

# State of Wisconsin\Government Accountability Board

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## MEMORANDUM

**DATE:** November 20, 2012

**TO:** Wisconsin Municipal Clerks  
City of Milwaukee Election Commission  
Wisconsin County Clerks  
Milwaukee County Election Commission

**FROM:** Nathaniel E. Robinson  
Elections Division Administrator  
Wisconsin Government Accountability Board

**SUBJECT:** Municipal Clerk 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 the Thursday and Friday before the Spring Election because Good Friday falls on March 29, 2013, the Friday before the Spring Election.

The absentee voting statutes provide no exemption from or postponement for deadlines occurring on the Thursday or Friday before the Spring Election, regardless of their relationship to religious observances that are not recognized as State holidays. The deadlines and respective descriptions are listed below, followed by an explanation of clerks' responsibilities. Please consider these statutory deadlines when planning staffing needs during this period.

**\*\*\* SPECIAL NOTE TO CLERK'S WITHOUT REGULAR OFFICE HOURS \*\*\***

If the clerk does not have regular office hours, the clerk, or a deputy appointed by the clerk, *must be available* to perform the statutory duties related to absentee voting and voter registration. The Type E Notice of Absentee Voting must state the clerk's availability for absentee voting in general and *specifically* where and how the clerk or a deputy can be reached until 5 pm on Thursday and Friday. The Type E Notice must also be posted appropriately.

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## **MAIL DEADLINES**

The 5<sup>th</sup> day before an election (generally, **Thursday**), 5 pm:

- Deadline for voters (except for military, indefinitely-confined, hospitalized voters and sequestered jurors) to request an absentee ballot by mail and the last day a municipal clerk can mail an absentee ballot to electors

- Deadline for voters, other than those exempted above, to spoil an absentee ballot and request another be sent. Wis. Stat. §6.86(1)(b)

The 4<sup>th</sup> day before an election (generally, **Friday**), 5 pm:

- Deadline for military voters and indefinitely-confined voters to spoil an absentee ballot and request another be sent. Wis. Stat. §6.86(1)(c). (2)
- Deadline for military voters and indefinitely-confined voters to request an absentee ballot by mail and the last day a municipal clerk can mail an absentee ballot to these electors

Requirements for Mail Deadlines: The clerk (or a deputy appointed by the clerk) must check the mail at the last possible delivery times on Thursday and Friday to ensure that all absentee ballot requests are honored by mailing ballots within 24 hours of receipt of absentee requests.

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**IN-PERSON DEADLINES**

The 4<sup>th</sup> day before an election (generally, **Friday**), 5 pm:

- Last day for –in-person absentee voting
- Deadline for any absentee voters to spoil a ballot in person in the clerk’s office and vote another in person
- Deadline for voters to register to vote in person.

Requirements for In-Person Deadlines: The clerk’s office must be open or the clerk (or a deputy appointed by the clerk) must be available for absentee voting and voter registration until 5 pm on Friday.

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**ABSENTEE DEADLINES – ELECTION DAY**

- Hospitalized electors may register to vote and/or apply for an absentee ballot, by agent, up to 5 pm. Wis. Stat. §6.86(3)(c).
- Sequestered jurors may apply for an absentee ballot no later than 5 pm. Wis. Stat. §6.86(1)(b).

Requirement: Be familiar with procedures and be available throughout Election Day to accommodate these voters.

If you have questions, please contact the Help Desk at 608-261-2028 or [gab@wi.gov](mailto:gab@wi.gov)