

Provisional Voting

In Wisconsin, provisional voting is ONLY used in three situations:

1. If an individual is a first-time voter, who registered by mail and has failed to provide the required proof of residence, he or she may vote provisionally.
 - a. The poll list will contain the notation “POR Required” to identify those first-time voters who registered by mail and who must show proof of residence before being allowed to vote.
 - b. If an individual fails to provide the required proof of residence he or she may vote provisionally.
 - c. In the case of a first-time voter who voted absentee, the returned absentee ballot will be treated as provisional if no proof of residence has been provided with the returned absentee ballot.
2. If an individual who registers on **Election Day** has a Wisconsin driver’s license, but is unwilling or unable to provide the license number, he or she may vote provisionally.
 - a. Individuals who have a Wisconsin driver’s license may NOT use the last four (4) digits of their Social Security number.
 - b. Electors may vote provisionally if providing the driver’s license number is the only missing registration element. If an elector is also missing required proof of residence, then he or she may NOT register or vote.
3. If an individual wishes to cast a ballot on **Election Day** but fails to provide an acceptable form of photo ID, he or she may vote provisionally.
 - a. Individuals who wish to vote on Election Day must show election inspectors a photo ID that is contained on the list of acceptable IDs for voting purposes.

- b. In the case of an absentee ballot whose envelope indicates that photo ID must be included with the ballot, the ballot will be treated as provisional if no acceptable photo ID has been provided with the returned ballot.

There is no other situation in which provisional voting should be used. Provisional ballots are NOT given when a voter is at the wrong polling place. If a voter appears at the wrong polling place, he or she should be directed to the proper location.

Provisional ballots are also NOT given when a person is attempting to register in person at the polling place and does not provide the required proof of residence. He or she may not register or vote.

Each elector issued a provisional ballot must be provided a Provisional Voting Information Sheet. This sheet must include how or where the elector is to contact the municipal clerk or deputy to provide the missing information.

Electors have until 4:00 p.m. on the Friday following the election to provide the missing information to the municipal clerk or deputy. The municipal clerk must be available to receive this information from the elector.

Procedure

Once it is determined a voter will vote provisionally, the following procedures are required:

1. If the elector has been issued a provisional ballot due to failure to provide driver's license number when registering or failure to provide proof of residence for first time voter by mail, the election inspectors must still ask the elector to provide an acceptable form of photo ID.
2. Every provisional voter must complete a Provisional Ballot Certificate Envelope (GAB-123).
3. The voter completes the certificate envelope in the presence of at least one election inspector by providing:
 - a. Full name

- b. Complete address, including municipality and county
 - c. Date of birth
 - d. Indication of U.S. Citizenship
 - e. Date of election
 - f. Signature and date
4. The election inspector completes the certificate envelope by:
- a. Signing and dating the certificate envelope
 - b. Indicating the type of required information (either “Proof of Residence,” “Driver’s License Number” or “Photo ID”) by checking the appropriate box(es) on the certificate envelope. A provisional ballot may be issued for more than one reason.
5. The election inspector issues a provisional voter number (PV#), which is recorded on the voter list. A voter number is NOT issued to the elector at this time and the elector does NOT sign the poll list.
- a. This number is issued sequentially, starting with “1.”
 - b. The PV# is also recorded in six places:
 - (1) The back of the ballot
 - (2) On the Inspectors’ Statement (GAB-104)
 - (3) On the Provisional Ballot Certificate Envelope (GAB-123)
 - (4) On the Provisional Ballot Reporting Form (GAB-123r)
 - (5) On the poll list or supplemental poll list

(6) On the Provisional Voting Information sheet for the elector

6. The elector votes the ballot, seals the voted ballot in the Provisional Ballot Certificate Envelope (GAB-123), and returns the sealed envelope to the election inspector.
7. The sealed certificate envelope (GAB-123) is then placed inside the Inspectors' Certificate for Provisional Ballots Envelope (GAB-108).
 - a. The election inspectors then record the name of the elector, the PV#, and the reason for the provisional ballot on the Provisional Ballot Reporting Form (GAB-123r) and on the Inspectors' Statement (GAB-104).
 - b. The Inspectors' Certificate of Provisional Ballots Envelope (GAB-108) must be kept secure throughout Election Day.
 - c. When the polling place closes, the Inspectors' Certificate of Provisional Ballots Envelope (GAB-108) must be secured in a separate ballot bag with a tamper evident serialized numbered seal. The serial number shall be recorded on the signed ballot container certification attached to the bag and on the Inspectors' Statement. The bag should be marked "Provisional Ballots."
8. Election inspectors must provide the elector with the Provisional Voting Information Sheet.
9. An elector who was issued a provisional ballot may return to the polling place before 8 p.m. to provide the missing documentation to the election inspectors. Election inspectors shall review the provided documentation to determine if it is satisfactory.
 - a. If the provided documentation is not valid the election inspectors shall inform the elector and document the incident on the Inspectors' Statement (GAB-104).
 - b. If the provided documentation is valid:

- i. Note on the Inspectors' Statement (GAB-104) that the elector provided the required documentation.
- ii. Complete the Provisional Ballot Reporting Form (GAB-123r) to indicate that the elector provided the required documentation, what documentation was provided, the date and time that the elector provided the information.
- iii. Election inspectors should offer the elector the option of spoiling the provisional ballot and voting a new ballot.
- iv. If the elector chooses to spoil the provisional ballot:
 1. The Provisional Ballot Certificate Envelope (GAB-123) is removed from the Inspectors' Certificate of Provisional Ballots (GAB-108) envelope and given to the elector.
 2. The elector should remove the provisional ballot and spoil it.
 3. Document the incident and spoiled ballot on the Inspectors' Statement (GAB-104).
 4. The spoiled ballot is placed in a "Spoiled Ballots" envelope.
 5. Collect the used Provisional Ballot Certificate Envelope (GAB-123) from the elector, write "Withdrawn" on the envelope and place it back in the Inspectors' Certification of Provisional Ballots (GAB-108) envelope.
 6. The elector signs the poll list.
 7. The elector is issued a sequential voter number, which is recorded on the poll list and noted on the Provisional Ballot Reporting Form (GAB-123r) by marking "Withdrawn: # on Poll List" in the column labeled "Voter Number Issued."
 8. The elector is given a new ballot.

- v. If the elector chooses to cast the provisional ballot:
1. Note on the Inspectors' Statement (GAB-104) and initial and date the Provisional Ballot Reporting Form (GAB-123r) that the elector provided the required documentation.
 2. Remove the elector's Provisional Ballot Certificate Envelope (GAB-123) from the Inspectors' Certificate of Provisional Ballots (GAB-108) envelope.
 3. Verify that the Provisional Ballot Certificate Envelope (GAB-123) has not been opened or tampered with.
 - a. If the Provisional Ballot Certificate Envelope (GAB-123) has been tampered with, the election inspectors shall spoil the provisional ballot and instruct the elector to cast a new ballot.
 4. The elector signs the poll list.
 5. The elector is issued a sequential voter number, which is recorded on the poll list and noted on the Provisional Ballot Reporting Form (GAB-123r) by marking "Withdrawn: on Poll List" in the column labeled "Voter Number Issued."
 6. Provide the elector with the Provisional Ballot Certificate Envelope (GAB-123) and instruct him or her to remove the ballot and place it in the ballot box or voting equipment.
 7. Collect the used Provisional Ballot Certificate Envelope (GAB-123) from the elector, write "Withdrawn" on the envelope and place it back in the Inspectors' Certification of Provisional Ballots (GAB-108) envelope.

Processing

1. A Provisional Ballot Reporting Form (GAB-123r) must be completed by the election inspectors at the polling place listing all of the electors who cast a provisional ballot.
 - a. The clerk must review the form for completeness
 - b. At the close of polls, the clerk must send a copy of the GAB-123r to:
 - i. The county clerk
 - ii. Their SVRS provider, if different than county clerk
 - iii. The school district clerk (if applicable)
 - iv. The sanitary district clerk (if applicable)
 - c. The municipal clerk must keep the original GAB-123r in his or her office. A blank Provisional Ballot Reporting Form and a sample for reference are available on the agency website.
2. All electors who have been issued a provisional ballot must be tracked in SVRS *on election night*. SVRS must also be updated if/when an elector provides the missing information.
 - a. Self Providers must enter the information into SVRS. Please see the SVRS Application Training Manual for details.
 - b. Reliers must provide the Provisional Ballot Reporting Form (GAB-123r) to their Provider. Reliers must update their Provider if/when an elector provides the missing information.
 - c. Providers must enter provisional ballot information into SVRS on election night on behalf of their reliers. Please see the SVRS Application Training Manual for details.
3. The ballot bag containing the provisional ballots must be secured in the municipal clerk's office and is NOT transported to the County with the other election materials.

4. Provisional ballots are not counted until the required information (either proof of residence, driver license number or acceptable photo ID) is provided to either the election inspectors by 8:00 p.m. on Election Day, or to the municipal clerk or deputy clerk by 4 p.m. on the Friday after the election.
 - a. Municipal clerks must be available to receive the missing information from electors who have an outstanding provisional ballot through 4pm on the Friday after the election:
 - i. Electors who need to provide their Driver's License Number can provide their number:
 1. Over the phone
 2. By electronic transmission
 3. By delivery
 4. In-person
 - ii. Electors who need to provide a proof of residence can provide their documentation:
 1. By electronic transmission
 2. By delivery
 3. In-person
 - iii. Electors who need to provide a proof of photo identification can provide their ID or a copy of their ID:
 1. By electronic transmission
 2. By delivery
 3. In-person
 - b. Electors who provide their information after Election Day do not sign the poll list.
 - c. When an elector provides missing provisional information after Election Day, the municipal clerk must update the GAB-123r with:
 - i. The type of provisional documentation provided

- ii. The method used to provide the missing information
 - iii. The date and time the elector provided the missing information
 - iv. The clerk's name
 - d. SVRS must also be updated when an elector provides missing provisional information after Election Day.
- 5. If the person voting provisionally does not present the information to the municipal clerk by 4 p.m. on the Friday after the election the Provisional Ballot Certificate Envelope (GAB-123) is not opened. Neither the voter nor the ballot is counted as part of the Election Day results if the missing required information is not returned by the deadline.
- 6. The municipal clerk should maintain communication with the county and other applicable clerks regarding the number of outstanding provisional ballots.
- 7. After the 4 p.m. deadline on the Friday following the election, the municipal clerk transmits an updated GAB-123r to the County indicating which electors provided missing information.
- 8. The ballot bag containing the provisional ballots should only be opened during a meeting of the Municipal Board of Canvassers.
- 9. The Municipal Board of Canvassers will meet to count and tally the provisional ballots for which the elector has supplied the missing information.
 - a. The Municipal Board of Canvassers will assign a voter number to the elector starting with the last voter number issued on Election Day in the appropriate reporting unit.
 - b. The voter number is recorded on the GAB-123r.
 - c. The votes cast on the provisional ballot are tallied on a Tally Sheet (GAB-105).

- d. A copy of the GAB-123r and the tally sheets used at the Municipal Board of Canvassers is forwarded on to the other affected Boards of Canvassers.