

WISCONSIN ELECTIONS COMMISSION

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DATE: July 5, 2016

TO: Wisconsin County Clerks
Wisconsin Municipal Clerks
City of Milwaukee Elections Commission
Milwaukee County Elections Commission

FROM: Michael Haas
Elections Commission Administrator

SUBJECT: Absentee Ballot Reminders

Based upon inquiries we have received in our office, we thought it would be helpful to provide the following brief reminders related to the processing of absentee ballots:

1. The statutory changes requiring the witness address on the certificate envelope in order to count the ballot, and eliminating the three-day window to receive absentee ballots after Election Day, are not in effect for the August 9, 2016 Partisan Primary.

2015 Wisconsin Act 261 provides that, effective for elections held after September 17, 2016, an absentee ballot may not be counted if the address of the witness is missing from the absentee ballot certificate. Also effective on the same day, the Act requires that all absentee ballots must be delivered to the polling place (or a central count location) by 8 p.m. on Election Day in order to be counted, and eliminates the ability to count absentee ballots that arrive by 4 p.m. on the Friday after the election if the absentee ballot envelope was postmarked by Election Day.

As noted, these changes do not take effect until September 17, 2016, and will be in effect for the first regular election at the November General Election. The requirements regarding the witness address and the receipt of absentee ballots by Election Day must not be implemented for the August Partisan Primary.

2. Based upon the data entered in WisVote as well as our staff follow up with local clerks, we have reported to the U.S. Department of Justice that 2,564 absentee ballot requests for the Partisan Primary were received from military and permanent overseas voters by June 25, 2016. Through MyVote Wisconsin and municipal clerks, 2,530 of those requests were fulfilled by the June 25, 2016 deadline under federal law. While this represents 98.7% compliance with the federal deadline, 34 absentee ballots from 28 municipalities were issued to UOCAVA voters after the federal deadline.
Please continue to prioritize compliance with the deadlines for issuing absentee ballots. As we have repeatedly advised, the U.S. Department of Justice may seek to require either more

onerous reporting requirements or additional procedures if it does not consider Wisconsin's compliance with the federal deadline to be sufficient. In addition, the three-day window for receiving ballots after Election Day will be eliminated starting with the November General Election, which will also eliminate the cushion which previously existed for accommodating the federal 45-day timeline for UOCAVA voters to receive and return absentee ballots.

For all absentee ballot requests issued between now and the absentee ballot request deadlines for the August Partisan Primary, ballots must be issued within one business day of receipt of the request. In addition, in preparing for the November General Election, municipalities must comply with the state (47 days) and federal (45 days) deadlines to issue absentee ballots.

Thank you for your attention to these matters. If you have questions or and concerns about the deadlines or procedures related to absentee ballots or any other questions, please feel free to contact the Elections Commission HelpDesk at elections@wi.gov or at (608) 261-2028.