at polling places or other registration  
14 locations under s. 6.55 or 6.79, shall be open to public inspection. Under the  
15 regulations prescribed by the municipal clerk, any person may copy the registration  
16 list at the office of the clerk. A registration list maintained at a polling place may be  
17 examined by any person who is observing the proceedings under s. 7.41 when such  
18 use does not interfere with the conduct of the election.

19 **SECTION 21.** 6.45 (1m) of the statutes is amended to read:

20 6.45 (1m) The registration list and any supplemental lists which are prepared  
21 at polling places or other registration locations under s. 6.55 or 6.79, shall be open  
22 to public inspection. Under the regulations prescribed by the municipal clerk, any  
23 person may copy the registration list at the office of the clerk. A registration list  
24 maintained at a polling place may be examined by any person who is observing the  
25 proceedings under s. 7.41 when such use does not interfere with the conduct of the

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1 election. This subsection does not apply to information that is confidential under s.  
2 6.47.

3 **SECTION 22.** 6.50 (10) of the statutes is amended to read:

4 6.50 (10) Any qualified elector whose registration is changed from eligible to  
5 ineligible status under this section may reregister as provided under s. 6.28 (1), ~~6.29~~  
6 ~~(2)~~, or transfer his or her registration as provided under s. 6.55 (2).

7 **SECTION 23.** 6.54 of the statutes is repealed.

8 **SECTION 24.** 6.55 (title) of the statutes is amended to read:

9 **6.55 (title) Polling place Updating registration; voting by certification**  
10 **at polling place.**

11 **SECTION 25.** 6.55 (2) (a) 1. of the statutes is renumbered 6.55 (2) (a) and  
12 amended to read:

13 6.55 (2) (a) Except where the procedure under par. (c) ~~or (em)~~ is employed, any  
14 ~~person who qualifies as an elector in the ward or election district where he or she~~  
15 ~~desires to vote, but has not previously filed a registration form, or was registered at~~  
16 ~~another location,~~ registered elector who has changed his or her residence within the  
17 ward or election district in which he or she is registered and who has not notified the  
18 municipal clerk of the change of address under s. 6.40 (1) may request permission to  
19 vote at the polling place for that ward or election district serving the elector's  
20 residence, or at an alternate polling place assigned under s. 5.25 (5) (b). When a  
21 proper request is made, the inspector shall require the ~~person to execute~~ elector to  
22 transfer his or her registration by executing a registration form prescribed by the  
23 board. The registration form shall be completed in the manner provided under s. 6.33  
24 (2) and shall contain all information required under s. 6.33 (1), together with the  
25 following certification:

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

4 **SECTION 26.** 6.55 (2) (a) 2. of the statutes is repealed.

5 **SECTION 27.** 6.55 (2) (b) of the statutes is amended to read:

6 6.55 (2) (b) Upon executing the registration transfer form under par. (a), the  
7 elector shall provide proof of residence under s. 6.34. If the elector cannot provide  
8 proof of residence, the information contained in the registration transfer form shall  
9 be corroborated in a statement that is signed by any elector who resides in the same  
10 municipality as the registering elector and that contains the current street address  
11 of the corroborating elector. The corroborator shall then provide proof of residence  
12 as provided in s. 6.34. If the elector is ~~registering to vote in~~ transferring his or her  
13 registration at the general election and the elector presents a valid driver’s license  
14 issued by another state, the inspector or deputy shall record on a separate list the  
15 name and address of the elector, the name of the state, and the license number and  
16 expiration date of the license. The signing by the elector ~~executing the~~ who is  
17 transferring his or her registration ~~form~~ and by any corroborator shall be in the  
18 presence of the ~~special registration deputy or~~ inspector who shall then print his or  
19 her name on and sign the form, indicating that the deputy or inspector has accepted  
20 the form. Upon compliance with this procedure, the elector shall be permitted to cast  
21 his or her vote, if the elector complies with all other requirements for voting at the  
22 polling place.

23 **SECTION 28.** 6.55 (2) (c) 1. of the statutes is amended to read:

24 6.55 (2) (c) 1. As an alternative to transferring registration at the polling place  
25 under pars. (a) and (b), the board of election commissioners, or the governing body

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1 of any municipality may by resolution require a ~~person who qualifies as an elector~~  
2 ~~and who is not registered and desires to register on the day of an election to do so~~  
3 registered elector who has changed his or her residence within the ward or election  
4 district in which he or she is registered, who has not notified the municipal clerk of  
5 the change of address under s. 6.40 (1), and who desires to vote to transfer his or her  
6 registration at another readily accessible location in the same building as the polling  
7 place serving the elector's residence or at an alternate polling place assigned under  
8 s. 5.25 (5) (b), instead of at the polling place serving the elector's residence. In such  
9 case, the municipal clerk shall prominently post a notice of the ~~registration~~ location  
10 designated for transferring registrations at the polling place. The elector who  
11 desires to ~~register~~ transfer registration shall ~~execute~~ transfer his or her registration  
12 by executing a registration form as prescribed under par. (a) and provide proof of  
13 residence as provided under s. 6.34. If the elector cannot provide proof of residence,  
14 the information contained in the registration form shall be corroborated in the  
15 manner provided in par. (b). If the elector is registering to vote in the general election  
16 and the elector presents a valid driver's license issued by another state, the  
17 municipal clerk, deputy clerk, or special registration deputy shall record on a  
18 separate list the name and address of the elector, the name of the state, and the  
19 license number and expiration date of the license. The signing by the elector  
20 executing the registration transfer form and by any corroborator shall be in the  
21 presence of the municipal clerk, or deputy clerk ~~or special registration deputy~~. The  
22 municipal clerk, or the deputy clerk, ~~or the special registration deputy~~ shall then  
23 print his or her name and sign the form, indicating that the clerk, or deputy clerk,  
24 ~~or deputy~~ has accepted the form. Upon proper completion of the registration  
25 transfer, the municipal clerk, or deputy clerk ~~or special registration deputy~~ shall

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1 serially number the registration transfer and give one copy to the elector for  
2 presentation at the polling place serving the elector's residence or an alternate  
3 polling place assigned under s. 5.25 (5) (b).

4 **SECTION 29.** 6.55 (2) (cm) of the statutes is repealed.

5 **SECTION 30.** 6.55 (2) (cs) of the statutes is amended to read:

6 6.55 (2) (cs) The board shall provide to each municipal clerk a list prepared for  
7 use at each polling place showing the name and address of each person whose name  
8 appears on the list provided by the department of corrections under s. 301.03 (20m)  
9 as ineligible to vote on the date of the election, whose address is located in the area  
10 served by that polling place, and whose name does not appear on the poll list for that  
11 polling place. Prior to permitting an elector to ~~register to vote~~ transfer his or her  
12 registration under this subsection ~~or s. 6.86 (3) (a) 2.~~, the inspectors ~~or special~~  
13 ~~registration deputies~~ shall review the list. If the name of an elector who wishes to  
14 ~~register to vote~~ transfer his or her registration appears on the list, the inspectors ~~or~~  
15 ~~special registration deputies~~ shall inform the elector or the elector's agent that the  
16 elector is ineligible ~~to register to vote~~. If the elector or the elector's agent maintains  
17 that the elector is eligible to vote in the election, the inspectors or special registration  
18 deputies shall permit the elector to register transfer his or her registration but shall  
19 mark the elector's registration form as "ineligible to vote per Department of  
20 Corrections." If the elector wishes to vote, the inspectors shall require the elector to  
21 vote by ballot and shall challenge the ballot as provided in s. 6.79 (2) (dm).

22 **SECTION 31.** 6.55 (2) (d) of the statutes is renumbered 6.55 (1) and amended to  
23 read:

24 6.55 (1) A registered elector who has changed his or her name but resides at  
25 the same address, and has not notified the municipal clerk under s. 6.40 (1) (c), shall

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1 notify the inspector of the change before voting. The inspector shall then notify the  
2 municipal clerk at the time when materials are returned under s. 6.56 (1). If an A  
3 registered elector has changed both a name and address, the elector who has changed  
4 his or her residence within the ward or election district in which he or she is  
5 registered and who has not notified the municipal clerk of the change of address  
6 under s. 6.40 (1) shall register transfer his or her registration by completing a  
7 registration form at the polling place or other registration location under pars. (a)  
8 and (b) sub. (2) before voting. A registered elector who has changed his or her  
9 residence within this state from one municipality to another or within a municipality  
10 from one ward to another, and who has not notified the municipal clerk of the change  
11 of address under s. 6.40 (1), may not be permitted to vote, except at a subsequent  
12 election for which the elector is properly registered or as authorized under s. 6.10 (3)  
13 or 6.85 (2).

14 **SECTION 32.** 6.55 (3) (a) of the statutes is renumbered 6.55 (3) and amended to  
15 read:

16 **6.55 (3)** Any qualified elector in the ward or election district where the elector  
17 desires to vote whose name does not appear on the registration list but who claims  
18 to be registered to vote in the election may request permission to vote at the polling  
19 place for that ward or election district. When the request is made, the inspector shall  
20 require the person to give his or her name and address. If the elector is not at the  
21 polling place which serves the ward or election district where the elector resides, the  
22 inspector shall provide the elector with directions to the correct polling place. ~~If the~~  
23 ~~elector is at the correct polling place, the elector shall complete registration as~~  
24 ~~provided in sub. (2).~~

25 **SECTION 33.** 6.55 (3) (b) of the statutes is repealed.

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1           **SECTION 34.** 6.55 (6) of the statutes is repealed.

2           **SECTION 35.** 6.56 (1) of the statutes is amended to read:

3           6.56 (1) The list containing the names of persons voting transferring  
4           registration under ~~ss. 6.29 and s.~~ 6.55 (2) shall be returned together with all forms  
5           and certificates to the municipal clerk.

6           **SECTION 36.** 6.56 (3) of the statutes is amended to read:

7           6.56 (3) Upon receipt of the list under sub. (1), the municipal clerk or board of  
8           election commissioners shall make an audit of all electors ~~registering to vote~~  
9           transferring registration at the polling place or other registration location under s.  
10          6.55 (2) ~~and all electors registering by agent on election day under s. 6.86 (3) (a) 2.~~  
11          unless the clerk or board of election commissioners receives notice from the board  
12          under sub. (7) that the board will perform the audit. The audit shall be made by 1st  
13          class postcard. The postcard shall be marked in accordance with postal regulations  
14          to ensure that it will be returned to the clerk, board of election commissioners, or  
15          government accountability board if the elector does not reside at the address given  
16          on the postcard. If any postcard is returned undelivered, or if the clerk, board of  
17          election commissioners, or government accountability board is informed of a  
18          different address than the one specified by the elector which was apparently  
19          improper on the day of the election, the clerk, board of election commissioners, or  
20          government accountability board shall change the status of the elector from eligible  
21          to ineligible on the registration list, mail the elector a notice of the change in status,  
22          and provide the name of the elector to the district attorney for the county where the  
23          polling place is located and the government accountability board.

24          **SECTION 37.** 6.56 (5) of the statutes is amended to read:

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1           6.56 (5) Whenever any letter or postcard mailed under this section is returned  
2 undelivered, or whenever the U.S. postal service notifies the clerk of an improper  
3 address which was apparently improper on the day of the election or whenever it  
4 otherwise appears that a person has voted who is not qualified or has voted more  
5 than once in an election, and the person has been permitted to vote after  
6 corroboration was made under s. 6.55 (2) ~~or 6.86 (3) (a) 2.~~, the name of the  
7 corroborator shall also be provided to the district attorney for the county where the  
8 person resides and the board.

9           **SECTION 38.** 6.79 (2) (b) and (c) of the statutes are amended to read:

10           6.79 (2) (b) Upon the poll list, after the name of each elector, the officials shall  
11 enter a serial number for each elector in the order that votes are cast, beginning with  
12 number one. The officials shall enter upon the poll list, after the name of any elector  
13 who updates his or her registration under s. 6.55 (1), the updated name of the elector.

14           (c) The officials shall maintain separate lists for electors who are voting under  
15 s. 6.15, ~~6.29~~, or transferring registrations under s. 6.55 (2) ~~or (3)~~ and electors who are  
16 reassigned from another polling place under s. 5.25 (5) (b) and shall enter the full  
17 name, address, and serial number of each of these electors on the appropriate  
18 separate list. Alternatively, if the poll list is maintained electronically, the officials  
19 may enter on the poll list the information that would otherwise appear on a separate  
20 list if the information that would be obtainable from a separate list is entered on the  
21 poll list.

22           **SECTION 39.** 6.79 (2) (dn) of the statutes is created to read:

23           6.79 (2) (dn) If the elector claims to have registered at an address that is served  
24 by the polling place on or before the 10th day preceding the election, but the elector's

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1 name does not appear on the poll list, the officials shall offer the elector the  
2 opportunity to vote under s. 6.97.

3 **SECTION 40.** 6.79 (4) of the statutes is amended to read:

4 **6.79 (4) SUPPLEMENTAL INFORMATION.** When any elector provides proof of  
5 residence under s. 6.15,~~6.29~~ or 6.55 (2), the election officials shall enter the type of  
6 identifying document provided on the poll list, or separate list maintained under sub.  
7 (2) (c). If the document submitted as proof of identity or residence includes a number  
8 which applies only to the individual holding that document, the election officials  
9 shall also enter that number on the list. When any elector corroborates the  
10 registration identity or residence of any person offering to vote under s. 6.55 (2) (b)  
11 or (c), ~~or the registration identity or residence of any person registering on election~~  
12 ~~day under s. 6.86 (3) (a) 2.,~~ the election officials shall also enter the name and address  
13 of the corroborator next to the name of the elector whose information is being  
14 corroborated on the poll list, or the separate list maintained under sub. (2) (c). When  
15 any person offering to vote has been challenged and taken the oath, following the  
16 person's name on the poll list, the officials shall enter the word "Sworn".

17 **SECTION 41.** 6.86 (1) (d) of the statutes is created to read:

18 **6.86 (1) (d)** If an elector other than a military elector applies for an absentee  
19 ballot for an election at the office of the municipal clerk after the 10th day preceding  
20 the election and the elector claims to have registered at an address that is located in  
21 the municipality on or before the 10th day preceding the election, but the elector's  
22 name does not appear on the registration list, the municipal clerk shall offer the  
23 elector the opportunity to vote under s. 6.97. If the individual chooses to vote under  
24 s. 6.97, the municipal clerk shall mark on the certificate envelope an indication that  
25 the elector's name does not appear on the registration list.

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1           **SECTION 42.** 6.86 (3) (a) 1. of the statutes is renumbered 6.86 (3) (a).

2           **SECTION 43.** 6.86 (3) (a) 2. of the statutes is repealed.

3           **SECTION 44.** 6.86 (3) (b) of the statutes is amended to read:

4           6.86 (3) (b) When each properly executed form and statement required under  
5 par. (a) is presented to the municipal clerk, if the elector who proposes to vote is  
6 qualified, an absentee ballot shall be issued and the name of such hospitalized elector  
7 shall be recorded by the clerk ~~or special registration deputy~~. An agent who is issued  
8 an absentee ballot under this section shall present documentation of his or her  
9 identity, provide his or her name and address, and attest to a statement that the  
10 ballot is received solely for the benefit of a named elector who is hospitalized, and the  
11 agent will promptly transmit the ballot to such person.

12           **SECTION 45.** 6.86 (3) (c) of the statutes is amended to read:

13           6.86 (3) (c) An application under ~~par. (a) 1.~~ this subsection may be made and  
14 a ~~registration form under par. (a) 2.~~ may be filed in person at the office of the  
15 municipal clerk not earlier than 7 days before an election and not later than 5 p.m.  
16 on the day of the election. A list of hospitalized electors applying for ballots under  
17 ~~par. (a) 1.~~ this subsection shall be made by the municipal clerk and used to check that  
18 the electors vote only once, and by absentee ballot. If the elector is registering for the  
19 election after the close of registration or if the elector registered by mail and has not  
20 voted in an election in this state, the municipal clerk shall inform the agent that proof  
21 of residence under s. 6.34 is required and the elector shall enclose proof of residence  
22 under s. 6.34 in the envelope with the ballot. The ballot shall be sealed by the elector  
23 and returned to the municipal clerk either by mail or by personal delivery of the  
24 agent; but if the ballot is returned on the day of the election, the agent shall make  
25 personal delivery to the polling place serving the hospitalized elector's residence

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1 before the closing hour or, in municipalities where absentee ballots are canvassed  
2 under s. 7.52, to the municipal clerk no later than 8 p.m. on election day.

3 **SECTION 46.** 6.97 (1) of the statutes is amended to read:

4 6.97 (1) Whenever any individual who is required to provide proof of residence  
5 under s. 6.34 in order to be permitted to vote appears to vote at a polling place and  
6 cannot provide the required proof of residence, the inspectors shall offer the  
7 opportunity for the individual to vote under this section. Whenever any individual  
8 appears to vote at a polling place and claims to be registered at an address served  
9 by the polling place on or before the 10th day preceding the election but the elector's  
10 name does not appear on the poll list for that polling place, the inspectors shall  
11 similarly offer the opportunity for the elector to vote under this section. If the  
12 individual wishes to vote, the inspectors shall provide the elector with an envelope  
13 marked "Ballot under s. 6.97, stats." on which the serial number of the elector is  
14 entered and shall require the individual to execute on the envelope a written  
15 affirmation stating that the individual is a qualified elector of the ward or election  
16 district where he or she offers to vote and is eligible to vote in the election. The  
17 inspectors shall, before giving the elector a ballot, write on the back of the ballot the  
18 serial number of the individual corresponding to the number kept at the election on  
19 the poll list or other list maintained under s. 6.79 and the notation "s. 6.97". If voting  
20 machines are used in the municipality where the individual is voting, the  
21 individual's vote may be received only upon an absentee ballot furnished by the  
22 municipal clerk which shall have the corresponding number from the poll list or  
23 other list maintained under s. 6.79 and the notation "s. 6.97" written on the back of  
24 the ballot by the inspectors before the ballot is given to the elector. When receiving  
25 the individual's ballot, the inspectors shall provide the individual with written

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1 voting information prescribed by the board under s. 7.08 (8). The inspectors shall  
2 indicate on the list the fact that the individual is required to provide proof of  
3 residence but did not do so, or that the elector claims to be properly registered to vote  
4 in the election, but the elector's name does not appear on the poll list. The inspectors  
5 shall notify the individual that he or she may provide proof of residence to the  
6 municipal clerk or executive director of the municipal board of election  
7 commissioners or may provide proof of timely registration to the municipal clerk or  
8 executive director of the board of election commissioners. The inspectors shall also  
9 promptly notify the municipal clerk or executive director of the name, address, and  
10 serial number of the individual and the reason why the individual is voting under  
11 this section. The inspectors shall then place the ballot inside the envelope and place  
12 the envelope in a separate carrier envelope.

13 **SECTION 47.** 6.97 (2) of the statutes is amended to read:

14 6.97 (2) Whenever any individual who votes by absentee ballot is required to  
15 provide proof of residence in order to be permitted to vote and does not provide the  
16 required proof of residence under s. 6.34, the inspectors shall treat the ballot as a  
17 provisional ballot under this section. Whenever any individual other than a military  
18 elector applies for an absentee ballot for an election at the office of the municipal  
19 clerk after the 10th day preceding the election, and the elector claims to be properly  
20 registered to vote in the election but the elector's name does not appear on the  
21 registration list for the municipality, the inspectors shall similarly treat the ballot  
22 as a provisional ballot under this section. Upon removing the ballot from the  
23 envelope, the inspectors shall write on the back of the absentee ballot the serial  
24 number of the individual corresponding to the number kept at the election on the poll  
25 list or other list maintained under s. 6.79 and the notation "s. 6.97". The inspectors

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1 shall indicate on the list the fact that the individual is required to provide proof of  
2 residence but did not do so, or that the elector claims to be properly registered to vote  
3 in the election at an address served by the polling place, but the elector's name does  
4 not appear on the poll list. The inspectors shall promptly notify the municipal clerk  
5 or executive director of the municipal board of election commissioners of the name,  
6 address, and serial number of the individual. The inspectors shall then place the  
7 ballot inside an envelope on which the name and serial number of the elector is  
8 entered and shall place the envelope in a separate carrier envelope.

9 **SECTION 48.** 6.97 (3) of the statutes is renumbered 6.97 (3) (a) and amended to  
10 read:

11 6.97 (3) (a) Whenever the municipal clerk or executive director of the municipal  
12 board of election commissioners is informed by the inspectors that a ballot has been  
13 cast under this section, the clerk or executive director shall promptly provide written  
14 notice to the board of canvassers of each municipality, special purpose district, and  
15 county that is responsible for canvassing the election of the number of ballots cast  
16 under this section in each ward or election district. The municipal clerk or executive  
17 director then shall determine whether each individual voting under this section is  
18 qualified to vote in the ward or election district where the individual's ballot is cast.  
19 If the elector's name does not appear on the registration list at the address where the  
20 elector resides, the elector bears the burden of providing proof of timely registration  
21 for the election. If a question arises as to whether an elector was registered at an  
22 address where the elector resides on or before the 10th day preceding an election, the  
23 elector may establish that he or she was properly registered to vote by submitting  
24 to the municipal clerk a 1st class letter or postcard that was received by the elector  
25 under s. 6.32 (4) showing a timely registration date or by demonstrating from

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1 municipal records that he or she has voted at the address where he or she now resides  
2 at least once during the 4-year period preceding the election and submitting to the  
3 municipal clerk a statement signed by the elector affirming that the elector has not  
4 changed his or her residence since the date that the elector last voted at that  
5 residence. The municipal clerk or executive director shall make a record of the  
6 procedure used to determine the validity of each ballot. If, prior to 4 p.m. on the day  
7 after the election, the municipal clerk or executive director determines that the  
8 individual is qualified to vote in the ward or election district where the individual's  
9 ballot is cast, the municipal clerk or executive director shall notify the board of  
10 canvassers for each municipality, special purpose district and county that is  
11 responsible for canvassing the election of that fact.

12 **SECTION 49.** 6.97 (3) (b) of the statutes is created to read:

13 6.97 (3) (b) A ballot cast under this section by an elector who is subject to a  
14 registration requirement and whose name does not appear on the registration list at  
15 the address where the elector resides shall not be counted unless the municipal clerk  
16 or executive director of the board of election commissioners provides timely  
17 notification that the elector was properly registered to vote in the election at the  
18 address where the elector resides on the 10th day preceding that election.

19 **SECTION 50.** 7.03 (1) (d) of the statutes is amended to read:

20 7.03 (1) (d) Except as otherwise provided in par. (a), special registration  
21 ~~deputies appointed under s. 6.55 (6),~~ special voting deputies appointed under s. 6.875  
22 (4) and officials and trainees who attend training sessions under s. 7.15 (1) (e) or 7.25  
23 (5) may also be compensated by the municipality where they serve at the option of  
24 the municipality.

25 **SECTION 51.** 7.15 (1) (L) of the statutes is amended to read:

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1           7.15 (1) (L) Compile and, no later than 7 days after each general election,  
2 transmit to the board the lists of electors registering to vote under ~~ss. 6.29 (2) (a), s.~~  
3 ~~6.55 (2) (b) and (c) 1. and 6.86 (3) (a) 2.~~ who presented valid drivers' licenses issued  
4 by other states. The clerk shall withhold access to the lists from inspection or copying  
5 under s. 19.35 (1).

6           **SECTION 52.** 7.30 (2) (a) of the statutes is amended to read:

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

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1 votes for president, or governor in nonpresidential general election years, in the ward  
2 or combination of wards served by the polling place at the last election. Excluding  
3 the inspector who may be appointed under sub. (1) (b), the party which received the  
4 largest number of votes is entitled to one more inspector than the party receiving the  
5 next largest number of votes at each polling place. Election officials appointed under  
6 this section may serve the electors of more than one ward where wards are combined  
7 under s. 5.15 (6) (b). If a municipality is not divided into wards, the ward  
8 requirements in this paragraph apply to the municipality at large.

9 **SECTION 53.** 7.315 (1) (a) and (b) 1. of the statutes are amended to read:

10 7.315 (1) (a) The board shall, by rule, prescribe the contents of the training that  
11 municipal clerks must provide to inspectors, other than chief inspectors, to special  
12 voting deputies appointed under s. 6.875, and to special registration deputies  
13 appointed under ~~ss. s. 6.26 and 6.55 (6)~~.

14 (b) 1. Each inspector other than a chief inspector and each special voting deputy  
15 appointed under s. 6.875 and special registration deputy appointed under s. 6.26 ~~or~~  
16 ~~6.55 (6)~~ shall view or attend at least one training program every 2 years. Except as  
17 provided in subd. 2., no individual may serve as an inspector, other than a chief  
18 inspector, as a special voting deputy under s. 6.875, or as a special registration  
19 deputy under s. 6.26 ~~or 6.55 (6)~~ at any election unless the individual has completed  
20 training for that election provided by the municipal clerk pursuant to rules  
21 promulgated under par. (a) within 2 years of the date of the election.

22 **SECTION 54.** 7.37 (13) of the statutes is amended to read:

23 7.37 (13) CLOSING OF POLLS. For each polling place, the municipal clerk shall  
24 designate an official of the municipality who shall position himself or herself at the  
25 end of the line of individuals waiting to vote, if any, at the time that the polls officially

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1 close. The official may be an inspector ~~or special registration deputy appointed under~~  
2 ~~s. 6.55 (6)~~ who serves at that polling place, an employee of the municipal clerk or a  
3 police officer. Only individuals in line ahead of the official shall be permitted to vote  
4 under s. 6.78 (4).

5 **SECTION 55.** 10.02 (3) (a) of the statutes is amended to read:

6 10.02 (3) (a) Upon entering the polling place and before being permitted to vote,  
7 an elector shall state his or her name and address. If an elector ~~is not registered to~~  
8 ~~vote, an~~ has changed his or her residence within the ward where the elector resides  
9 or within the municipality if the municipality is not divided into wards, the elector  
10 ~~may register to vote~~ transfer his or her registration at the polling place serving his  
11 or her residence if the elector provides proof of residence or the elector's registration  
12 is verified by another elector of the same municipality where the elector resides.  
13 Where ballots are distributed to electors, the initials of 2 inspectors must appear on  
14 the ballot. Upon being permitted to vote, the elector shall retire alone to a voting  
15 booth or machine and cast his or her ballot, except that an elector who is a parent or  
16 guardian may be accompanied by the elector's minor child or minor ward. An  
17 election official may inform the elector of the proper manner for casting a vote, but  
18 the official may not in any manner advise or indicate a particular voting choice.

19 **SECTION 56.** 12.13 (3) (v) of the statutes is amended to read:

20 12.13 (3) (v) Corroborate any information offered by a proposed elector for the  
21 purpose of permitting the person to register to vote, to transfer his or her  
22 registration, or to vote in any election, knowing such information to be false.

23 **SECTION 57.** 17.29 of the statutes is amended to read:

24 **17.29 Effect of chapter.** The provisions of this chapter supersede all contrary  
25 provisions in either the general law or in special acts, except ss. 6.26 (2) (b), 6.28 (2)

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1 (b), ~~6.55–(6)~~, 6.875, and 7.30 relating to appointed election officials and ch. 321  
2 relating to the military staff of the governor and to officers of the Wisconsin national  
3 guard or state defense force; and shall govern all offices whether created by general  
4 law or special act, unless otherwise specially provided.

5 **SECTION 58. Initial applicability.**

6 (1) This act first applies with respect to the 2013 spring primary election.

7 **SECTION 59. Effective date.**

8 (1) This act takes effect on January 1, 2013.

9 (END)