



2013 BILL

1 **AN ACT** *to repeal* 6.26 (2) (d), 6.55 (2) (a) 2., 6.55 (2) (cm), 6.55 (3) (b) and 6.55
2 (6); *to renumber and amend* 6.55 (2) (a) 1., 6.55 (2) (d) and 6.55 (3) (a); *to*
3 **amend** 6.10 (3), 6.15 (2) (a), 6.15 (3), 6.275 (1) (b), 6.275 (1) (d), 6.28 (1), 6.29
4 (1), 6.32 (3), 6.33 (1), 6.40 (1) (a) 1., 6.40 (1) (c), 6.45 (title), 6.45 (1m), 6.50 (10),
5 6.54, 6.55 (title), 6.55 (2) (b), 6.55 (2) (c) 1., 6.55 (2) (cs), 6.56 (1), 6.56 (3), 6.79
6 (2) (b) and (c), 6.86 (3) (b), 6.97 (title), 6.97 (1), 6.97 (2), 6.97 (3) (b), 7.03 (1) (d),
7 7.30 (1) (b), 7.30 (2) (a), 7.315 (1) (a) and (b) 1., 7.37 (13), 10.02 (3) (form) (a),
8 12.035 (1) and 17.29; *to repeal and recreate* 6.15 (2) (title); and *to create* 6.79
9 (2) (dn), 6.86 (1) (d) and 6.97 (3) (d) of the statutes; **relating to:** voter
10 registration at polling places.

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 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,

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under current law, an elector may also register in person at the office of the municipal clerk or board of election commissioners for the municipality where the elector resides during the period beginning on the third Thursday before the election or, in most cases, may register at the polling place or other designated location serving the elector's residence on election day. If an elector registers at a polling place or other designated location on election day, the elector must present acceptable proof of residence.

This 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 at least 28 days 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 Friday 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.

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

- 1 **SECTION 1.** 6.10 (3) of the statutes is amended to read:
- 2 6.10 (3) When an elector moves his or her residence from one ward or
- 3 municipality to another ward or municipality within the state at least 28 days before
- 4 the election, the elector may vote in and be considered a resident of the new ward or

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1 municipality where residing upon transferring registration under s. 6.40 (1) or upon
2 registering at the proper polling place or other registration location in the new ward
3 or municipality under s. ~~6.55 (2) or 6.86 (3) (a) 2.~~ If the elector moves his or her
4 residence within the same ward or election district, the elector may transfer his or
5 her registration at the polling place serving his or her residence under s. 6.55 (2).
6 If the elector moves his or her residence later than 28 days before an election, the
7 elector shall vote in the elector's former ward or municipality if otherwise qualified
8 to vote there.

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

10 6.15 (2) (title) APPLICATION FOR BALLOT.

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

12 6.15 (2) (a) The elector's request for the application form may be made in person
13 to the municipal clerk of the municipality where the person resides. Application may
14 be made not sooner than 27 days nor later than 5 p.m. on the day before the election,
15 or may be made at the proper polling place in the ward or election district in which
16 the elector resides. ~~If an elector makes application before election day, the.~~ The
17 application form shall be returned to the municipal clerk after the affidavit has been
18 signed in the presence of the clerk or any officer authorized by law to administer
19 oaths. The affidavit shall be in substantially the following form:

20 STATE OF WISCONSIN

21 County of

22 I,, do solemnly swear that I am a citizen of the United States; that prior to
23 establishing Wisconsin residence, my legal residence was in the (town) (village)
24 (city) of, state of, residing at (street address); that on the day of the next
25 presidential election, I shall be at least 18 years of age and that I have been a legal

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1 resident of the state of Wisconsin since, (year), residing at (street address),
2 in the [... ward of the aldermanic district of] the (town) (village) (city) of, county
3 of; that I have resided in the state less than 28 consecutive days, that I am
4 qualified to vote for president and vice president at the election to be held November
5, (year), that I am not voting at any other place in this election and that I hereby
6 make application for an official presidential ballot, in accordance with section 6.15
7 of the Wisconsin statutes.

8 Signed

9 P.O. Address

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

11(Name)

12(Title)

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

14 6.15 (3) ~~PROCEDURE AT POLLING PLACE~~ USE OF ELECTRONIC VOTING SYSTEMS. ~~An~~
15 eligible elector may appear at the polling place for the ward or election district where
16 he or she resides and make application for a ballot under sub. (2). ~~Except as~~
17 otherwise provided in this subsection, an elector who casts a ballot under this
18 subsection shall follow the same procedure required for casting a ballot at the
19 municipal clerk's office under sub. (2). ~~The inspectors shall perform the duties of the~~
20 municipal clerk, except that the inspectors shall return the cancellation card under
21 sub. (2) (b) to the municipal clerk and the clerk shall forward the card as provided
22 in sub. (2) (c) if required. ~~Upon proper completion of the application and cancellation~~
23 card and verification of the proof of identification and proof of residence, whenever
24 required, as provided in sub. (2) (bm), the inspectors shall permit the elector to cast
25 his or her ballot for president and vice president. ~~The elector shall mark the ballot~~

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1 ~~and, unless the ballot is utilized with an electronic voting system, the elector shall~~
2 ~~fold the ballot, and deposit the ballot into the ballot box or give it to the inspector.~~
3 ~~The inspector shall deposit it directly into the ballot box.~~ Voting machines or ballots
4 utilized with electronic voting systems may only be used by electors voting under this
5 section if they permit voting for president and vice president only.

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

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

8 6.275 (1) (b) The total number of electors of the municipality residing in that
9 county who were ~~preregistered~~ registered on the deadline specified in s. 6.28 (1),
10 including valid mail registrations which are postmarked by that day.

11 **SECTION 7.** 6.275 (1) (d) of the statutes is amended to read:

12 6.275 (1) (d) The total number of electors of the municipality residing in that
13 county who ~~registered~~ transferred their registrations on the day of the primary or
14 election under ~~ss. s. 6.55 and~~ or who registered on election day under s. 6.86 (3) (a)
15 2.

16 **SECTION 8.** 6.28 (1) of the statutes is amended to read:

17 6.28 (1) REGISTRATION LOCATIONS; DEADLINE. Except as authorized in ss. 6.29,
18 6.55 (2), and 6.86 (3) (a) 2., registration in person for any election shall close at 5 p.m.
19 on the 3rd Wednesday preceding the election. Registrations made by mail under s.
20 6.30 (4) must be delivered to the office of the municipal clerk or postmarked no later
21 than the 3rd Wednesday preceding the election. All applications for registration
22 corrections and additions may be made throughout the year at the office of the city
23 board of election commissioners, at the office of the municipal clerk, at the office of
24 the county clerk, or at other locations provided by the board of election
25 commissioners or the common council in cities over 500,000 population or by either

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1 or both the municipal clerk, or the common council, village or town board in all other
2 municipalities. Other registration locations may include but are not limited to fire
3 houses, police stations, public libraries, institutions of higher education,
4 supermarkets, community centers, plants and factories, banks, savings and loan
5 associations and savings banks. Special registration deputies shall be appointed for
6 each location unless the location can be sufficiently staffed by the board of election
7 commissioners or the municipal clerk or his or her deputies. An elector who wishes
8 to obtain a confidential listing under s. 6.47 (2) shall register at the office of the
9 municipal clerk of the municipality where the elector resides.

10 **SECTION 9.** 6.29 (1) of the statutes is amended to read:

11 6.29 (1) No names may be added to a registration list for any election after the
12 close of registration, except as authorized under this section or s. ~~6.55 (2)~~ or 6.86 (3)
13 (a) 2. Any person whose name is not on the registration list but who is otherwise a
14 qualified elector is entitled to vote at the election upon compliance with this section,
15 if the person complies with all other requirements for voting at the polling place.

16 **SECTION 10.** 6.32 (3) of the statutes is amended to read:

17 6.32 (3) If the form is submitted later than the close of registration, the clerk
18 shall make a good faith effort to notify the elector that he or she may register at the
19 clerk's office under s. 6.29 ~~or at the proper polling place or other location designated~~
20 ~~under s. 6.55 (2).~~

21 **SECTION 11.** 6.33 (1) of the statutes is amended to read:

22 6.33 (1) The board shall prescribe the format, size, and shape of registration
23 forms. All forms shall be printed on cards and each item of information shall be of
24 uniform font size, as prescribed by the board. The municipal clerk shall supply
25 sufficient forms to meet voter registration needs. The forms shall be designed to

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1 obtain from each applicant information as to name; date; residence location; location
2 of previous residence immediately before moving to current residence location;
3 citizenship; date of birth; age; the number of a current and valid operator's license
4 issued to the elector under ch. 343 or the last 4 digits of the elector's social security
5 account number; whether the applicant has resided within the ward or election
6 district for at least 28 consecutive days; whether the applicant has been convicted of
7 a felony for which he or she has not been pardoned, and if so, whether the applicant
8 is incarcerated, or on parole, probation, or extended supervision; whether the
9 applicant is disqualified on any other ground from voting; and whether the applicant
10 is currently registered to vote at any other location. The form shall include a space
11 for the applicant's signature. Below the space for the signature, the form shall state
12 "Falsification of information on this form is punishable under Wisconsin law as a
13 Class I felony." The form shall include a space to enter the name of any special
14 registration deputy under s. 6.26 or ~~6.55 (6)~~ or inspector, municipal clerk, or deputy
15 clerk under s. 6.55 (2) who obtains the form and a space for the deputy, inspector,
16 clerk, or deputy clerk to sign his or her name, affirming that the deputy, inspector,
17 clerk, or deputy clerk has accepted the form. The form shall include a space for entry
18 of the ward and aldermanic district, if any, where the elector resides and any other
19 information required to determine the offices and referenda for which the elector is
20 certified to vote. The form shall also include a space where the clerk may record an
21 indication of whether the form is received by mail, a space where the clerk may record
22 an indication of the type of identifying document submitted by the elector as proof
23 of residence under s. 6.34, whenever required, and a space where the clerk, for any
24 applicant who possesses a valid voting identification card issued to the person under
25 s. 6.47 (3), may record the identification serial number appearing on the voting

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1 identification card. Each county clerk shall obtain sufficient registration forms for
2 completion by an elector who desires to register to vote at the office of the county clerk
3 under s. 6.28 (4).

4 **SECTION 12.** 6.40 (1) (a) 1. of the statutes is amended to read:

5 6.40 (1) (a) 1. Any registered elector may transfer registration after a change
6 of residence within the state by filing in person with the municipal clerk of the
7 municipality where the elector resides or by mailing to the municipal clerk a signed
8 request stating his or her present address, affirming that this will be his or her
9 residence for 28 consecutive days prior to the election and providing the address
10 where he or she was last registered. Alternatively, the elector may transfer his or
11 her registration at the proper polling place or other registration location under s. 6.02
12 (2) in accordance with s. 6.55 (2) (a). If an elector is ~~voting in the ward or election~~
13 ~~district where the elector formerly resided~~ changes his or her residence from one
14 municipality to another or from one ward to another within the same municipality
15 within 28 days of an election, the change shall be effective for the next election.

16 **SECTION 13.** 6.40 (1) (c) of the statutes is amended to read:

17 6.40 (1) (c) *Name change.* Whenever an elector's name is legally changed,
18 including a change by marriage or divorce, the elector shall transfer his or her
19 registration to his or her legal name by appearing in person or mailing to the
20 municipal clerk a signed request for a transfer of registration to such name.
21 Alternatively, a registered elector may make notification of a name change at his or
22 her polling place under s. 6.55 (2) ~~(d)~~ (1).

23 **SECTION 14.** 6.45 (title) of the statutes is amended to read:

24 **6.45 (title) Access to registration and poll list.**

25 **SECTION 15.** 6.45 (1m) of the statutes is amended to read:

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1 6.45 (1m) The registration poll list and any supplemental lists which are
2 prepared at polling places or other registration transfer locations under s. 6.55, shall
3 be open to public inspection. Under the regulations prescribed by the municipal
4 clerk, any person may copy the registration poll list at the office of the clerk. A
5 registration poll list maintained at a polling place may be examined by any person
6 who is observing the proceedings under s. 7.41 when such use does not interfere with
7 the conduct of the election. This subsection does not apply to information that is
8 confidential under s. 6.47.

9 **SECTION 16.** 6.50 (10) of the statutes is amended to read:

10 6.50 (10) Any qualified elector whose registration is changed from eligible to
11 ineligible status under this section may reregister as provided under s. 6.28 (1), or
12 6.29 (2), or transfer his or her registration as provided under s. 6.55 (2).

13 **SECTION 17.** 6.54 of the statutes is amended to read:

14 **6.54 Failure to register; rights.** No name may be added to the registration
15 list after the close of registration, but any person whose name is not on the
16 registration list but who is otherwise a qualified elector is entitled to vote at the
17 election upon compliance with s. 6.29 ~~or 6.55~~.

18 **SECTION 18.** 6.55 (title) of the statutes is amended to read:

19 **6.55 (title) ~~Polling place~~ Updating registration; voting by certification**
20 **at polling place.**

21 **SECTION 19.** 6.55 (2) (a) 1. of the statutes is renumbered 6.55 (2) (a) and
22 amended to read:

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

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1 ~~another location,~~ registered elector who has changed his or her residence within the
2 ward or election district in which he or she is registered and who has not notified the
3 municipal clerk of the change of address under s. 6.40 (1) may request permission to
4 vote at the polling place ~~for that ward or election district~~ servng the elector's
5 residence, or at an alternate polling place assigned under s. 5.25 (5) (b). When a
6 proper request is made, the inspector shall require the ~~person to execute~~ elector to
7 transfer his or her registration by executing a registration transfer form prescribed
8 by the board. The registration transfer form shall be completed in the manner
9 provided under s. 6.33 (2) and shall contain all information required under s. 6.33
10 (1), together with the following certification:

11 “I,, hereby certify that, to the best of my knowledge, I am a qualified elector,
12 having resided at ... for at least 28 consecutive days immediately preceding this
13 election, and I have not voted at this election.”

14 **SECTION 20.** 6.55 (2) (a) 2. of the statutes is repealed.

15 **SECTION 21.** 6.55 (2) (b) of the statutes is amended to read:

16 6.55 (2) (b) Upon executing the registration transfer form under par. (a), the
17 elector shall provide proof of residence under s. 6.34. The signing by the elector
18 executing the registration transfer form shall be in the presence of the special
19 ~~registration deputy or inspector~~ who shall then print his or her name on and sign the
20 form, indicating that the ~~deputy or inspector~~ has accepted the form. Upon
21 compliance with this procedure, the elector shall be permitted to cast his or her vote,
22 if the elector complies with all other requirements for voting at the polling place.

23 **SECTION 22.** 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 residence under s. 6.40 (1), and who desires to vote, to transfer his or
6 her registration at another readily accessible location in the same building as the
7 polling place serving the elector's residence or at an alternate polling place assigned
8 under s. 5.25 (5) (b), instead of at the polling place serving the elector's residence.
9 In such case, the municipal clerk shall prominently post a notice of the ~~registration~~
10 location designated for transferring registrations at the polling place. An eligible
11 elector who desires to ~~register~~ transfer registration shall ~~execute~~ transfer his or her
12 registration by executing a registration transfer form as prescribed under par. (a)
13 and provide proof of residence as provided under s. 6.34. The signing by the person
14 executing the registration transfer form shall be in the presence of the municipal
15 clerk, or deputy clerk ~~or special registration deputy~~. The municipal clerk, ~~the~~ or
16 ~~deputy clerk, or the special registration deputy~~ shall then print his or her name and
17 sign the form, indicating that the clerk, or deputy clerk, ~~or deputy~~ has accepted the
18 form. Upon proper completion of the registration transfer, the municipal clerk, or
19 ~~deputy clerk or special registration deputy~~ shall serially number the registration and
20 give one copy to the person for presentation at the polling place serving the person's
21 residence or an alternate polling place assigned under s. 5.25 (5) (b).

22 **SECTION 23.** 6.55 (2) (cm) of the statutes is repealed.

23 **SECTION 24.** 6.55 (2) (cs) of the statutes is amended to read:

24 6.55 (2) (cs) The board shall provide to each municipal clerk a list prepared for
25 use at each polling place showing the name and address of each person whose name

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

16 **SECTION 25.** 6.55 (2) (d) of the statutes is renumbered 6.55 (1) and amended to
17 read:

18 6.55 (1) A registered elector who has changed his or her name but resides at
19 the same address, and has not notified the municipal clerk under s. 6.40 (1) (c), shall
20 notify the inspector of the change before voting. The inspector shall then notify the
21 municipal clerk at the time when materials are returned under s. 6.56 (1). If an A
22 registered elector has changed both a name and address, the elector who has changed
23 his or her residence within the ward or election district in which he or she is
24 registered and who has not notified the municipal clerk of the change of address
25 under s. 6.40 (1) shall register transfer his or her registration by completing a

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1 registration transfer form at the polling place or other registration location under
2 pars. (a) and (b) sub. (2) before voting. A registered elector who has changed his or
3 her residence within this state from one municipality to another or within a
4 municipality from one ward to another, and who has not notified the municipal clerk
5 of the change of address under s. 6.40 (1), is not permitted to vote, except at a
6 subsequent election for which the elector is properly registered or as authorized
7 under s. 6.10 (3) or 6.85 (2).

8 **SECTION 26.** 6.55 (3) (a) of the statutes is renumbered 6.55 (3) and amended to
9 read:

10 6.55 (3) Any qualified elector in the ward or election district where the elector
11 desires to vote whose name does not appear on the registration list but who claims
12 to be registered to vote in the election may request permission to vote at the polling
13 place for that ward or election district. When the request is made, the inspector shall
14 require the person to give his or her name and address. If the elector is not at the
15 polling place which serves the ward or election district where the elector resides, the
16 inspector shall provide the elector with directions to the correct polling place. ~~If the~~
17 ~~elector is at the correct polling place, the elector shall complete registration as~~
18 ~~provided in sub. (2).~~

19 **SECTION 27.** 6.55 (3) (b) of the statutes is repealed.

20 **SECTION 28.** 6.55 (6) of the statutes is repealed.

21 **SECTION 29.** 6.56 (1) of the statutes is amended to read:

22 6.56 (1) The list containing the names of persons ~~voting~~ registering under ~~ss.~~
23 s. 6.29 and transferring registrations under s. 6.55 (2) shall be returned together
24 with all forms and certificates to the municipal clerk.

25 **SECTION 30.** 6.56 (3) of the statutes is amended to read:

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1 6.56 (3) Upon receipt of the list under sub. (1), the municipal clerk or board of
2 election commissioners shall make an audit of all electors ~~registering to vote~~
3 transferring registration at the polling place or other registration location under s.
4 6.55 (2) and all electors registering by agent on election day under s. 6.86 (3) (a) 2.
5 unless the clerk or board of election commissioners receives notice from the board
6 under sub. (7) that the board will perform the audit. The audit shall be made by 1st
7 class postcard. The postcard shall be marked in accordance with postal regulations
8 to ensure that it will be returned to the clerk, board of election commissioners, or
9 government accountability board if the elector does not reside at the address given
10 on the postcard. If any postcard is returned undelivered, or if the clerk, board of
11 election commissioners, or government accountability board is informed of a
12 different address than the one specified by the elector which was apparently
13 improper on the day of the election, the clerk, board of election commissioners, or
14 government accountability board shall change the status of the elector from eligible
15 to ineligible on the registration list, mail the elector a notice of the change in status,
16 and provide the name of the elector to the district attorney for the county where the
17 polling place is located and the government accountability board.

18 **SECTION 31.** 6.79 (2) (b) and (c) of the statutes are amended to read:

19 6.79 (2) (b) Upon the poll list, after the name of each elector, the officials shall
20 enter a serial number for each elector in the order that votes are cast, beginning with
21 number one. The officials shall enter upon the poll list, after the name of any elector
22 who updates his or her registration under s. 6.55 (1), the updated name of the elector.

23 (c) The officials shall maintain separate lists for electors who are voting under
24 s. 6.15, or 6.29, or transferring registrations under s. 6.55 (2) or (3) and electors who
25 are reassigned from another polling place under s. 5.25 (5) (b) and shall enter the full

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1 name, address, and serial number of each of these electors on the appropriate
2 separate list. Alternatively, if the poll list is maintained electronically, the officials
3 may enter on the poll list the information that would otherwise appear on a separate
4 list if the information that would be obtainable from a separate list is entered on the
5 poll list.

6 **SECTION 32.** 6.79 (2) (dn) of the statutes is created to read:

7 6.79 (2) (dn) If the elector claims to have registered at an address that is served
8 by the polling place on or before the 28th day preceding the election, but the elector's
9 name does not appear on the poll list, the officials shall offer the elector the
10 opportunity to vote under s. 6.97.

11 **SECTION 33.** 6.86 (1) (d) of the statutes is created to read:

12 6.86 (1) (d) If an elector other than a military elector applies for an absentee
13 ballot for an election at the office of the municipal clerk after the 28th day preceding
14 the election and the elector claims to have registered at an address that is located in
15 the municipality on or before the 28th day preceding the election, but the elector's
16 name does not appear on the registration list, the municipal clerk shall offer the
17 elector the opportunity to vote under s. 6.97. If the individual chooses to vote under
18 s. 6.97, the municipal clerk shall mark on the certificate envelope an indication that
19 the elector's name does not appear on the registration list.

20 **SECTION 34.** 6.86 (3) (b) of the statutes is amended to read:

21 6.86 (3) (b) When each properly executed form and statement required under
22 par. (a) is presented to the municipal clerk, if the elector who proposes to vote is
23 qualified, an absentee ballot shall be issued and the name of such hospitalized elector
24 shall be recorded by the clerk or ~~special registration deputy~~. An agent who is issued
25 an absentee ballot under this section shall present documentation of his or her

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1 identity, provide his or her name and address, and attest to a statement that the
2 ballot is received solely for the benefit of a named elector who is hospitalized, and the
3 agent will promptly transmit the ballot to such person.

4 **SECTION 35.** 6.97 (title) of the statutes is amended to read:

5 **6.97 (title) Voting procedure for individuals not providing required**
6 **proof of residence and individuals claiming to be registered.**

7 **SECTION 36.** 6.97 (1) of the statutes is amended to read:

8 6.97 (1) Whenever any individual who is required to provide proof of residence
9 under s. 6.34 in order to be permitted to vote appears to vote at a polling place and
10 cannot provide the required proof of residence, the inspectors shall offer the
11 opportunity for the individual to vote under this section. Whenever any individual
12 appears to vote at a polling place and claims to be registered at an address served
13 by the polling place on or before the 28th day preceding the election but the
14 individual's name does not appear on the poll list for the polling place, the inspectors
15 shall similarly offer the opportunity for the individual to vote under this section.

16 Whenever any individual, other than a military elector, as defined in s. 6.34 (1) (a),
17 or an overseas elector, as defined in s. 6.34 (1) (b), or an elector who has a confidential
18 listing under s. 6.47 (2), appears to vote at a polling place and does not present proof
19 of identification under s. 6.79 (2), whenever required, the inspectors or the municipal
20 clerk shall similarly offer the opportunity for the individual to vote under this
21 section. If the individual wishes to vote, the inspectors shall provide the elector with
22 an envelope marked "Ballot under s. 6.97, stats." on which the serial number of the
23 elector is entered and shall require the individual to execute on the envelope a
24 written affirmation stating that the individual is a qualified elector of the ward or
25 election district where he or she offers to vote and is eligible to vote in the election.

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1 The inspectors shall, before giving the elector a ballot, write on the back of the ballot
2 the serial number of the individual corresponding to the number kept at the election
3 on the poll list or other list maintained under s. 6.79 and the notation “s. 6.97”. If
4 voting machines are used in the municipality where the individual is voting, the
5 individual’s vote may be received only upon an absentee ballot furnished by the
6 municipal clerk which shall have the corresponding number from the poll list or
7 other list maintained under s. 6.79 and the notation “s. 6.97” written on the back of
8 the ballot by the inspectors before the ballot is given to the elector. When receiving
9 the individual’s ballot, the inspectors shall provide the individual with written
10 voting information prescribed by the board under s. 7.08 (8). The inspectors shall
11 indicate on the list the fact that the individual is required to provide proof of
12 residence or proof of identification under s. 6.79 (2) but did not do so, or that the
13 elector claims to be properly registered to vote in the election, but the elector’s name
14 does not appear on the poll list. The inspectors shall notify the individual that he or
15 she may provide proof of residence or proof of identification to the municipal clerk
16 or executive director of the municipal board of election commissioners or may provide
17 proof of timely registration to the municipal clerk or executive director of the board
18 of election commissioners. The inspectors shall also promptly notify the municipal
19 clerk or executive director of the name, address, and serial number of the individual
20 and the reason the individual is voting under this section. The inspectors shall then
21 place the ballot inside the envelope and place the envelope in a separate carrier
22 envelope.

23 **SECTION 37.** 6.97 (2) of the statutes is amended to read:

24 6.97 (2) Whenever any individual who votes by absentee ballot is required to
25 provide proof of residence in order to be permitted to vote and does not provide the

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1 required proof of residence under s. 6.34, the inspectors shall treat the ballot as a
2 provisional ballot under this section. Whenever any individual other than a military
3 elector applies for an absentee ballot for an election at the office of the municipal
4 clerk after the 28th day preceding the election, and the elector claims to be properly
5 registered to vote in the election, but the elector's name does not appear on the
6 registration list for the municipality, the inspectors shall similarly treat the ballot
7 as a provisional ballot under this section. Upon removing the ballot from the
8 envelope, the inspectors shall write on the back of the ballot the serial number of the
9 individual corresponding to the number kept at the election on the poll list or other
10 list maintained under s. 6.79 and the notation "s. 6.97". The inspectors shall indicate
11 on the list the fact that the individual is required to provide proof of residence but
12 did not do so. The inspectors shall promptly notify the municipal clerk or executive
13 director of the municipal board of election commissioners of the name, address, and
14 serial number of the individual. The inspectors shall then place the ballot inside an
15 envelope on which the name and serial number of the elector is entered and shall
16 place the envelope in a separate carrier envelope.

17 **SECTION 38.** 6.97 (3) (b) of the statutes is amended to read:

18 6.97 (3) (b) Whenever the municipal clerk or executive director of the municipal
19 board of election commissioners is informed by the inspectors that a ballot has been
20 cast under this section, the clerk or executive director shall promptly provide written
21 notice to the board of canvassers of each municipality, special purpose district, and
22 county that is responsible for canvassing the election of the number of ballots cast
23 under this section in each ward or election district. The municipal clerk or executive
24 director then shall determine whether each individual voting under this section is
25 qualified to vote in the ward or election district where the individual's ballot is cast.

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1 If the elector's name does not appear on the registration list at the address where the
2 elector resides, the elector bears the burden of providing proof of timely registration
3 for the election to the municipal clerk or board of election commissioners no later
4 than 4 p.m. on the Friday after the election. If a question arises as to whether an
5 elector was registered at an address where the elector resides on or before the 28th
6 day preceding an election, the elector may establish that he or she was properly
7 registered to vote by submitting to the municipal clerk a 1st class letter or postcard
8 that was received by the elector under s. 6.32 (4) showing a timely registration date
9 or by demonstrating from municipal records that he or she has voted at the address
10 where he or she now resides at least once during the 4-year period preceding the
11 election and submitting to the municipal clerk a statement signed by the elector
12 affirming that the elector has not changed his or her residence since the date that
13 the elector last voted at that residence. If the elector is required to provide proof of
14 identification under s. 6.79 (2) or 6.86 (1) (ar) and fails to do so, the elector bears the
15 burden of correcting the omission by providing the proof of identification at the
16 polling place before the closing hour or at the office of the municipal clerk or board
17 of election commissioners no later than 4 p.m. on the Friday after the election. The
18 municipal clerk or executive director shall make a record of the procedure used to
19 determine the validity of each ballot cast under this section. If, ~~prior to~~ by 4 p.m. on
20 the Friday after the election, the municipal clerk or executive director determines
21 that the individual is qualified to vote in the ward or election district where the
22 individual's ballot is cast, the municipal clerk or executive director shall notify the
23 board of canvassers for each municipality, special purpose district and county that
24 is responsible for canvassing the election of that fact.

25 **SECTION 39.** 6.97 (3) (d) of the statutes is created to read:

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1 6.97 (3) (d) A ballot cast under this section by an elector who is subject to a
2 registration requirement and whose name does not appear on the registration list at
3 the address where the elector resides shall not be counted unless the municipal clerk
4 or executive director of the board of election commissioners provides timely
5 notification that the elector was properly registered to vote in the election at the
6 address where the elector resides on the 28th day preceding that election.

7 **SECTION 40.** 7.03 (1) (d) of the statutes is amended to read:

8 7.03 (1) (d) Except as otherwise provided in par. (a), special registration
9 ~~deputies appointed under s. 6.55 (6),~~ special voting deputies appointed under s. 6.875
10 (4) and officials and trainees who attend training sessions under s. 7.15 (1) (e) or 7.25
11 (5) may also be compensated by the municipality where they serve at the option of
12 the municipality.

13 **SECTION 41.** 7.30 (1) (b) of the statutes is amended to read:

14 7.30 (1) (b) Each municipality may appoint one additional inspector to serve
15 at each polling place without regard to party affiliation who shall serve as a greeter
16 to answer questions and to direct electors to the proper locations for transferring
17 registration and voting and who shall be available to substitute for other election
18 officials who must leave the room during the voting process.

19 **SECTION 42.** 7.30 (2) (a) of the statutes is amended to read:

20 7.30 (2) (a) Only election officials appointed under this section or s. 6.875 may
21 conduct an election. Except as otherwise provided in this paragraph and in ss. 7.15
22 (1) (k) and 7.52 (1) (b), each election official shall be a qualified elector of the ward
23 or wards, or the election district, for which the polling place is established. ~~A special~~
24 ~~registration deputy who is appointed under s. 6.55 (6) or an~~ An election official who
25 is appointed under this section to fill a vacancy under par. (b) need not be a resident

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1 of the ward or wards, or the election district, but shall be a resident of the
2 municipality, except that if a municipal clerk or deputy clerk serves as a registration
3 deputy or is appointed to fill a vacancy under par. (b), the clerk or deputy clerk need
4 not be a resident of the municipality, but shall be a resident of the state. No more
5 than 2 individuals holding the office of clerk or deputy clerk may serve without
6 regard to municipal residency in any municipality at any election. ~~Special~~
7 ~~registration deputies who are appointed under s. 6.55 (6) may be appointed to serve~~
8 ~~more than one polling place.~~ All officials appointed under this section shall be able
9 to read and write the English language, be capable, and be of good understanding,
10 and may not be a candidate for any office to be voted for at an election at which they
11 serve. In 1st class cities, they may hold no public office other than notary public.
12 Except as authorized under subs. (1) (b) and (4) (c), all inspectors shall be affiliated
13 with one of the 2 recognized political parties which received the largest number of
14 votes for president, or governor in nonpresidential general election years, in the ward
15 or combination of wards served by the polling place at the last election. Excluding
16 the inspector who may be appointed under sub. (1) (b), the party which received the
17 largest number of votes is entitled to one more inspector than the party receiving the
18 next largest number of votes at each polling place. Election officials appointed under
19 this section may serve the electors of more than one ward where wards are combined
20 under s. 5.15 (6) (b). If a municipality is not divided into wards, the ward
21 requirements in this paragraph apply to the municipality at large.

22 **SECTION 43.** 7.315 (1) (a) and (b) 1. of the statutes are amended to read:

23 7.315 (1) (a) The board shall, by rule, prescribe the contents of the training that
24 municipal clerks must provide to inspectors, other than chief inspectors, to special

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1 voting deputies appointed under s. 6.875, and to special registration deputies
2 appointed under ~~ss. s. 6.26 and 6.55 (6)~~.

3 (b) 1. Each inspector other than a chief inspector and each special voting deputy
4 appointed under s. 6.875 and special registration deputy appointed under s. 6.26 ~~or~~
5 ~~6.55 (6)~~ shall view or attend at least one training program every 2 years. Except as
6 provided in subd. 2., no individual may serve as an inspector, other than a chief
7 inspector, as a special voting deputy under s. 6.875, or as a special registration
8 deputy under s. 6.26 ~~or 6.55 (6)~~ at any election unless the individual has completed
9 training for that election provided by the municipal clerk pursuant to rules
10 promulgated under par. (a) within 2 years of the date of the election.

11 **SECTION 44.** 7.37 (13) of the statutes is amended to read:

12 7.37 (13) CLOSING OF POLLS. For each polling place, the municipal clerk shall
13 designate an official of the municipality who shall position himself or herself at the
14 end of the line of individuals waiting to vote, if any, at the time that the polls officially
15 close. The official may be an inspector ~~or special registration deputy appointed under~~
16 ~~s. 6.55 (6)~~ who serves at that polling place, an employee of the municipal clerk or a
17 police officer. Only individuals in line ahead of the official shall be permitted to vote
18 under s. 6.78 (4).

19 **SECTION 45.** 10.02 (3) (form) (a) of the statutes is amended to read:

20 10.02 (3) (form) (a) Upon entering the polling place and before being permitted
21 to vote, an elector shall state his or her name and address. If an elector is ~~not~~
22 ~~registered to vote, an~~ has changed his or her residence within the ward where the
23 elector resides or within the municipality if the municipality is not divided into
24 wards, the elector may register to vote transfer his or her registration at the polling
25 place serving his or her residence if the elector presents proof of identification in a

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1 form specified by law unless the elector is exempted from this requirement, and, if
2 the document presented does not constitute proof of residence, the elector provides
3 proof of residence. Where ballots are distributed to electors, the initials of 2
4 inspectors must appear on the ballot. Upon being permitted to vote, the elector shall
5 retire alone to a voting booth or machine and cast his or her ballot, except that an
6 elector who is a parent or guardian may be accompanied by the elector’s minor child
7 or minor ward. An election official may inform the elector of the proper manner for
8 casting a vote, but the official may not in any manner advise or indicate a particular
9 voting choice.

10 **SECTION 46.** 12.035 (1) of the statutes is amended to read:

11 12.035 (1) In this section, “election-related material” means any written
12 matter which describes, or purports to describe, the rights or responsibilities of
13 individuals voting or ~~registering to vote~~ transferring registration at a polling place
14 or voting an absentee ballot at the office of the municipal clerk or an alternate site
15 under s. 6.855.

16 **SECTION 47.** 17.29 of the statutes is amended to read:

17 **17.29 Effect of chapter.** The provisions of this chapter supersede all contrary
18 provisions in either the general law or in special acts, except ss. 6.26 (2) (b), ~~6.55 (6)~~,
19 6.875, and 7.30 relating to appointed election officials and ch. 321 relating to the
20 military staff of the governor and to officers of the Wisconsin national guard or state
21 defense force; and shall govern all offices whether created by general law or special
22 act, unless otherwise specially provided.

23 **SECTION 48. Initial applicability.**

