

State of Wisconsin\Government Accountability Board

212 East Washington Avenue, 3rd Floor
Post Office Box 7984
Madison, WI 53707-7984
Voice (608) 266-8005
Fax (608) 267-0500
E-mail: gab@wisconsin.gov
<http://gab.wi.gov>



JUDGE DAVID G. DEININGER
Chair

KEVIN J. KENNEDY
Director and General Counsel

DATE: May 7, 2012

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

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

SUBJECT: Date of Birth Requirement on Absentee Certificate Envelope for Military and Overseas Electors

Military and overseas electors are required to provide their date of birth on their absentee certificate envelopes in order for their absentee ballot to be counted. If the certificate envelope is missing the military or overseas voter's date of birth, the ballot is to be rejected. This requirement is not new. However, we have been receiving questions regarding this matter and would like to provide some guidance on this issue to assist you and your military and overseas electors. Although this information is required, municipal clerks may gather the date of birth information from other limited sources and may update the certificate envelope so the military or overseas elector's absentee ballot may be counted.

If a military or overseas elector's absentee certificate envelope is missing his or her date of birth:

- Clerks check SVRS (or contact their Provider) and gather the elector's date of birth from SVRS. The date of birth is then written on the absentee certificate envelope. The clerk initials the envelope by the date of birth to indicate that the date of birth was provided by the clerk. All overseas electors' dates of birth are already in SVRS because overseas electors must be registered to vote in order to receive an absentee ballot. Since military electors are not required to register, their dates of birth may not be in SVRS.
- If SVRS does not contain the military elector's date of birth, the clerk contacts the elector by phone, email or mail to obtain the date of birth from the elector, when time permits. If the date of birth is provided by the elector, the date of birth is then written on the absentee certificate envelope. The clerk initials on envelope by the date of birth to indicate that the date of birth was provided by the clerk.
- The clerk documents on the absentee ballot log the method by which the date of birth was obtained.

If the date of birth cannot be obtained, the clerk treats that absentee certificate envelope as an incomplete certificate envelope and the voter has until 8:00 pm on Election Day to correct the envelope by providing his or her date of birth in person or by providing it the municipal clerk for the municipal clerk

to update. If the elector does not provide the date of birth by 8:00 pm on Election Day election inspectors should reject the absentee ballot.

Some military and overseas electors' absentee ballots may arrive after Election Day but before 4:00 pm on the Friday following the election. If any of these military and overseas absentee certificate envelopes are missing a date of birth, the certificate cannot be corrected. The absentee ballot must be rejected by the Municipal Board of Canvassers when they convene to tally late-arriving absentee ballots and provisional ballots.

If you have questions, please contact our Help Desk at (608) 261-2028, or by email at gabhelpdesk@wi.gov. Thank you.

cc: Kevin J. Kennedy
Director and General Counsel
Government Accountability Board

Ross D. Hein
Elections Supervisor
Government Accountability Board

Diane Lowe
Lead Elections Specialist
Government Accountability Board

Shane Falk
Staff Counsel
Government Accountability Board