

State of Wisconsin\Government Accountability Board

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MEMORANDUM

TO: All Municipal Clerks and the Milwaukee City Board of Election Commissioners

FROM: Government Accountability Board Staff (G.A.B.)

DATE: March 15, 2010

SUBJECT: Clerks' Responsibilities on Absentee Voting Deadline Days

G.A.B. staff has fielded a number of calls relating to the deadlines for absentee voting during the week before an election and the responsibility of clerks with respect to those deadlines. Most questions are regarding the hours municipal clerks must keep on these days. The deadlines and respective descriptions are listed below, followed by an explanation of clerks' responsibility.

MAIL DEADLINES

The 5th day before an election (generally, **Thursday**): This is the deadline for electors (except for military, indefinitely-confined and hospitalized electors and sequestered jurors) to request an absentee ballot by mail and the last day a municipal clerk can mail an absentee ballot to electors. §6.86(1)(b), Wis. Stats

The 4th day before and election (generally, **Friday**): This is the deadline for military electors (not on active duty) and indefinitely-confined electors to request an absentee ballot by mail and the last day a municipal clerk can mail an absentee ballot to these electors. §6.86(1)(c), (2), Wis. Stats.

Requirement: The clerk (or a deputy appointed by the clerk to conduct absentee voting) must check the mail at the last possible delivery time to ensure that all absentee ballot requests received on Thursday are mailed out within 24 hours, and that all absentee requests received from military and indefinitely-confined electors received on Friday are mailed out within 24 hours.

IN-OFFICE DEADLINE

5:00 p.m. on the day before an election (generally, **Monday**): This is the deadline for voting an absentee ballot in the clerk's office. This is also the deadline for registering to vote in the clerk's office. §§6.29(2)(a), 6.86(1)(b), Wis. Stats.

Requirement: The clerk's office must be open or the clerk must be available for absentee voting voter registration until 5:00 p.m.

REMINDER ABOUT ELECTION DAY ABSENTEE DEADLINES

- Hospitalized electors may register to vote and/or apply for an absentee ballot, by agent, up to 5:00 p.m. §6.86(1)(b), Wis. Stats.
- Military Electors away on active duty may apply for an absentee ballot up to 5:00 p.m. (September and November elections only). §6.86(1)(b), Wis. Stats.
- Sequestered jurors may apply for an absentee ballot no later than 5:00 p.m. §6.86(1)(b), Wis. Stats.

Requirement: Be available throughout election day to accommodate these voters.

If you have questions, please contact an Elections Specialist. Thank you.