

# State of Wisconsin



2011 Assembly Bill 7

Date of enactment: **May 25, 2011**

Date of publication\*: **June 9, 2011**

## 2011 WISCONSIN ACT 23

AN ACT *to repeal* 5.64 (1) (ar) 1. a., 5.91 (2), 6.26 (2) (am), 6.36 (5), 6.56 (5), 7.08 (9), 7.15 (1) (L), 7.50 (2) (a) and 12.13 (3) (v); *to renumber* 6.79 (3) and 343.50 (1); *to renumber and amend* 6.34 (3) (a) 7., 6.85, 6.86 (2m), 6.87 (4) and 6.97 (3); *to amend* 5.35 (6) (a) 2., 5.35 (6) (a) 4a., 5.37 (1), 5.64 (1) (b), 6.02 (1), 6.02 (2), 6.10 (3), 6.10 (4), 6.15 (1), 6.15 (2) (a), 6.15 (2) (d) 1r., 6.15 (3), 6.18, 6.22 (4) (b), 6.22 (7), 6.24 (4) (c), 6.24 (4) (d), 6.26 (2) (b), 6.26 (2) (c), 6.26 (2) (cm), 6.29 (1), 6.29 (2) (a), 6.33 (1), 6.33 (2) (b), 6.33 (5) (a), 6.34 (2), 6.34 (3) (b) (intro.), 6.36 (1) (b) 1. a., 6.36 (2) (a), 6.40 (1) (a) 1., 6.55 (2) (a) 1., 6.55 (2) (b), 6.55 (2) (c) 1., 6.55 (2) (c) 2., 6.79 (1m), 6.79 (2) (a), 6.79 (2) (d), 6.79 (3) (title), 6.79 (4), 6.79 (6), 6.82 (1) (a), 6.86 (1) (ar), 6.86 (1) (b), 6.86 (3) (a) 1., 6.86 (3) (a) 2., 6.86 (3) (c), 6.869, 6.87 (1), 6.87 (2), 6.87 (3) (d), 6.87 (6), 6.875 (title), 6.875 (2) (a), 6.875 (3) and (4), 6.875 (6) (a) and (b), 6.875 (6) (c) 1., 6.875 (6) (c) 2., 6.875 (6) (e), 6.875 (7), 6.88 (3) (a), 6.92 (1), 6.94, 6.97 (title), 6.97 (1), 6.97 (2), 7.08 (8) (title), 7.15 (1) (cm), 7.15 (1) (j), 7.23 (1) (e), 7.52 (3) (a), 7.52 (6) (b), 10.02 (3) (form) (a), 10.02 (3) (b) 1., 10.02 (3) (c), 12.03 (2) (b) 3., 12.13 (2) (b) 6m., 343.06 (1) (L), 343.10 (7) (d), 343.11 (1), 343.11 (3), 343.11 (3), 343.14 (3), 343.165 (1) (intro.), 343.165 (2), 343.165 (3) (a), 343.165 (4) (a), 343.165 (4) (c), 343.165 (4) (d), 343.165 (5), 343.17 (3) (a) 2., 343.17 (5), 343.50 (3), 343.50 (4), 343.50 (5) (a) 1., 343.50 (5m) and 343.50 (6); *to repeal and recreate* 343.17 (5), 343.50 (1), 343.50 (3), 343.50 (4), 343.50 (4g), 343.50 (5) (a) and 343.50 (6); and *to create* 5.02 (6m), 5.02 (16c), 5.64 (1) (ar) 1m., 6.15 (2) (bm), 6.36 (1) (bm) and (bn), 6.79 (2) (am), 6.79 (3) (b), 6.79 (7), 6.87 (4) (a), 6.87 (4) (b) 2., 6.87 (4) (b) 3., 6.87 (4) (b) 4., 6.87 (4) (b) 5., 6.875 (1) (ap) and (asm), 6.875 (2) (d), 6.965, 6.97 (3) (a), 6.97 (3) (c), 7.08 (12), 343.03 (3r), 343.14 (3m), 343.165 (7), 343.17 (3) (a) 14., 343.50 (1) (c), 343.50 (4g) and 343.50 (5) (a) 3. of the statutes; **relating to:** requiring certain identification in order to vote at a polling place or obtain an absentee ballot; absentee voting; late voter registration; proof of residence; a requirement for electors to provide a signature when voting in person at an election; the duration and location of residency for voting purposes; voting a straight party ticket; issuance of operator's licenses and identification cards by the Department of Transportation; voter registration information; the statewide voter registration list; voter registration activities; granting rule-making authority; and providing a penalty.

*The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:*

**SECTION 1.** 5.02 (6m) of the statutes is created to read:

5.02 (6m) "Identification" means any of the following documents issued to an individual:

(a) One of the following documents that is unexpired or if expired has expired after the date of the most recent general election:

1. An operator's license issued under ch. 343.
2. An identification card issued under s. 343.50.
3. An identification card issued by a U.S. uniformed service.

\* Section 991.11, WISCONSIN STATUTES 2009-10 : Effective date of acts. "Every act and every portion of an act enacted by the legislature over the governor's partial veto which does not expressly prescribe the time when it takes effect shall take effect on the day after its date of publication as designated" by the secretary of state [the date of publication may not be more than 10 working days after the date of enactment].

4. A U.S. passport.

(b) A certificate of U.S. naturalization that was issued not earlier than 2 years before the date of an election at which it is presented.

(c) An unexpired driving receipt under s. 343.11.

(d) An unexpired identification card receipt issued under s. 343.50.

(e) An identification card issued by a federally recognized Indian tribe in this state.

(f) An unexpired identification card issued by a university or college in this state that is accredited, as defined in s. 39.30 (1) (d), that contains the date of issuance and signature of the individual to whom it is issued and that contains an expiration date indicating that the card expires no later than 2 years after the date of issuance if the individual establishes that he or she is enrolled as a student at the university or college on the date that the card is presented.

**SECTION 2.** 5.02 (16c) of the statutes is created to read:

5.02 (16c) "Proof of identification" means identification that contains the name of the individual to whom the document was issued, which name conforms to the individual's voter registration form, if the individual is required to register to vote, and that contains a photograph of the individual, except as authorized in s. 343.14 (3m) or 343.50 (4g).

**SECTION 3.** 5.35 (6) (a) 2. of the statutes is amended to read:

5.35 (6) (a) 2. A copy of the election fraud laws provided in s. 12.13 (1) and (3) (intro), (d), (f), (g), (k), (L), (o), (q), (r), (u), (v) and (x), together with the applicable penalties provided in s. 12.60 (1).

**SECTION 4.** 5.35 (6) (a) 4a. of the statutes is amended to read:

5.35 (6) (a) 4a. Instructions prescribed by the board for electors for whom proof of identification is required under s. 6.79 (2) or for whom proof of residence under s. 6.34 is required under s. 6.55 (2).

**SECTION 5.** 5.37 (1) of the statutes is amended to read:

5.37 (1) Voting machines shall give every elector a reasonable opportunity to vote for any person for any office and on any proposition the elector is entitled to vote on, assure privacy to the elector so no one will know how the elector is voting or has voted, preclude the electors from voting for persons or propositions upon which they are not entitled to vote and from voting more than once for the same office or on the same proposition. Voting machines shall be constructed to lock so they cannot be manipulated, tampered with, or show the number of votes registered for any candidate or proposition while voting is in progress. The machines ~~shall provide a method for electors to vote a straight party ticket,~~ shall permit voting a split ticket and shall record each vote cast.

**SECTION 6.** 5.64 (1) (ar) 1. a. of the statutes is repealed.

**SECTION 7.** 5.64 (1) (ar) 1m. of the statutes is created to read:

5.64 (1) (ar) 1m. When voting for president and vice president, the ballot shall permit an elector to vote only for the candidates on one ticket jointly or to write in the names of persons in both spaces.

**SECTION 8.** 5.64 (1) (b) of the statutes is amended to read:

5.64 (1) (b) The names of the candidates for the offices of president and vice president that are certified under s. 8.16 (7) or that are contained in nomination papers filed under s. 8.20 shall appear on the ballot in the form prescribed in s. 7.08 (2) (a). The names of the candidates on the regular party tickets nominated at the primary or replacements appointed under s. 8.35 (2) shall appear in a separate column under the party designation. The columns shall be arranged from left to right according to rank, based on the number of votes received by each party's candidate for president or governor at the last general election beginning with the party that received the most votes. To the right of the columns for parties qualifying under s. 5.62 (1) (b) shall be placed the columns for parties qualifying under s. 5.62 (2) in the same order in which the parties filed petitions with the board. Any column required under par. (e) 2. shall be placed next in order. To the right of the party columns shall be a column for the names of independent candidates for each office, or more than one column if the first column does not provide sufficient space for the names of all such candidates.

**SECTION 9.** 5.91 (2) of the statutes is repealed.

**SECTION 10.** 6.02 (1) of the statutes is amended to read:

6.02 (1) Every U.S. citizen age 18 or older who has resided in an election district or ward for ~~40~~ 28 consecutive days before any election where the citizen offers to vote is an eligible elector.

**SECTION 11.** 6.02 (2) of the statutes is amended to read:

6.02 (2) Any U.S. citizen age 18 or older who moves within this state later than ~~40~~ 28 days before an election shall vote at his or her previous ward or election district if the person is otherwise qualified. If the elector can comply with the ~~40-day~~ 28-day residence requirement at the new address and is otherwise qualified, he or she may vote in the new ward or election district.

**SECTION 12.** 6.10 (3) of the statutes is amended to read:

6.10 (3) When an elector moves ~~from one ward to another or~~ his or her residence from one ward or municipality to another ward or municipality within the state ~~after the last registration day but~~ at least ~~40~~ 28 days before the election, the elector may vote in and be considered a

resident of the new ward or municipality where residing upon transferring registration under s. 6.40 (1) or upon registering at the proper polling place or other registration location in the new ward or municipality under s. 6.55 (2) or 6.86 (3) (a) 2. If the elector moves ~~within 10~~ his or her residence later than 28 days of before an election, the elector shall vote in the elector's ~~old~~ former ward or municipality if otherwise qualified to vote there.

**SECTION 13.** 6.10 (4) of the statutes is amended to read:

6.10 (4) The residence of an unmarried person sleeping in one ward and boarding in another is the place where the person sleeps. The residence of an unmarried person in a transient vocation, a teacher or a student who boards at different places for part of the week, month, or year, if one of the places is the residence of the person's parents, is the place of the parents' residence unless through registration or similar act the person elects to establish a residence elsewhere. If the person has no parents and if the person has not registered elsewhere, the person's residence shall be at the place ~~which~~ that the person considered his or her residence in preference to any other for at least ~~10~~ 28 consecutive days before an election. If this place is within the municipality, the person is entitled to all the privileges and subject to all the duties of other citizens having their residence there, including voting.

**SECTION 14.** 6.15 (1) of the statutes is amended to read:

6.15 (1) **QUALIFICATIONS.** Any person who was or who is ~~a qualified~~ an eligible elector under ss. 6.02 and 6.03, except that he or she has been a resident of this state for less than ~~10~~ 28 consecutive days prior to the date of the presidential election, is entitled to vote for the president and vice president but for no other offices. The fact that the person was not registered to vote in the state from which he or she moved does not prevent voting in this state if the elector is otherwise qualified.

**SECTION 15.** 6.15 (2) (a) of the statutes is amended to read:

6.15 (2) (a) The elector's request for the application form may be made in person to the municipal clerk of the municipality where the person resides. Application may be made not sooner than 9 27 days nor later than 5 p.m. on the day before the election, or may be made at the proper polling place in the ward or election district in which the elector resides. If an elector makes application before election day, the application form shall be returned to the municipal clerk after the affidavit has been signed in the presence of the clerk or any officer authorized by law to administer oaths. The affidavit shall be in substantially the following form:

STATE OF WISCONSIN

County of ....

I, ....., do solemnly swear that I am a citizen of the United States; that prior to establishing Wisconsin resi-

dence, my legal residence was in the .... (town) (village) (city) of ....., state of ....., residing at .... (street address); that on the day of the next presidential election, I shall be at least 18 years of age and that I have been a legal resident of the state of Wisconsin since ....., .... (year), residing at .... (street address), in the [... ward of the .... aldermanic district of] the (town) (village) (city) of ....., county of ....; that I have resided in the state less than ~~10~~ 28 consecutive days, that I am qualified to vote for president and vice president at the election to be held November ....., .... (year), that I am not voting at any other place in this election and that I hereby make application for an official presidential ballot, in accordance with section 6.15 of the Wisconsin statutes.

Signed ....

P.O. Address ....

Subscribed and sworn to before me this .... day of .....,  
.... (year)

....(Name)

....(Title)

**SECTION 16.** 6.15 (2) (bm) of the statutes is created to read:

6.15 (2) (bm) Except as authorized in s. 6.79 (7), when making application in person at the office of the municipal clerk, each applicant shall present proof of identification. If any document presented by the applicant is not proof of residence under s. 6.34, the applicant shall also present proof of residence under s. 6.34. The clerk shall verify that the name on the proof of identification presented by the elector conforms to the name on the elector's application and shall verify that any photograph appearing on that document reasonably resembles the elector.

**SECTION 17.** 6.15 (2) (d) 1r. of the statutes is amended to read:

6.15 (2) (d) 1r. Upon proper completion of the application and cancellation card, the municipal clerk shall ~~require the elector to provide proof of residence under s. 6.34. If the elector cannot provide proof of residence, the elector may have his or her residence corroborated in a statement that is signed by another elector of the municipality and that contains the current street address of the corroborating elector. If the residence is corroborated by another elector, that elector shall then provide proof of residence under s. 6.34~~ permit the elector to cast his or her ballot for president and vice president. The elector shall then mark the ballot in the clerk's presence in a manner that will not disclose his or her vote. The elector shall then fold the ballot so as to conceal his or her vote. The clerk or elector shall then place the ballot in an envelope furnished by the clerk.

**SECTION 18.** 6.15 (3) of the statutes is amended to read:

6.15 (3) **PROCEDURE AT POLLING PLACE.** An eligible elector may appear at the polling place for the ward or election district where he or she resides and make

application for a ballot under sub. (2). Except as otherwise provided in this subsection, an elector who casts a ballot under this subsection shall follow the same procedure required for casting a ballot at the municipal clerk's office under sub. (2). The inspectors shall perform the duties of the municipal clerk, except that the inspectors shall return the cancellation card under sub. (2) (b) to the municipal clerk and the clerk shall forward the card as provided in sub. (2) (c) if required. Upon proper completion of the application and cancellation card and ~~submission of proof of residence under s. 6.34 or providing corroboration of residence~~ verification of the proof of identification and proof of residence, whenever required, as provided in sub. (2) (bm), the inspectors shall permit the elector to cast his or her ballot for president and vice president. The elector shall mark the ballot and, unless the ballot is utilized with an electronic voting system, the elector shall fold the ballot, and deposit the ballot into the ballot box or give it to the inspector. The inspector shall deposit it directly into the ballot box. Voting machines or ballots utilized with electronic voting systems may only be used by electors voting under this section if they permit voting for president and vice president only.

**SECTION 19.** 6.18 of the statutes is amended to read:

**6.18 Former residents.** If ineligible to qualify as an elector in the state to which the elector has moved, any former qualified Wisconsin elector may vote an absentee ballot in the ward of the elector's prior residence in any presidential election occurring within 24 months after leaving Wisconsin by requesting an application form and returning it, properly executed, to the municipal clerk of the elector's prior Wisconsin residence. When requesting an application form for an absentee ballot, the applicant shall specify the applicant's eligibility for only the presidential ballot. Unless application is made under s. 6.86 (1) (ac), or the applicant is exempted from providing proof of identification under s. 6.87 (4) (b) 2. or 3., or the applicant is a military or overseas elector, the elector shall enclose a copy of his or her proof of identification or any authorized substitute document with his or her application. The municipal clerk shall verify that the name on the proof of identification conforms to the name on the application. The clerk shall not issue a ballot to an elector who is required to enclose a copy of proof of identification or an authorized substitute document with his or her application unless the copy is enclosed and the proof is verified by the clerk. The application form shall require the following information and be in substantially the following form:

This form shall be returned to the municipal clerk's office. Application must be received in sufficient time for ballots to be mailed and returned prior to any presidential election at which applicant wishes to vote. Complete all statements in full.

APPLICATION FOR PRESIDENTIAL  
ELECTOR'S ABSENTEE BALLOT:

(To be voted at the Presidential Election  
on November ....., .. (year)

I, .... hereby swear or affirm that I am a citizen of the United States, formerly residing at .... in the .... ward .... aldermanic district (city, town, village) of ....., County of .... for ~~10~~ 28 consecutive days prior to leaving the State of Wisconsin. I, .... do solemnly swear or affirm that I do not qualify to register or vote under the laws of the State of ....(State you now reside in) where I am presently residing. A citizen must be a resident of: State ....(Insert time) County ....(Insert time) City, Town or Village ....(Insert time), in order to be eligible to register or vote therein. I further swear or affirm that my legal residence was established in the State of ....(the State where you now reside) on .... Month .... Day .... Year.

Signed ....

Address ....(Present address)  
....(City) ....(State)

Subscribed and sworn to before me this .... day of ....  
.... (year)

....(Notary Public, or other officer authorized to administer oaths.)

....(County)

My Commission expires

MAIL BALLOT TO:

NAME ....

ADDRESS ....

CITY .... STATE .... ZIP CODE ....

*Penalties for Violations.* Whoever swears falsely to any absent elector affidavit under this section may be fined not more than \$1,000 or imprisoned for not more than 6 months or both. Whoever intentionally votes more than once in an election may be fined not more than \$10,000 or imprisoned for not more than 3 years and 6 months or both.

....(Municipal Clerk)

....(Municipality)

**SECTION 20.** 6.22 (4) (b) of the statutes is amended to read:

6.22 (4) (b) A military elector's application may be received at any time. The municipal clerk shall not send or transmit a ballot for an election if the application is received later than 5 p.m. on the Friday preceding that election. The municipal clerk shall send or transmit a ballot, as soon as available, to each military elector who requests files a timely request for a ballot.

**SECTION 21.** 6.22 (7) of the statutes is amended to read:

6.22 (7) EXTENSION OF PRIVILEGE. This section applies to all military electors for ~~10~~ 28 days after the date of discharge from a uniformed service or termination of services or employment of individuals specified in sub. (1) (b) 1. to 4.

**SECTION 22.** 6.24 (4) (c) of the statutes is amended to read:

6.24 (4) (c) Upon receipt of a timely application from an individual who qualifies as an overseas elector and who has registered to vote in a municipality under sub. (3), the municipal clerk of the municipality shall send or transmit an absentee ballot to the individual for all subsequent elections for national office to be held during the year in which the ballot is requested, unless the individual otherwise requests or until the individual no longer qualifies as an overseas elector.

**SECTION 23.** 6.24 (4) (d) of the statutes is amended to read:

6.24 (4) (d) An overseas elector who is not registered may request both a registration form and an absentee ballot at the same time, and the municipal clerk shall send or transmit the ballot automatically if the registration form is received within the time prescribed in s. 6.28 (1). The board shall prescribe a special certificate form for the envelope in which the absentee ballot for overseas electors is contained, which shall be substantially similar to that provided under s. 6.87 (2). An overseas elector shall make and subscribe to the special certificate form before a witness who is an adult U.S. citizen.

**SECTION 24.** 6.26 (2) (am) of the statutes is repealed.

**SECTION 25.** 6.26 (2) (b) of the statutes is amended to read:

6.26 (2) (b) The municipal clerk, or board of election commissioners, ~~or government accountability board~~ may appoint any applicant who qualifies under this subsection, unless the applicant's appointment has been revoked by a municipality ~~or by the board~~ for cause. The municipal clerk, or board of election commissioners, ~~or government accountability board~~ may revoke an appointment made by the clerk, or board of election commissioners, ~~or government accountability board~~ for cause at any time.

**SECTION 26.** 6.26 (2) (c) of the statutes is amended to read:

6.26 (2) (c) No individual may serve as a special registration deputy in a municipality unless the individual is appointed by the municipal clerk or board of election commissioners of the municipality ~~or the individual is appointed by the government accountability board to serve all municipalities~~ and the individual completes training required under s. 7.315.

**SECTION 27.** 6.26 (2) (cm) of the statutes is amended to read:

6.26 (2) (cm) ~~The board and each~~ Each municipal clerk shall maintain a record of the names and addresses of each individual who is appointed by ~~the board or~~ the clerk to serve as a special registration deputy under this section and who has complied with the training requirements for service as a special registration deputy under s. 7.315 (1) (b) 1.

**SECTION 28.** 6.29 (1) of the statutes is amended to read:

6.29 (1) No names may be added to a registration list for any election after the close of registration, except as authorized under this section or s. 6.55 (2) or 6.86 (3) (a) 2. Any person whose name is not on the registration list but who is otherwise a qualified elector is entitled to vote at the election upon compliance with this section, if the person complies with all other requirements for voting at the polling place.

**SECTION 29.** 6.29 (2) (a) of the statutes is amended to read:

6.29 (2) (a) Any qualified elector of a municipality who has not previously filed a registration form or whose name does not appear on the registration list of the municipality may register after the close of registration but not later than 5 p.m. or the close of business, whichever is later, on the day Friday before an election at the office of the municipal clerk and at the office of the clerk's agent if the clerk delegates responsibility for electronic maintenance of the registration list to an agent under s. 6.33 (5) (b). The elector shall complete, in the manner provided under s. 6.33 (2), a registration form containing all information required under s. 6.33 (1). The registration form shall also contain the following certification: "I, ..., hereby certify that, to the best of my knowledge, I am a qualified elector, having resided at ... for at least 10 28 consecutive days immediately preceding this election, and I have not voted at this election". The elector shall also provide proof of residence under s. 6.34. ~~Alternatively, if the elector is unable to provide proof of residence under s. 6.34, the information contained in the registration form shall be corroborated in a statement that is signed by any other elector of the municipality and that contains the current street address of the corroborating elector. The corroborating elector shall then provide proof of residence under s. 6.34. If the elector is registering after the close of registration for the general election and the elector presents a valid driver's license issued by another state, the municipal clerk or agent shall record on a separate list the name and address of the elector, the name of the state, and the license number and expiration date of the license.~~

**SECTION 30.** 6.33 (1) of the statutes is amended to read:

6.33 (1) The board shall prescribe the format, size, and shape of registration forms. All forms shall be printed on cards and each item of information shall be of uniform font size, as prescribed by the board. The municipal clerk shall supply sufficient forms to meet voter registration needs. The forms shall be designed to obtain from each applicant information as to name; date; residence location; location of previous residence immediately before moving to current residence location; citizenship; date of birth; age; the number of a current and valid operator's license issued to the elector under ch. 343 or the last 4 digits of the elector's social security

account number; whether the applicant has resided within the ward or election district for at least ~~10~~ 28 consecutive days; whether the applicant has been convicted of a felony for which he or she has not been pardoned, and if so, whether the applicant is incarcerated, or on parole, probation, or extended supervision; whether the applicant is disqualified on any other ground from voting; and whether the applicant is currently registered to vote at any other location. The form shall include a space for the applicant's signature ~~and the signature of any corroborating elector.~~ Below the space for the signature, the form shall state "Falsification of information on this form is punishable under Wisconsin law as a Class I felony." The form shall include a space to enter the name of any special registration deputy under s. 6.26 or 6.55 (6) or inspector, municipal clerk, or deputy clerk under s. 6.55 (2) who obtains the form and a space for the deputy, inspector, clerk, or deputy clerk to sign his or her name, affirming that the deputy, inspector, clerk, or deputy clerk has accepted the form. The form shall include a space for entry of the ward and aldermanic district, if any, where the elector resides and any other information required to determine the offices and referenda for which the elector is certified to vote. The form shall also include a space where the clerk may record an indication of whether the form is received by mail, a space where the clerk may record an indication of the type of identifying document submitted by the elector as proof of residence under s. 6.34, whenever required, and a space where the clerk, for any applicant who possesses a valid voting identification card issued to the person under s. 6.47 (3), may record the identification serial number appearing on the voting identification card. Each county clerk shall obtain sufficient registration forms for completion by an elector who desires to register to vote at the office of the county clerk under s. 6.28 (4).

**SECTION 31.** 6.33 (2) (b) of the statutes is amended to read:

6.33 (2) (b) Except as provided in s. 6.86 (3) (a) 2., the registration form shall be signed by the registering elector ~~and any corroborating elector under s. 6.29 (2) (a) or 6.55 (2)~~ before the clerk, issuing officer or registration deputy. The form shall contain a certification by the registering elector that all statements are true and correct.

**SECTION 32.** 6.33 (5) (a) of the statutes is amended to read:

6.33 (5) (a) Except as provided in par. (b) and this paragraph, whenever a municipal clerk receives a valid registration or valid change of a name or address under an existing registration and whenever a municipal clerk changes a registration from eligible to ineligible status, the municipal clerk shall promptly enter electronically on the list maintained by the board under s. 6.36 (1) the information required under that subsection, ~~except that the.~~ Except as provided in par. (b) and this paragraph, the municipal clerk may update any entries that change on

the date of an election ~~in the municipality other than a general election~~ within 30 days after ~~that the date, and the of that election,~~ and may update any entries that change on the date of a general election within 45 days after the date of that election. The legal counsel of the board may, upon request of a municipal clerk, permit the clerk to update entries that change on the date of a general election within 60 days after that election. The municipal clerk shall provide to the board information that is confidential under s. 6.47 (2) in such manner as the board prescribes.

**SECTION 33.** 6.34 (2) of the statutes is amended to read:

6.34 (2) ~~Except as authorized in ss. 6.29 (2) (a) and 6.86 (3) (a) 2., upon~~ Upon completion of a registration form prescribed under s. 6.33, each eligible elector who is required to register under s. 6.27, who is not a military elector or an overseas elector, and who registers after the close of registration under s. 6.29 or 6.86 (3) (a) 2., shall provide an identifying document that establishes proof of residence under sub. (3). Each eligible elector who is required to register under s. 6.27, who is not a military elector or an overseas elector, who registers by mail, and who has not voted in an election in this state shall, if voting in person, provide an identifying document that establishes proof of residence under sub. (3) or, if voting by absentee ballot, provide a copy of an identifying document that establishes proof of residence under sub. (3). If the elector registered by mail, the identifying document may not be a residential lease.

**SECTION 33m.** 6.34 (3) (a) 7. of the statutes is renumbered 6.34 (3) (a) 7. (intro.) and amended to read:

6.34 (3) (a) 7. (intro.) Any of the following documents without the address specified in par. (b):

a. A university, college, or technical college fee or identification card that contains a photograph of the cardholder. ~~A card under this subdivision that does not contain the information specified in par. (b) shall be considered proof of residence together with a fee payment receipt issued to the cardholder by the university, college, or technical college dated no earlier than 9 months before the date of the election at which the receipt is presented.~~

b. An identification card issued by a university, college or technical college that contains a photograph of the cardholder if the university, college, or technical college that issued the card provides a certified and current list of students who reside in housing sponsored by the university, college, or technical college and who are U.S. citizens to the municipal clerk prior to the election showing the current address of the students and if the municipal clerk, special registration deputy, or inspector verifies that the student presenting the card is included on the list.

**SECTION 33n.** 6.34 (3) (b) (intro.) of the statutes is amended to read:

6.34 (3) (b) (intro.) ~~The~~ Except as provided in par. (a) 7., the identifying documents prescribed in par. (a) shall

contain all of the following in order to be considered proof of residence:

**SECTION 34.** 6.36 (1) (b) 1. a. of the statutes is amended to read:

6.36 (1) (b) 1. a. ~~No~~ Except as provided in pars. (bm) and (bn), no person other than an employee of the board, a county clerk, a deputy county clerk, an executive director of a county board of election commissioners, a deputy designated by the executive director, a municipal clerk, a deputy municipal clerk, an executive director of a city board of election commissioners, or a deputy designated by the executive director may view the date of birth, operator's license number, or social security account number of an elector, the address of an elector to whom an identification serial number is issued under s. 6.47 (3), or any indication of an accommodation required under s. 5.25 (4) (a) to permit voting by an elector.

**SECTION 35.** 6.36 (1) (bm) and (bn) of the statutes are created to read:

6.36 (1) (bm) The board or any municipal clerk or board of election commissioners may transfer any information in the registration list to which access is restricted under par. (b) 1. a. to a law enforcement agency, as defined in s. 165.77 (1) (b), to be used for law enforcement purposes.

(bn) The board may transfer any information in the registration list to which access is restricted under par. (b) 1. a. to a subunit of the state government of another state to be used for official purposes.

**SECTION 36.** 6.36 (2) (a) of the statutes is amended to read:

6.36 (2) (a) Except as provided in par. (b), each registration list prepared for use as a poll list at a polling place or for purposes of canvassing absentee ballots at an election shall contain the full name and address of each registered elector; a blank column for the entry of the serial number of the electors when they vote or the poll list number used by the municipal board of absentee ballot canvassers in canvassing absentee ballots; an indication next to the name of each elector for whom proof of residence under s. 6.34 is required; a space for entry of the elector's signature, or if another person signed the elector's registration form for the elector by reason of the elector's physical disability, the word "exempt"; and a form of certificate bearing the certification of the administrator of the elections division of the board stating that the list is a true and complete registration list of the municipality or the ward or wards for which the list is prepared. The board shall, by rule, prescribe the space and location for entry of each elector's signature on the poll list which shall provide for entry of the signature without changing the orientation of the poll list from the orientation used by the election officials.

**SECTION 37.** 6.36 (5) of the statutes is repealed.

**SECTION 38.** 6.40 (1) (a) 1. of the statutes is amended to read:

6.40 (1) (a) 1. Any registered elector shall may transfer registration after a change of residence within the state by filing in person with the municipal clerk of the municipality where the elector resides or by mailing to the municipal clerk a signed request stating his or her present address, affirming that this will be his or her residence for ~~40~~ 28 consecutive days prior to the election and providing the address where he or she was last registered. Alternatively, the elector may transfer his or her registration at the proper polling place or other registration location under s. 6.02 (2) in accordance with s. 6.55 (2) (a). If an elector is voting in the ward or election district where the elector formerly resided, the change shall be effective for the next election.

**SECTION 39.** 6.55 (2) (a) 1. of the statutes is amended to read:

6.55 (2) (a) 1. Except where the procedure under par. (c) or (cm) is employed, any person who qualifies as an elector in the ward or election district where he or she desires to vote, but has not previously filed a registration form, or was registered at another location, may request permission to vote at the polling place for that ward or election district, or at an alternate polling place assigned under s. 5.25 (5) (b). When a proper request is made, the inspector shall require the person to execute a registration form prescribed by the board. The registration form shall be completed in the manner provided under s. 6.33 (2) and shall contain all information required under s. 6.33 (1), together with the following certification:

"I, ..., hereby certify that, to the best of my knowledge, I am a qualified elector, having resided at .... for at least ~~40~~ 28 consecutive days immediately preceding this election, and I have not voted at this election."

**SECTION 40.** 6.55 (2) (b) of the statutes is amended to read:

6.55 (2) (b) Upon executing the registration form under par. (a), the elector shall provide proof of residence under s. 6.34. ~~If the elector cannot provide proof of residence, the information contained in the registration form shall be corroborated in a statement that is signed by any elector who resides in the same municipality as the registering elector and that contains the current street address of the corroborating elector. The corroborator shall then provide proof of residence as provided in s. 6.34. If the elector is registering to vote in the general election and the elector presents a valid driver's license issued by another state, the inspector or deputy shall record on a separate list the name and address of the elector, the name of the state, and the license number and expiration date of the license. The signing by the elector executing the registration form and by any corroborator shall be in the presence of the special registration deputy or inspector who shall then print his or her name on and sign the form, indicating that the deputy or inspector has accepted the form. Upon compliance with this procedure, the elector shall be permitted to cast his or her vote, if the elector~~

complies with all other requirements for voting at the polling place.

**SECTION 41.** 6.55 (2) (c) 1. of the statutes is amended to read:

6.55 (2) (c) 1. As an alternative to registration at the polling place under pars. (a) and (b), the board of election commissioners, or the governing body of any municipality may by resolution require a person who qualifies as an elector and who is not registered and desires to register on the day of an election to do so at another readily accessible location in the same building as the polling place serving the elector's residence or at an alternate polling place assigned under s. 5.25 (5) (b), instead of at the polling place serving the elector's residence. In such case, the municipal clerk shall prominently post a notice of the registration location at the polling place. ~~The An eligible elector who desires to register shall execute a registration form as prescribed under par. (a) and provide proof of residence as provided under s. 6.34. If the elector cannot provide proof of residence, the information contained in the registration form shall be corroborated in the manner provided in par. (b). If the elector is registering to vote in the general election and the elector presents a valid driver's license issued by another state, the municipal clerk, deputy clerk, or special registration deputy shall record on a separate list the name and address of the elector, the name of the state, and the license number and expiration date of the license. The signing by the elector person executing the registration form and by any corroborator shall be in the presence of the municipal clerk, deputy clerk or special registration deputy. The municipal clerk, the deputy clerk, or the special registration deputy shall then print his or her name and sign the form, indicating that the clerk, deputy clerk, or deputy has accepted the form. Upon proper completion of registration, the municipal clerk, deputy clerk or special registration deputy shall serially number the registration and give one copy to the elector person for presentation at the polling place serving the elector's person's residence or an alternate polling place assigned under s. 5.25 (5) (b).~~

**SECTION 42.** 6.55 (2) (c) 2. of the statutes is amended to read:

6.55 (2) (c) 2. Upon compliance with the procedures under subd. 1., the municipal clerk or deputy clerk shall issue a certificate addressed to the inspectors of the proper polling place directing that the elector be permitted to cast his or her vote if the elector complies with all requirements for voting at the polling place. The clerk shall enter the name and address of the elector on the face of the certificate. ~~If the elector's registration is corroborated, the clerk shall also enter the name and address of the corroborator on the face of the certificate.~~ The certificate shall be numbered serially and prepared in duplicate. The municipal clerk shall preserve one copy in his or her office.

**SECTION 43.** 6.56 (5) of the statutes is repealed.

**SECTION 44.** 6.79 (1m) of the statutes is amended to read:

6.79 (1m) SEPARATE POLL LISTS. Two election officials at each election ward shall be in charge of and shall maintain 2 separate poll lists containing information relating to all persons voting. The municipal clerk may elect to maintain the information on the lists manually or electronically. If the lists are maintained electronically, the board shall prescribe a supplemental list that contains the full name, address, and space for the entry of the signature of each elector, or if the elector is exempt from the signature requirement under s. 6.36 (2) (a), the word "exempt". If the lists are maintained electronically, the officials shall enter the information into an electronic data recording system that enables retrieval of printed copies of the lists at the polling place. The system employed is subject to the approval of the board.

**SECTION 45.** 6.79 (2) (a) of the statutes is amended to read:

6.79 (2) (a) Unless information on the poll list is entered electronically, the municipal clerk shall supply the inspectors with 2 copies of the most current official registration list or lists prepared under s. 6.36 (2) (a) for use as poll lists at the polling place. Except as provided in sub. subs. (6) and (7), each person eligible elector, before receiving a serial number, shall state his or her full name and address and present to the officials proof of identification. The officials shall verify that the name on the proof of identification presented by the elector conforms to the name on the poll list or separate list and shall verify that any photograph appearing on that document reasonably resembles the elector. The officials shall then require the elector to enter his or her signature on the poll list, supplemental list, or separate list maintained under par. (c) unless the elector is exempt from the signature requirement under s. 6.36 (2) (a). The officials shall verify that the name and address provided stated by the person ~~are the same as elector conform to~~ the person's elector's name and address on the poll list.

**SECTION 46.** 6.79 (2) (am) of the statutes is created to read:

6.79 (2) (am) If an elector previously signed his or her registration form or is exempt from a registration requirement and is unable, due to physical disability, to enter his or her signature at the election, the officials shall waive the signature requirement if the officials determine that the elector is unable, due to physical disability, to enter his or her signature. In this case, the officials shall enter next to the name and address of the elector on the poll, supplemental, or separate list the words "exempt by order of inspectors". If both officials do not waive the signature requirement and the elector wishes to vote, the official or officials who do not waive the requirement shall require the elector to vote by ballot and shall challenge the elector's ballot as provided in s. 6.92 and treat the ballot in the manner provided in s. 6.95. The challenged elector may



then provide evidence of his or her physical disability to the board of canvassers charged with initially canvassing the returns prior to the completion of the initial canvass.

**SECTION 47.** 6.79 (2) (d) of the statutes is amended to read:

6.79 (2) (d) If the poll list indicates that proof of residence under s. 6.34 is required and the document provided by the elector under par. (a) does not constitute proof of residence under s. 6.34, the officials shall require the elector to provide proof of residence. If proof of residence is provided, the officials shall verify that the name and address on the identification document submitted as proof of residence provided is the same as the name and address shown on the registration list. If proof of residence is required and not provided, or if the elector does not present proof of identification under par. (a), whenever required, the officials shall offer the opportunity for the elector to vote under s. 6.97.

**SECTION 48.** 6.79 (3) (title) of the statutes is amended to read:

6.79 (3) (title) ~~REFUSAL TO GIVE NAME AND ADDRESS PROVIDE NAME, ADDRESS, OR PROOF OF IDENTIFICATION.~~

**SECTION 49.** 6.79 (3) of the statutes is renumbered 6.79 (3) (a).

**SECTION 50.** 6.79 (3) (b) of the statutes is created to read:

6.79 (3) (b) If proof of identification under sub. (2) is not presented by the elector, if the name appearing on the document presented does not conform to the name on the poll list or separate list, or if any photograph appearing on the document does not reasonably resemble the elector, the elector shall not be permitted to vote, except as authorized under sub. (6) or (7), but if the elector is entitled to cast a provisional ballot under s. 6.97, the officials shall offer the opportunity for the elector to vote under s. 6.97.

**SECTION 51.** 6.79 (4) of the statutes is amended to read:

6.79 (4) SUPPLEMENTAL INFORMATION. When any elector provides proof of residence under s. 6.15, 6.29 or 6.55 (2), the election officials shall enter the type of identifying document provided on the poll list, or separate list maintained under sub. (2) (c). If the document submitted as proof of identity or residence includes a number which applies only to the individual holding that document, the election officials shall also enter that number on the list. ~~When any elector corroborates the registration identity or residence of any person offering to vote under s. 6.55 (2) (b) or (c), or the registration identity or residence of any person registering on election day under s. 6.86 (3) (a) 2., the election officials shall also enter the name and address of the corroborator next to the name of the elector whose information is being corroborated on the poll list, or the separate list maintained under sub. (2) (c). When any person offering to vote has been challenged and taken the~~

oath, following the person's name on the poll list, the officials shall enter the word "Sworn".

**SECTION 52.** 6.79 (6) of the statutes is amended to read:

6.79 (6) CONFIDENTIAL NAMES AND ADDRESSES. An elector who has a confidential listing under s. 6.47 (2) may present his or her identification card issued under s. 6.47 (3), or give his or her name and identification serial number issued under s. 6.47 (3), in lieu of stating his or her name and address and presenting proof of identification under sub. (2). If the elector's name and identification serial number appear on the confidential portion of the list, the inspectors shall issue a voting serial number to the elector, record that number on the poll list and permit the elector to vote.

**SECTION 53.** 6.79 (7) of the statutes is created to read:

6.79 (7) LICENSE SURRENDER. If an elector receives a citation or notice of intent to revoke or suspend an operator's license from a law enforcement officer in any jurisdiction that is dated within 60 days of the date of an election and is required to surrender his or her operator's license or driving receipt issued to the elector under ch. 343 at the time the citation or notice is issued, the elector may present an original copy of the citation or notice in lieu of an operator's license or driving receipt issued under ch. 343. In such case, the elector shall cast his or her ballot under s. 6.965.

**SECTION 54.** 6.82 (1) (a) of the statutes is amended to read:

6.82 (1) (a) When any inspectors are informed that an eligible elector is at the entrance to the polling place who as a result of disability is unable to enter the polling place, they shall permit the elector to be assisted in marking a ballot by any individual selected by the elector, except the elector's employer or an agent of that employer or an officer or agent of a labor organization which represents the elector. ~~The~~ Except as authorized in s. 6.79 (6) and (7), the individual selected by the elector shall present to the inspectors proof of identification and, if the proof of identification does not constitute proof of residence under s. 6.34, shall also provide proof of residence under s. 6.34 for the assisted elector, whenever required, and all other information necessary for the elector to obtain a ballot under s. 6.79 (2). The inspectors shall verify that the name on the proof of identification presented by the person assisting the elector conforms to the elector's name on the poll list or separate list and shall verify that any photograph appearing on that document reasonably resembles the elector. The inspectors shall then issue a ballot to the individual selected by the elector and shall accompany the individual to the polling place entrance where the assistance is to be given. If the ballot is a paper ballot, the assisting individual shall fold the ballot after the ballot is marked by the assisting individual. The assisting individual shall then immediately take the ballot

into the polling place and give the ballot to an inspector. The inspector shall distinctly announce that he or she has “a ballot offered by .... (stating person’s name), an elector who, as a result of disability, is unable to enter the polling place without assistance”. The inspector shall then ask, “Does anyone object to the reception of this ballot?” If no objection is made, the inspectors shall record the elector’s name under s. 6.79 and deposit the ballot in the ballot box, and shall make a notation on the poll list: “Ballot received at poll entrance”.

**SECTION 55.** 6.85 of the statutes is renumbered 6.85 (1) and amended to read:

6.85 (1) An absent elector is any otherwise qualified elector who for any reason is unable or unwilling to appear at the polling place in his or her ward or election district.

(2) Any otherwise qualified elector who changes residence within this state by moving to a different ward or municipality later than ~~40~~ 28 days prior to an election may vote an absentee ballot in the ward or municipality where he or she was qualified to vote before moving.

(3) An elector qualifying under this section may vote by absentee ballot under ss. 6.86 to 6.89.

**SECTION 56.** 6.86 (1) (ar) of the statutes is amended to read:

6.86 (1) (ar) Except as authorized in s. 6.875 (6), the municipal clerk shall not issue an absentee ballot unless the clerk receives a written application therefor from a qualified elector of the municipality. The clerk shall retain each absentee ballot application until destruction is authorized under s. 7.23 (1). Except as authorized in s. 6.79 (6) and (7), if a qualified elector applies for an absentee ballot in person at the clerk’s office, the clerk shall not issue the elector an absentee ballot unless the elector presents proof of identification. The clerk shall verify that the name on the proof of identification presented by the elector conforms to the name on the elector’s application and shall verify that any photograph appearing on that document reasonably resembles the elector. The clerk shall then enter his or her initials on the certificate envelope indicating that the absentee elector presented proof of identification to the clerk.

**SECTION 57.** 6.86 (1) (b) of the statutes is amended to read:

6.86 (1) (b) Except as provided in this section, if application is made by mail, the application, ~~signed by the elector,~~ shall be received no later than 5 p.m. on the 5th day immediately preceding the election. If application is made in person, the application shall be made no earlier than the opening of business on the 3rd Monday preceding the election and no later than 5 p.m. or the close of business, whichever is later, on the day Friday preceding the election. If Except as provided in par. (c), if the elector is making written application for an absentee ballot at the September primary or general election and the application indicates that the elector is a military elector,

as defined in s. ~~6.36 (2) (e)~~ 6.34 (1), the application shall be received by the municipal clerk no later than 5 p.m. on election day. If the application indicates that the reason for requesting an absentee ballot is that the elector is a sequestered juror, the application shall be received no later than 5 p.m. on election day. If the application is received after 5 p.m. on the Friday immediately preceding the election, the municipal clerk or the clerk’s agent shall immediately take the ballot to the court in which the elector is serving as a juror and deposit it with the judge. The judge shall recess court, as soon as convenient, and give the elector the ballot. The judge shall then witness the voting procedure as provided in s. 6.87 and shall deliver the ballot to the clerk or agent of the clerk who shall deliver it to the polling place or, in municipalities where absentee ballots are canvassed under s. 7.52, to the municipal clerk as required in s. 6.88. If application is made under sub. (2) or (2m), the application may be received no later than 5 p.m. on the Friday immediately preceding the election.

**SECTION 58.** 6.86 (2m) of the statutes is renumbered 6.86 (2m) (a) and amended to read:

6.86 (2m) (a) ~~An Except as provided in this subsection, any~~ elector other than an elector who is ~~eligible to receive absentee ballots under sub. (2)~~ receives an absentee ballot under sub. (2) or s. 6.22 (4) or 6.24 (4) (c) may by written application filed with the municipal clerk of the municipality where the elector resides require that an absentee ballot be sent or transmitted to the elector automatically for every election that is held within the same calendar year in which the application is filed. The application form and instructions shall be prescribed by the board, and furnished upon request to any elector by each municipal clerk. The municipal clerk shall thereupon mail or transmit an absentee ballot to the elector for all elections that are held in the municipality during the same calendar year that the application is filed, except that the clerk shall not send an absentee ballot for an election if the elector’s name appeared on the registration list in eligible status for a previous election following the date of the application but no longer appears on the list in eligible status. The municipal clerk shall ensure that ~~the~~ any envelope containing the absentee ballot is clearly marked as not forwardable. If an elector who files an application under this subsection no longer resides at the same address that is indicated on the application form, the elector shall so notify the municipal clerk. The municipal clerk shall discontinue mailing or transmitting absentee ballots to an elector under this subsection upon receipt of reliable information that the elector no longer qualifies ~~for the service as an elector of the municipality. In addition, the municipal clerk shall discontinue mailing or transmitting absentee ballots to an elector under this subsection if the elector fails to return any absentee ballot mailed or transmitted to the elector.~~ The municipal clerk shall notify the elector of any such action not taken at the

elector's request within 5 days, if possible. An elector who fails to cast an absentee ballot but who remains qualified to receive absentee ballots under this subsection may then receive absentee ballots for subsequent elections by notifying the municipal clerk that the elector wishes to continue receiving absentee ballots for subsequent elections.

(b) If a municipal clerk is notified by an elector that the elector's residence is changed to another municipality within this state, the municipal clerk shall forward the request to the municipal clerk of that municipality and that municipal clerk shall honor the request, except as provided in this subsection.

**SECTION 59.** 6.86 (3) (a) 1. of the statutes is amended to read:

6.86 (3) (a) 1. Any elector who is registered and who is hospitalized, may apply for and obtain an official ballot by agent. The agent may apply for and obtain a ballot for the hospitalized absent elector by presenting a form prescribed by the board and containing the required information supplied by the hospitalized elector and signed by that elector ~~and any other elector residing in the same municipality as the hospitalized elector, corroborating the information contained therein. The corroborating elector shall state on the form his or her full name and address, unless the elector is unable to sign due to physical disability. In this case, the elector may authorize another elector to sign on his or her behalf. Any elector signing an application on another elector's behalf shall attest to a statement that the application is made on request and by authorization of the named elector, who is unable to sign the application due to physical disability. The agent shall present this statement along with all other information required under this subdivision. Except as authorized for an elector who has a confidential listing under s. 6.47 (2) or as authorized under s. 6.87 (4) (b) 4., the agent shall present any proof of identification required under sub. (1) (ar) and s. 6.87 (4) (b) 1. The form shall include a space for the municipal clerk or deputy clerk to enter his or her initials indicating that the agent presented proof of identification to the clerk on behalf of the elector.~~

**SECTION 60.** 6.86 (3) (a) 2. of the statutes is amended to read:

6.86 (3) (a) 2. If a hospitalized elector is not registered, the elector may register by agent under this subdivision at the same time that the elector applies for an official ballot by agent under subd. 1. To register the elector under this subdivision, the agent shall present a completed registration form that contains the required information supplied by the elector and the elector's signature, unless the elector is unable to sign due to physical disability. In this case, the elector may authorize another elector to sign on his or her behalf. Any elector signing a form on another elector's behalf shall attest to a statement that the application is made on request and by authorization

of the named elector, who is unable to sign the form due to physical disability. The agent shall present this statement along with all other information required under this subdivision. ~~Except as otherwise provided in this subdivision, the~~ The agent shall in every case provide proof of the elector's residence under s. 6.34. ~~If the elector is registering to vote in the general election and the agent presents a valid driver's license issued to the elector by another state, the municipal clerk shall record on a separate list the name and address of the elector, the name of the state, and the license number and expiration date of the license. If the agent cannot present proof of residence, the registration form shall be signed and substantiated by another elector residing in the elector's municipality of residence corroborating the information in the form. The form shall contain the full name and address of the corroborating elector. The agent shall then present proof of the corroborating elector's residence under s. 6.34.~~

**SECTION 61.** 6.86 (3) (c) of the statutes is amended to read:

6.86 (3) (c) An application under par. (a) 1. may be made and a registration form under par. (a) 2. may be filed in person at the office of the municipal clerk not earlier than 7 days before an election and not later than 5 p.m. on the day of the election. A list of hospitalized electors applying for ballots under par. (a) 1. shall be made by the municipal clerk and used to check that the electors vote only once, and by absentee ballot. If the elector is registering for the election after the close of registration or if the elector registered by mail and has not voted in an election in this state, the municipal clerk shall inform the agent that proof of residence under s. 6.34 is required and the elector shall enclose proof of residence under s. 6.34 in the envelope with the ballot. The clerk shall verify that the name on any required proof of identification presented by the agent conforms to the name on the elector's application. The clerk shall then enter his or her initials on the carrier envelope indicating that the agent presented proof of identification to the clerk. The agent is not required to enter a signature on the registration list. The ballot shall be sealed by the elector and returned to the municipal clerk either by mail or by personal delivery of the agent; but if the ballot is returned on the day of the election, the agent shall make personal delivery to the polling place serving the hospitalized elector's residence before the closing hour or, in municipalities where absentee ballots are canvassed under s. 7.52, to the municipal clerk no later than 8 p.m. on election day.

**SECTION 62.** 6.869 of the statutes is amended to read:

**6.869 Uniform instructions.** The board shall prescribe uniform instructions for municipalities to provide to absentee voters, electors. The instructions shall include information concerning whether proof of identification is required to be presented or enclosed under s. 6.86 (1) (ar) or 6.87 (4) (b) 1. The instructions also shall

include information concerning the procedure for correcting errors in marking a ballot and obtaining a replacement for a spoiled ballot. The procedure shall, to the extent possible, respect the privacy of each elector and preserve the confidentiality of each elector's vote.

**SECTION 63.** 6.87 (1) of the statutes is amended to read:

6.87 (1) Upon proper request made within the period prescribed in s. 6.86, the municipal clerk or a deputy clerk authorized by the municipal clerk shall write on the official ballot, in the space for official endorsement, the clerk's initials and official title. Unless application is made under s. 6.86 (1) (ac) or in person under s. 6.86 (1) (ar), the absent elector is exempted from providing proof of identification under sub. (4) (b) 2. or 3., or the applicant is a military or overseas elector, the absent elector shall enclose a copy of his or her proof of identification or any authorized substitute document with his or her application. The municipal clerk shall verify that the name on the proof of identification conforms to the name on the application. The clerk shall not issue an absentee ballot to an elector who is required to enclose a copy of proof of identification or an authorized substitute document with his or her application unless the copy is enclosed and the proof is verified by the clerk.

**SECTION 64.** 6.87 (2) of the statutes is amended to read:

6.87 (2) Except as authorized under sub. (3) (d), the municipal clerk shall place the ballot in an unsealed envelope furnished by the clerk. The envelope shall have the name, official title and post-office address of the clerk upon its face. The other side of the envelope shall have a printed certificate which shall include a space for the municipal clerk or deputy clerk to enter his or her initials indicating that if the absentee elector voted in person under s. 6.86 (1) (ar), the elector presented proof of identification to the clerk and the clerk verified the proof presented. The certificate shall also include a space for the municipal clerk or deputy clerk to enter his or her initials indicating that the elector is exempt from providing proof of identification because the individual is a military or overseas elector or is exempted from providing proof of identification under sub. (4) (b) 2. or 3. The certificate shall be in substantially the following form:

[STATE OF ....

County of ....]

or

[(name of foreign country and city or other jurisdictional unit)]

I, ....., certify subject to the penalties of s. 12.60 (1) (b), Wis. Stats., for false statements, that I am a resident of the [... ward of the] (town) (village) of ....., or of the .... aldermanic district in the city of ....., residing at ....\* in said city, the county of ....., state of Wisconsin, and am entitled to vote in the (ward) (election district) at the election to be held on ....; that I am not voting at any other location in

this election; that I am unable or unwilling to appear at the polling place in the (ward) (election district) on election day or have changed my residence within the state from one ward or election district to another within 10 later than 28 days before the election. I certify that I exhibited the enclosed ballot unmarked to the witness, that I then in (his) (her) presence and in the presence of no other person marked the ballot and enclosed and sealed the same in this envelope in such a manner that no one but myself and any person rendering assistance under s. 6.87 (5), Wis. Stats., if I requested assistance, could know how I voted.

Signed ....

Identification serial number, if any: ....

The witness shall execute the following:

I, the undersigned witness, subject to the penalties of s. 12.60 (1) (b), Wis. Stats., for false statements, certify that I am an adult U.S. citizen and that the above statements are true and the voting procedure was executed as there stated. I am not a candidate for any office on the enclosed ballot (except in the case of an incumbent municipal clerk). I did not solicit or advise the elector to vote for or against any candidate or measure.

....(Name)

....(Address)\*\*

\* — An elector who provides an identification serial number issued under s. 6.47 (3), Wis. Stats., need not provide a street address.

\*\* — If this form is executed before 2 special voting deputies under s. 6.875 (6), Wis. Stats., both deputies shall witness and sign.

**SECTION 65.** 6.87 (3) (d) of the statutes is amended to read:

6.87 (3) (d) A municipal clerk may shall, if the clerk is reliably informed by an absent elector of a facsimile transmission number or electronic mail address where the elector can receive an absentee ballot, transmit a facsimile or electronic copy of the absent elector's ballot to that elector in lieu of mailing under this subsection if, ~~in the judgment of the clerk, the time required to send the ballot through the mail may not be sufficient to enable return of the ballot by the time provided under sub. (6).~~ An elector may receive an absentee ballot ~~under this subsection~~ only if the elector has filed a valid application for the ballot under s. 6.86 (1). If the clerk transmits an absentee ballot ~~under this paragraph~~ to an absent elector electronically, the clerk shall also transmit a facsimile or electronic copy of the text of the material that appears on the certificate envelope prescribed in sub. (2), together with instructions prescribed by the board. The instructions shall require the absent elector to make and subscribe to the certification as required under sub. (4) (b) and to enclose the absentee ballot in a separate envelope contained within a larger envelope, that shall include the completed certificate. The elector shall then affix sufficient postage unless the absentee ballot qualifies for

mailing free of postage under federal free postage laws and shall mail the absentee ballot to the municipal clerk. Except as authorized in s. 6.97 (2), an absentee ballot received under this paragraph from an elector who receives the ballot electronically shall not be counted unless it is cast in the manner prescribed in this paragraph and sub. (4) and in accordance with the instructions provided by the board.

**SECTION 66.** 6.87 (4) of the statutes is renumbered 6.87 (4) (b) 1. and amended to read:

6.87 (4) (b) 1. Except as otherwise provided in s. 6.875, the elector voting absentee shall make and subscribe to the certification before one witness who is an adult U.S. citizen. The absent elector, in the presence of the witness, shall mark the ballot in a manner that will not disclose how the elector's vote is cast. The elector shall then, still in the presence of the witness, fold the ballots so each is separate and so that the elector conceals the markings thereon and deposit them in the proper envelope. If a consolidated ballot under s. 5.655 is used, the elector shall fold the ballot so that the elector conceals the markings thereon and deposit the ballot in the proper envelope. If proof of residence is required Except as authorized in subds. 2. to 5. and s. 6.875 (6) and notwithstanding s. 343.43 (1) (f), if the elector has not enclosed a copy of his or her proof of identification with his or her application, the elector shall enclose a copy of the proof of identification in the manner provided in sub. (1) in the envelope, unless the elector is a military elector or an overseas elector or the elector has a confidential listing under s. 6.47 (2). If proof of residence under s. 6.34 is required and the document enclosed by the elector under this subdivision does not constitute proof of residence under s. 6.34, the elector shall also enclose proof of residence under s. 6.34 in the envelope. Proof of residence is required if the elector is not a military elector or an overseas elector, as defined in s. 6.34 (1), and the elector registered by mail and has not voted in an election in this state. If the elector requested a ballot by means of facsimile transmission or electronic mail under s. 6.86 (1) (ac), the elector shall enclose in the envelope a copy of the request which bears an original signature of the elector. The elector may receive assistance under sub. (5). The return envelope shall then be sealed. The witness may not be a candidate. The envelope shall be mailed by the elector, or delivered in person, to the municipal clerk issuing the ballot or ballots. If the envelope is mailed from a location outside the United States, the elector shall affix sufficient postage unless the ballot qualifies for delivery free of postage under federal law. Failure to return an unused ballot in a primary does not invalidate the ballot on which the elector's votes are cast. Return of more than one marked ballot in a primary or return of a ballot prepared under s. 5.655 or a ballot used with an electronic voting system in a primary which is marked for candidates of

more than one party invalidates all votes cast by the elector for candidates in the primary.

**SECTION 67.** 6.87 (4) (a) of the statutes is created to read:

6.87 (4) (a) In this subsection:

1. "Military elector" has the meaning given in s. 6.34 (1) (a).
2. "Overseas elector" has the meaning given in s. 6.34 (1) (b).

**SECTION 68.** 6.87 (4) (b) 2. of the statutes is created to read:

6.87 (4) (b) 2. Unless subd. 3. applies, if the absentee elector has applied for and qualified to receive absentee ballots automatically under s. 6.86 (2) (a), the elector may, in lieu of providing a copy of proof of identification as required under subd. 1., submit with his or her absentee ballot a statement signed by the same individual who witnesses voting of the ballot which contains the name and address of the elector and verifies that the name and address are correct.

**SECTION 69.** 6.87 (4) (b) 3. of the statutes is created to read:

6.87 (4) (b) 3. If the absentee elector has received an absentee ballot from the municipal clerk by mail for a previous election, has provided a copy of proof of identification as required under subd. 1. with that ballot, and has not changed his or her name or address since providing that proof of identification, the elector is not required to provide a copy of the proof of identification required under subd. 1.

**SECTION 70.** 6.87 (4) (b) 4. of the statutes is created to read:

6.87 (4) (b) 4. If the absentee elector has received a citation or notice of intent to revoke or suspend an operator's license from a law enforcement officer in any jurisdiction that is dated within 60 days of the date of the election and is required to surrender his or her operator's license or driving receipt issued to the elector under ch. 343 at the time the citation or notice is issued, the elector may enclose a copy of the citation or notice in lieu of a copy of an operator's license or driving receipt issued under ch. 343 if the elector is voting by mail, or may present an original copy of the citation or notice in lieu of an operator's license or driving receipt under ch. 343 if the elector is voting at the office of the municipal clerk.

**SECTION 71.** 6.87 (4) (b) 5. of the statutes is created to read:

6.87 (4) (b) 5. Unless subd. 3. or 4. applies, if the absentee elector resides in a qualified retirement home, as defined in s. 6.875 (1) (at), a qualified community-based residential facility, as defined in s. 6.875 (1) (as), a residential care apartment complex that is certified or registered under s. 50.034 (1), or an adult family home that is certified under s. 50.032 or licensed under s. 50.033 and the municipal clerk or board of election com-

missioners of the municipality where the complex, facility, or home is located does not send special voting deputies to visit the complex, facility, or home at the election under s. 6.875, the elector may, in lieu of providing proof of identification required under subd. 1., submit with his or her absentee ballot a statement signed by the same individual who witnesses voting of the ballot that contains the certification of an authorized representative of the complex, facility, or home that the elector resides in the complex, facility, or home and the complex, facility, or home is certified or registered as required by law, that contains the name and address of the elector, and that verifies that the name and address are correct.

**SECTION 72.** 6.87 (6) of the statutes is amended to read:

6.87 (6) Except as provided in s. 6.221 (3), the ballot shall be returned so it is received by the municipal clerk no later than 8 p.m. on election day. Except in municipalities where absentee ballots are canvassed under s. 7.52, if the municipal clerk receives an absentee ballot on election day, the clerk shall secure the ballot and cause the ballot to be delivered to the polling place serving the elector's residence before the closing hour. Except as provided in s. 6.221 (3), ~~the any~~ ballot not mailed or delivered as provided in this subsection may not be counted.

**SECTION 73.** 6.875 (title) of the statutes is amended to read:

**6.875 (title) Absentee voting in nursing and retirement certain homes and certain community-based residential facilities, and complexes.**

**SECTION 74.** 6.875 (1) (ap) and (asm) of the statutes are created to read:

6.875 (1) (ap) "Qualified adult family home" means a facility that is certified or licensed to operate as an adult family home under s. 50.032 or 50.033 that qualifies under sub. (2) (d) to utilize the procedures under this section.

(asm) "Qualified residential care apartment complex" means a facility that is certified or registered to operate as a residential care apartment complex under s. 50.034 (1) that qualifies under sub. (2) (d) to utilize the procedures under this section.

**SECTION 75.** 6.875 (2) (a) of the statutes is amended to read:

6.875 (2) (a) The procedures prescribed in this section are the exclusive means of absentee voting for electors who are occupants of nursing homes, qualified community-based residential facilities ~~or~~ qualified retirement homes, qualified residential care apartment complexes, and qualified adult family homes.

**SECTION 76.** 6.875 (2) (d) of the statutes is created to read:

6.875 (2) (d) The municipal clerk or board of election commissioners of any municipality where a residential care apartment complex certified or registered under s. 50.034 (1) or an adult family home certified under s.

50.032 or licensed under s. 50.033 is located may adopt the procedures under this section for absentee voting in any such residential care apartment complex or adult family home located in the municipality if the municipal clerk or board of election commissioners finds that there are a significant number of the occupants of the complex or home who lack adequate transportation to the appropriate polling place, a significant number of the occupants of the complex or home may need assistance in voting, there are a significant number of the occupants of the complex or home aged 60 or over, or there are a significant number of indefinitely confined electors who are occupants of the complex or home.

**SECTION 77.** 6.875 (3) and (4) of the statutes are amended to read:

6.875 (3) An occupant of a nursing home or qualified retirement home ~~or~~ qualified community-based residential facility, qualified residential care apartment complex, or qualified adult family home who qualifies as an absent elector and desires to receive an absentee ballot shall make application under s. 6.86 (1), (2), or (2m) with the municipal clerk or board of election commissioners of the municipality in which the elector is a resident. The clerk or board of election commissioners of a municipality receiving an application from an elector who is an occupant of a nursing home or qualified retirement home ~~or~~ qualified community-based residential facility, qualified residential care apartment complex, or qualified adult family home located in a different municipality shall, as soon as possible, notify and transmit an absentee ballot for the elector to the clerk or board of election commissioners of the municipality in which the home ~~or~~ qualified community-based residential facility or complex is located. The clerk or board of election commissioners of a municipality receiving an application from an elector who is an occupant of a nursing home or qualified retirement home ~~or~~ qualified community-based residential facility, qualified residential care apartment complex, or qualified adult family home located in the municipality but who is a resident of a different municipality shall, as soon as possible, notify and request transmission of an absentee ballot from the clerk or board of election commissioners of the municipality in which the elector is a resident. The clerk or board of election commissioners shall make a record of all absentee ballots to be transmitted, delivered, and voted under this section.

(4) (a) For the purpose of absentee voting in nursing homes ~~and~~ qualified retirement homes and qualified community-based residential facilities, qualified residential care apartment complexes, and qualified adult family homes, the municipal clerk or board of election commissioners of each municipality in which one or more nursing homes ~~or~~ qualified retirement homes or qualified community-based residential facilities, qualified residential care apartment complexes, or qualified adult family homes are located shall appoint at least 2

special voting deputies for the municipality. Upon application under s. 6.86 (1), (2), or (2m) by one or more qualified electors who are occupants of a ~~nursing home or qualified retirement home or qualified community-based residential~~ facility, or complex, the municipal clerk or board of election commissioners of the municipality in which the home ~~or~~ facility, or complex is located shall dispatch 2 special voting deputies to visit the home ~~or qualified community-based residential~~ facility, or complex for the purpose of supervising absentee voting procedure by occupants of the home ~~or qualified community-based residential~~ facility, or complex. The clerk shall maintain a list, available to the public upon request, of each ~~nursing home or qualified retirement home or qualified community-based residential~~ facility, or complex where an elector has requested an absentee ballot. The list shall include the date and time the deputies intend to visit each home ~~or~~ facility, or complex. The 2 deputies designated to visit each nursing home ~~or~~ qualified retirement home or qualified community-based residential facility, qualified residential care apartment complex, and qualified adult family home shall be affiliated with different political parties whenever deputies representing different parties are available.

(b) Nominations for the special voting deputy positions described in par. (a) may be submitted by the 2 recognized political parties whose candidates for governor or president received the greatest numbers of votes in the municipality at the most recent general election. The deputies shall be specially appointed to carry out the duties under par. (a) for the period specified in s. 7.30 (6) (a). The clerk or board of election commissioners may revoke an appointment at any time. No individual who is employed or retained, or within the 2 years preceding appointment has been employed or retained, at a nursing home ~~or~~ qualified retirement home or qualified community-based residential facility, qualified residential care apartment complex, or qualified adult family home in the municipality, or any member of the individual's immediate family, as defined in s. 19.42 (7), may be appointed to serve as a deputy.

**SECTION 78.** 6.875 (6) (a) and (b) of the statutes are amended to read:

6.875 (6) (a) Special voting deputies in each municipality shall, not later than 5 p.m. on the Friday preceding an election, arrange one or more convenient times with the administrator of each nursing home, qualified retirement home, ~~and~~ qualified community-based residential facility, qualified residential care apartment complex, and qualified adult family home in the municipality from which one or more occupants have filed an application under s. 6.86 to conduct absentee voting for the election. The time may be no earlier than the 4th Monday preceding the election and no later than 5 p.m. on the Monday preceding the election. The municipal clerk shall post a notice at the home ~~or~~ facility, or complex indicating the

date and time that absentee voting will take place at that home ~~or~~ facility, or complex. The notice shall be posted as soon as practicable after arranging the visit but in no case less than 24 hours before the visit. At the designated time, 2 deputies appointed under sub. (4) shall visit the home ~~or~~ facility, or complex.

(b) The municipal clerk or executive director of the board of election commissioners shall issue a supply of absentee ballots to the deputies sufficient to provide for the number of valid applications for an absentee ballot received by the clerk, and a reasonable additional number of ballots. The deputies may exercise the authority granted to the chief inspector under s. 7.41 to regulate the conduct of observers. For purposes of the application of s. 7.41, the home ~~or~~ facility, or complex shall be treated as a polling place. The municipal clerk or executive director shall keep a careful record of all ballots issued to the deputies and shall require the deputies to return every ballot issued to them.

**SECTION 79.** 6.875 (6) (c) 1. of the statutes is amended to read:

6.875 (6) (c) 1. Upon their visit to the home ~~or~~ facility, or complex under par. (a), the deputies shall personally offer each elector who has filed a proper application for an absentee ballot the opportunity to cast his or her absentee ballot. In lieu of providing a copy of proof of identification under s. 6.87 (4) (b) 1. with his or her absentee ballot, the elector may submit with his or her ballot a statement signed by both deputies that contains the name and address of the elector and verifies that the name and address are correct. The deputies shall enclose the statement in the certificate envelope. If an elector presents proof of identification under s. 6.87 (4) (b) 1., the deputies shall make a copy of the document presented by the elector and shall enclose the copy in the certificate envelope. If an elector is present who has not filed a proper application for an absentee ballot, the 2 deputies may accept an application from the elector and shall issue a ballot to the elector if the elector is qualified, the elector presents proof of identification, whenever required, or submits a statement containing his or her name and address under this subdivision, and the application is proper. The deputies shall each witness the certification and may, upon request of the elector, assist the elector in marking the elector's ballot. All voting shall be conducted in the presence of the deputies. Upon request of the elector, a relative of the elector who is present in the room may assist the elector in marking the elector's ballot. No individual other than a deputy may witness the certification and no individual other than a deputy or relative of an elector may render voting assistance to the elector.

**SECTION 80.** 6.875 (6) (c) 2. of the statutes is amended to read:

6.875 (6) (c) 2. Upon the request of a relative of an occupant of a nursing home ~~or~~ qualified retirement home

or qualified community-based residential facility, qualified residential care apartment complex, or qualified adult family home, the administrator of the home or facility, or complex may notify the relative of the time or times at which special voting deputies will conduct absentee voting at the home or facility, or complex and permit the relative to be present in the room where the voting is conducted.

**SECTION 81.** 6.875 (6) (e) of the statutes is amended to read:

6.875 (6) (e) If a qualified elector is not able to cast his or her ballot on 2 separate visits by the deputies to the home or facility, or complex, the deputies shall so inform the municipal clerk or executive director of the board of election commissioners, who may then send the ballot to the elector no later than 5 p.m. on the Friday preceding the election.

**SECTION 82.** 6.875 (7) of the statutes is amended to read:

6.875 (7) One observer from each of the 2 recognized political parties whose candidate for governor or president received the greatest number of votes in the municipality at the most recent general election may accompany the deputies to each home or facility, or complex where absentee voting will take place under this section. The observers may observe the process of absentee ballot distribution in the common areas of the home or facility, or complex. Each party wishing to have an observer present shall submit the name of the observer to the clerk or board of election commissioners no later than the close of business on the last business day prior to the visit.

**SECTION 83.** 6.88 (3) (a) of the statutes is amended to read:

6.88 (3) (a) Except in municipalities where absentee ballots are canvassed under s. 7.52, at any time between the opening and closing of the polls on election day, the inspectors shall, in the same room where votes are being cast, in such a manner that members of the public can hear and see the procedures, open the carrier envelope only, and announce the name of the absent elector or the identification serial number of the absent elector if the elector has a confidential listing under s. 6.47 (2). When the inspectors find that the certification has been properly executed, the applicant is a qualified elector of the ward or election district, and the applicant has not voted in the election, they shall enter an indication on the poll list next to the applicant's name indicating an absentee ballot is cast by the elector. They shall then open the envelope containing the ballot in a manner so as not to deface or destroy the certification thereon. The inspectors shall take out the ballot without unfolding it or permitting it to be unfolded or examined. Unless the ballot is cast under s. 6.95, the inspectors shall verify that the ballot has been endorsed by the issuing clerk. If the poll list indicates that proof of residence under s. 6.34 is required and no proof of residence is enclosed or the name or address on the

document that is provided is not the same as the name and address shown on the poll list, or if the elector is not a military elector, as defined in s. 6.34 (1) (a), or an overseas elector, as defined in s. 6.34 (1) (b), and the elector is required to provide a copy of proof of identification under s. 6.87 (4) (b) 1. and no copy of the proof of identification is enclosed or the name on the document cannot be verified by the inspectors, the inspectors shall proceed as provided under s. 6.97 (2). The inspectors shall then deposit the ballot into the proper ballot box and enter the absent elector's name or voting number after his or her name on the poll list in the same manner as if the elector had been present and voted in person.

**SECTION 84.** 6.92 (1) of the statutes is amended to read:

6.92 (1) Except as provided in sub. (2), each inspector shall challenge for cause any person offering to vote whom the inspector knows or suspects is not a qualified elector or who does not adhere to any voting requirement under this chapter. If a person is challenged as unqualified by an inspector, one of the inspectors shall administer the following oath or affirmation to the person: "You do solemnly swear (or affirm) that you will fully and truly answer all questions put to you regarding your place of residence and qualifications as an elector of this election"; and shall then ask questions which are appropriate as determined by the board, by rule, to test the person's qualifications.

**SECTION 85.** 6.94 of the statutes is amended to read:

**6.94 Challenged elector oath.** If the person challenged refuses to answer fully any relevant questions put to him or her by the inspector under s. 6.92, the inspectors shall reject the elector's vote. If the challenge is not withdrawn after the person offering to vote has answered the questions, one of the inspectors shall administer to the person the following oath or affirmation: "You do solemnly swear (or affirm) that: you are 18 years of age; you are a citizen of the United States; you are now and for ~~10~~ **28 consecutive** days have been a resident of this ward except under s. 6.02 (2); you have not voted at this election; you have not made any bet or wager or become directly or indirectly interested in any bet or wager depending upon the result of this election; you are not on any other ground disqualified to vote at this election". If the person challenged refuses to take the oath or affirmation, the person's vote shall be rejected. If the person challenged answers fully all relevant questions put to the elector by the inspector under s. 6.92, takes the oath or affirmation, and fulfills the applicable registration requirements, and if the answers to the questions given by the person indicate that the person meets the voting qualification requirements, the person's vote shall be received.

**SECTION 86.** 6.965 of the statutes is created to read:

**6.965 Voting procedure for electors presenting citation or notice in lieu of license or receipt.** Whenever any elector is allowed to vote at a polling place under



s. 6.79 (7) by presenting a citation or notice of intent to revoke or suspend an operator's license in lieu of an operator's license or driving receipt issued to the elector under ch. 343, the inspectors shall, before giving the elector a ballot, write on the back of the ballot the serial number of the elector corresponding to the number kept at the election on the poll list or other list maintained under s. 6.79 and the notation "s. 6.965." If voting machines are used in the municipality where the elector is voting, the elector's vote may be received only upon an absentee ballot furnished by the municipal clerk which shall have the notation "s. 6.965" written on the back of the ballot by the inspectors before the ballot is given to the elector. If the municipal clerk receives an absentee ballot from an elector who presents a citation or notice, or copy thereof, under s. 6.87 (4) (b) 4., the clerk shall enter a notation on the certificate envelope "Ballot under s. 6.965, stats." Upon receiving the envelope, the inspectors shall open and write on the back of the ballot the serial number of the elector corresponding to the number kept at the election on the poll list or other list maintained under s. 6.79 and the notation "s. 6.965." The inspectors shall indicate on the poll list or other list maintained under s. 6.79 the fact that the elector is voting by using a citation or notice in lieu of a license or driving receipt. The inspectors shall then deposit the ballot. The ballot shall then be counted under s. 5.85, or under s. 7.51 or 7.52.

**SECTION 87.** 6.97 (title) of the statutes is amended to read:

**6.97 (title) Voting procedure for individuals not providing required proof of residence or identification.**

**SECTION 88.** 6.97 (1) of the statutes is amended to read:

6.97 (1) Whenever any individual who is required to provide proof of residence under s. 6.34 in order to be permitted to vote appears to vote at a polling place and cannot provide the required proof of residence, the inspectors shall offer the opportunity for the individual to vote under this section. Whenever any individual, other than a military elector, as defined in s. 6.34 (1) (a), or an overseas elector, as defined in s. 6.34 (1) (b), or an elector who has a confidential listing under s. 6.47 (2), appears to vote at a polling place and does not present proof of identification under s. 6.79 (2), whenever required, the inspectors or the municipal clerk shall similarly offer the opportunity for the individual to vote under this section. If the individual wishes to vote, the inspectors shall provide the elector with an envelope marked "Ballot under s. 6.97, stats." on which the serial number of the elector is entered and shall require the individual to execute on the envelope a written affirmation stating that the individual is a qualified elector of the ward or election district where he or she offers to vote and is eligible to vote in the election. The inspectors shall, before giving the elector a ballot, write on the back of the ballot the serial number

of the individual corresponding to the number kept at the election on the poll list or other list maintained under s. 6.79 and the notation "s. 6.97". If voting machines are used in the municipality where the individual is voting, the individual's vote may be received only upon an absentee ballot furnished by the municipal clerk which shall have the corresponding number from the poll list or other list maintained under s. 6.79 and the notation "s. 6.97" written on the back of the ballot by the inspectors before the ballot is given to the elector. When receiving the individual's ballot, the inspectors shall provide the individual with written voting information prescribed by the board under s. 7.08 (8). The inspectors shall indicate on the list the fact that the individual is required to provide proof of residence or proof of identification under s. 6.79 (2) but did not do so. The inspectors shall notify the individual that he or she may provide proof of residence or proof of identification to the municipal clerk or executive director of the municipal board of election commissioners. The inspectors shall also promptly notify the municipal clerk or executive director of the name, address, and serial number of the individual. The inspectors shall then place the ballot inside the envelope and place the envelope in a separate carrier envelope.

**SECTION 89.** 6.97 (2) of the statutes is amended to read:

6.97 (2) Whenever any individual who votes by absentee ballot is required to provide proof of residence in order to be permitted to vote and does not provide the required proof of residence under s. 6.34, the inspectors shall treat the ballot as a provisional ballot under this section. Whenever any individual, other than a military elector, as defined in s. 6.34 (1) (a), or an overseas elector, as defined in s. 6.34 (1) (b), an individual who has a confidential listing under s. 6.47 (2), or an individual who is exempted under s. 6.87 (4) or s. 6.875 (6), votes by absentee ballot and does not enclose a copy of the proof of identification under s. 6.87 (4) (b) 1., the inspectors shall similarly treat the ballot as a provisional ballot under this section. Upon removing the ballot from the envelope, the inspectors shall write on the back of the absentee ballot the serial number of the individual corresponding to the number kept at the election on the poll list or other list maintained under s. 6.79 and the notation "s. 6.97". The inspectors shall indicate on the list the fact that the individual is required to provide proof of residence or to provide, or provide a copy of, proof of identification as required under s. 6.87 (4) (b) 1. but did not do so. The inspectors shall promptly notify the municipal clerk or executive director of the municipal board of election commissioners of the name, address, and serial number of the individual. The inspectors shall then place the ballot inside an envelope on which the name and serial number of the elector is entered and shall place the envelope in a separate carrier envelope.

**SECTION 90.** 6.97 (3) of the statutes is renumbered 6.97 (3) (b) and amended to read:

6.97 (3) (b) Whenever the municipal clerk or executive director of the municipal board of election commissioners is informed by the inspectors that a ballot has been cast under this section, the clerk or executive director shall promptly provide written notice to the board of canvassers of each municipality, special purpose district, and county that is responsible for canvassing the election of the number of ballots cast under this section in each ward or election district. The municipal clerk or executive director then shall determine whether each individual voting under this section is qualified to vote in the ward or election district where the individual's ballot is cast. If the elector is required to provide proof of identification or a copy thereof under s. 6.79 (2), 6.86 (1) (ar), or 6.87 (4) (b) 1. and fails to do so, the elector bears the burden of correcting the omission by providing the proof of identification or copy thereof at the polling place before the closing hour or at the office of the municipal clerk or board of election commissioners no later than 4 p.m. on the Friday after the election. The municipal clerk or executive director shall make a record of the procedure used to determine the validity of each ballot cast under this section. If, prior to 4 p.m. on the day Friday after the election, the municipal clerk or executive director determines that the individual is qualified to vote in the ward or election district where the individual's ballot is cast, the municipal clerk or executive director shall notify the board of canvassers for each municipality, special purpose district and county that is responsible for canvassing the election of that fact.

**SECTION 91.** 6.97 (3) (a) of the statutes is created to read:

6.97 (3) (a) Whenever an elector who votes by provisional ballot under sub. (1) or (2) because the elector does not provide proof of identification or a copy thereof under s. 6.79 (2), 6.86 (1) (ar), or 6.87 (4) (b) 1. later appears at the polling place where the ballot is cast before the closing hour and provides the proof of identification or a copy thereof, the inspectors shall remove the elector's ballot from the separate carrier envelope, shall note on the poll list that the elector's provisional ballot is withdrawn, and shall deposit the elector's ballot in the ballot box. If the inspectors have notified the municipal clerk or executive director of the board of election commissioners that the elector's ballot was cast under this section, the inspectors shall notify the clerk or executive director that the elector's provisional ballot is withdrawn.

**SECTION 92.** 6.97 (3) (c) of the statutes is created to read:

6.97 (3) (c) A ballot cast under this section by an elector for whom proof of identification or a copy thereof is required under s. 6.79 (2), 6.86 (1) (ar), or 6.87 (4) (b) 1. shall not be counted unless the municipal clerk or executive director of the board of election commissioners pro-

vides timely notification that the elector has provided proof of identification or a copy thereof under this section.

**SECTION 93.** 7.08 (8) (title) of the statutes is amended to read:

7.08 (8) (title) ELECTORS VOTING WITHOUT PROOF OF RESIDENCE OR IDENTIFICATION OR PURSUANT TO COURT ORDER.

**SECTION 94.** 7.08 (9) of the statutes is repealed.

**SECTION 95.** 7.08 (12) of the statutes is created to read:

7.08 (12) ASSISTANCE IN OBTAINING PROOF OF IDENTIFICATION. Engage in outreach to identify and contact groups of electors who may need assistance in obtaining or renewing a document that constitutes proof of identification for voting under s. 6.79 (2) (a), 6.86 (1) (ar), or 6.87 (4) (b) 1., and provide assistance to the electors in obtaining or renewing that document.

**SECTION 96.** 7.15 (1) (cm) of the statutes is amended to read:

7.15 (1) (cm) Prepare official absentee ballots for delivery to electors requesting them, and send or transmit an official absentee ballot to each elector who has requested ~~one~~ a ballot by mail, electronic mail, or facsimile transmission no later than the 30th day before each September primary and general election and no later than the 21st day before each other primary and election if the request is made before that day; otherwise, the municipal clerk shall send or transmit an official absentee ballot within one day of the time the elector's request for such a ballot is received.

**SECTION 97.** 7.15 (1) (j) of the statutes is amended to read:

7.15 (1) (j) Send or transmit an absentee ballot automatically to each person making an authorized request therefor in accordance with s. 6.22 (4) or 6.86 (2) or (2m).

**SECTION 98.** 7.15 (1) (L) of the statutes is repealed.

**SECTION 99.** 7.23 (1) (e) of the statutes is amended to read:

7.23 (1) (e) Poll lists created ~~at a nonpartisan primary or for any~~ election may be destroyed 2 years 22 months after the ~~primary or~~ election at which they were created ~~and poll lists created at a partisan primary or election may be destroyed 4 years after the primary or election at which they were created.~~

**SECTION 100.** 7.50 (2) (a) of the statutes is repealed.

**SECTION 101.** 7.52 (3) (a) of the statutes is amended to read:

7.52 (3) (a) The board of absentee ballot canvassers shall first open the carrier envelope only, and, in such a manner that a member of the public, if he or she desired, could hear, announce the name of the absent elector or the identification serial number of the absent elector if the elector has a confidential listing under s. 6.47 (2). When the board of absentee ballot canvassers finds that the certification has been properly executed and the applicant is

a qualified elector of the ward or election district, the board of absentee ballot canvassers shall enter an indication on the poll list next to the applicant's name indicating an absentee ballot is cast by the elector. The board of absentee ballot canvassers shall then open the envelope containing the ballot in a manner so as not to deface or destroy the certification thereon. The board of absentee ballot canvassers shall take out the ballot without unfolding it or permitting it to be unfolded or examined. Unless the ballot is cast under s. 6.95, the board of absentee ballot canvassers shall verify that the ballot has been endorsed by the issuing clerk. If the poll list indicates that proof of residence is required and no proof of residence is enclosed or the name or address on the document that is provided is not the same as the name and address shown on the poll list, or if the elector is not a military elector, as defined in s. 6.34 (1) (a), or an overseas elector, as defined in s. 6.34 (1) (b), and the elector is required to provide, or to provide a copy of, proof of identification under s. 6.87 (4) (b) 1. and no copy of the proof of identification is enclosed or the name on the document cannot be verified by the canvassers, the board of absentee ballot canvassers shall proceed as provided under s. 6.97 (2). The board of absentee ballot canvassers shall mark the poll list number of each elector who casts an absentee ballot on the back of the elector's ballot. The board of absentee ballot canvassers shall then deposit the ballot into the proper ballot box and enter the absent elector's name or poll list number after his or her name on the poll list.

**SECTION 102.** 7.52 (6) (b) of the statutes is amended to read:

7.52 (6) (b) Any elector may challenge for cause any absentee ballot. For the purpose of deciding upon ballots that are challenged for any reason, the board of absentee ballot canvassers may call before it any person whose absentee ballot is challenged if the person is available to be called. If the person challenged refuses to answer fully any relevant questions put to him or her by the board of absentee ballot canvassers under s. 6.92, the board of absentee ballot canvassers shall reject the person's vote. If the challenge is not withdrawn after the person offering to vote has answered the questions, one of the members of the board of absentee ballot canvassers shall administer to the person the following oath or affirmation: "You do solemnly swear (or affirm) that: you are 18 years of age; you are a citizen of the United States; you are now and for ~~40~~ 28 consecutive days have been a resident of this ward except under s. 6.02 (2), stats.; you have not voted at this election; you have not made any bet or wager or become directly or indirectly interested in any bet or wager depending upon the result of this election; you are not on any other ground disqualified to vote at this election." If the person challenged refuses to take the oath or affirmation, the person's vote shall be rejected. If the person challenged answers fully all relevant questions put to the elector by the board of absentee ballot canvassers

under s. 6.92, takes the oath or affirmation, and fulfills the applicable registration requirements, and if the answers to the questions given by the person indicate that the person meets the voting qualification requirements, the person's vote shall be received.

**SECTION 103.** 10.02 (3) (form) (a) of the statutes is amended to read:

10.02 (3) (form) (a) Upon entering the polling place and before being permitted to vote, an elector shall state his or her name and address. If an elector is not registered to vote, an elector may register to vote at the polling place serving his or her residence if the elector presents proof of identification in a form specified by law unless the elector is exempted from this requirement, and, if the document presented does not constitute proof of residence, the elector provides proof of residence or the elector's registration is verified by another elector of the same municipality where the elector resides. Where ballots are distributed to electors, the initials of 2 inspectors must appear on the ballot. Upon being permitted to vote, the elector shall retire alone to a voting booth or machine and cast his or her ballot, except that an elector who is a parent or guardian may be accompanied by the elector's minor child or minor ward. An election official may inform the elector of the proper manner for casting a vote, but the official may not in any manner advise or indicate a particular voting choice.

**SECTION 104.** 10.02 (3) (b) 1. of the statutes is amended to read:

10.02 (3) (b) 1. ~~If an elector wishes to vote for all candidates nominated by any party, the elector shall make a cross (X) or depress the lever or button next to the party designation shown at the top of the ballot. Unless a name has been erased or crossed out, another name written in, a cross made next to the name of a candidate for the same office in another column or a sticker applied, a cross next to a party designation at the top of the column is a vote for all the party's candidates listed in the column. If an elector does not wish to vote for all the candidates nominated by one party, the~~ The elector shall make a cross (X) next to or separately depress the levers or buttons next to each candidate's name for whom he or she intends to vote, or shall insert or write in the name of a candidate.

**SECTION 105.** 10.02 (3) (c) of the statutes is amended to read:

10.02 (3) (c) In presidential elections, ~~unless the elector wishes to vote for all candidates nominated by any party,~~ the elector shall make a cross (X) next to or depress the button or lever next to the set of candidates for president and vice president for whom he or she intends to vote. A vote for candidates for president and vice president is a vote for the presidential electors of those candidates.

**SECTION 106.** 12.03 (2) (b) 3. of the statutes is amended to read:

12.03 (2) (b) 3. No person may engage in electioneering within 100 feet of an entrance to or within a nursing home or qualified retirement home or qualified community-based residential facility, qualified residential care apartment complex, or qualified adult family home while special voting deputies are present at the home or facility.

**SECTION 107.** 12.13 (2) (b) 6m. of the statutes is amended to read:

12.13 (2) (b) 6m. Obtain an absentee ballot for voting in a nursing home or qualified retirement home or qualified community-based residential facility, qualified residential care apartment complex, or qualified adult family home under s. 6.875 (6) and fail to return the ballot to the issuing officer.

**SECTION 108.** 12.13 (3) (v) of the statutes is repealed.

**SECTION 109.** 343.03 (3r) of the statutes is created to read:

343.03 (3r) REAL ID NONCOMPLIANT LICENSE. If any license described under sub. (3) is issued based upon the exception specified in s. 343.165 (7), the license shall, in addition to any legend or label described in sub. (3), be marked in a manner consistent with requirements under applicable federal law and regulations to indicate that the license is issued in accordance with P.L. 109-13, section 202 (d) (11), and is not intended to be accepted by any federal agency for federal identification or any other official purpose.

**SECTION 110.** 343.06 (1) (L) of the statutes, as affected by 2007 Wisconsin Act 20, is amended to read:

343.06 (1) (L) To any person who does not satisfy the requirements under s. 343.165 (1).

**SECTION 111.** 343.10 (7) (d) of the statutes, as affected by 2007 Wisconsin Act 20, is amended to read:

343.10 (7) (d) An occupational license issued by the department under this subsection shall be in the form of a license that includes a photograph described in s. 343.14 (3), unless the exception under s. 343.14 (3m) applies, and any special restrictions cards under s. 343.17 (4). The license shall clearly indicate that restrictions on a special restrictions card apply and that the special restrictions card is part of the person's license.

**SECTION 112.** 343.11 (1) of the statutes is amended to read:

343.11 (1) The department shall not issue a license to a person previously licensed in another jurisdiction unless such person surrenders to the department all valid operator's licenses possessed by the person issued by any other jurisdiction, which surrender operates as a cancellation of the surrendered licenses insofar as the person's privilege to operate a motor vehicle in this state is concerned. When such applicant surrenders the license to the department, the department shall issue a receipt therefor, which receipt shall constitute a temporary license to operate a motor vehicle for a period not to exceed 60 days if the applicant meets the standard required for eyesight and, in the opinion of the examiner,

is not a dangerous hazard to the applicant and other users of the highways. ~~Except as provided in s. 343.055, the temporary license shall not be valid authorization for the operation of commercial motor vehicles.~~ The temporary license shall be surrendered to the examiner for cancellation by the department if the 3rd attempt at the driving test is failed and the applicant shall be required to secure a temporary instruction permit for further practice driving.

**SECTION 113.** 343.11 (3) of the statutes is amended to read:

343.11 (3) Except as provided in sub. (1), the department may issue a receipt to any applicant for a license, which receipt shall constitute a temporary license to operate a motor vehicle while the application for license is being processed. Such temporary license shall be valid for a period not to exceed ~~30~~ 60 days.

**SECTION 114.** 343.11 (3) of the statutes, as affected by 2011 Wisconsin Act .... (this act), is amended to read:

343.11 (3) Except as provided in sub. (1), the department may issue a receipt to any applicant for a license, which receipt shall constitute a temporary license to operate a motor vehicle while the application for license is being processed. Such temporary license shall be valid for a period not to exceed 60 days. If the application for a license is processed under the exception specified in s. 343.165 (7), the receipt shall include the marking specified in s. 343.03 (3r).

**SECTION 115.** 343.14 (3) of the statutes, as affected by 2007 Wisconsin Act 20, is amended to read:

343.14 (3) ~~The Except as provided in sub. (3m), the~~ department shall, as part of the application process, take a digital photograph including facial image capture of the applicant to comply with s. 343.17 (3) (a) 2. ~~No Except as provided in sub. (3m), no~~ application may be processed without the photograph being taken. Except as provided in sub. (3m) and s. 343.165 (4) (d), in the case of renewal licenses, the photograph shall be taken once every 8 years, and shall coincide with the appearance for examination which is required under s. 343.16 (3).

**SECTION 116.** 343.14 (3m) of the statutes is created to read:

343.14 (3m) If the application for a license is processed under the exception specified in s. 343.165 (7), the application may be processed and the license issued or renewed without a photograph being taken of the applicant if the applicant provides to the department an affidavit stating that the applicant has a sincerely held religious belief against being photographed; identifying the religion to which he or she belongs or the tenets of which he or she adheres to; and stating that the tenets of the religion prohibit him or her from being photographed.

**SECTION 117.** 343.165 (1) (intro.) of the statutes, as created by 2007 Wisconsin Act 20, is amended to read:

343.165 (1) (intro.) ~~The Subject to ss. 343.14 (3m) and 343.50 (4g), the~~ department may not complete the processing of an application for initial issuance or

renewal of an operator's license or identification card received by the department after ~~May 10, 2008~~ the effective date of this subsection .... [LRB inserts date], and no such license or identification card may be issued or renewed, unless the applicant presents or provides, and, subject to sub. (7), the department verifies under sub. (3), all of the following information:

**SECTION 118.** 343.165 (2) of the statutes, as created by 2007 Wisconsin Act 20, is amended to read:

343.165 (2) (a) ~~The Subject to sub. (7), the~~ department shall, in processing any application for an operator's license or identification card under sub. (1), capture a digital image of each document presented or provided to the department by an applicant. Images captured under this paragraph shall be maintained, in electronic storage and in a transferable format, in the applicant's file or record as provided under ss. 343.23 (2) (a) and 343.50 (8) (a).

(b) ~~The Subject to sub. (7), the~~ department shall record in the applicant's file under s. 343.23 (2) (a) or record under s. 343.50 (8) (a) the date on which verification under subs. (1) and (3) is completed.

**SECTION 119.** 343.165 (3) (a) of the statutes, as created by 2007 Wisconsin Act 20, is amended to read:

343.165 (3) (a) Except as provided in pars. (b) and (c) and subject to sub. (7), the department shall verify, in the manner and to the extent required under federal law, each document presented or provided to the department that is required to be presented or provided to the department by an applicant under sub. (1).

**SECTION 120.** 343.165 (4) (a) of the statutes, as created by 2007 Wisconsin Act 20, is amended to read:

343.165 (4) (a) Subsection (1) does not apply to an application for renewal of an operator's license or identification card received by the department after ~~May 10, 2008~~ the effective date of this paragraph .... [LRB inserts date], if in connection with a prior application after ~~May 10, 2008~~ the effective date of this paragraph .... [LRB inserts date], the applicant previously presented or provided, and the department verified under sub. (3) or (7), the information specified in sub. (1) and, if verified under sub. (3), the department recorded the date on which the verification procedures were completed as described in sub. (2) (b).

**SECTION 121.** 343.165 (4) (c) of the statutes, as created by 2007 Wisconsin Act 20, is amended to read:

343.165 (4) (c) Notwithstanding pars. (a) and (b), no operator's license displaying the legend required under s. 343.03 (3m) or identification card displaying the legend required under s. 343.50 (3) (a) may be renewed unless the applicant presents or provides valid documentary proof under sub. (1) (e) and this proof shows that the status by which the applicant qualified for the license or identification card has been extended by the secretary of the federal department of homeland security.

**SECTION 122.** 343.165 (4) (d) of the statutes, as created by 2007 Wisconsin Act 20, is amended to read:

343.165 (4) (d) With any license or identification card renewal following a license or identification card expiration established under s. 343.20 (1m) or 343.50 (5) (c) at other than an 8-year interval, the department may determine whether the applicant's photograph is to be taken, or if the renewal is for a license the applicant is to be examined, or both, at the time of such renewal, so long as the applicant's photograph is taken, and if the renewal is for a license the applicant is examined, with a license or card renewal at least once every 8 years and the applicant's license or identification card at all times includes a photograph unless an exception under s. 343.14 (3m) or 343.50 (4g) applies.

**SECTION 123.** 343.165 (5) of the statutes, as created by 2007 Wisconsin Act 20, is amended to read:

343.165 (5) The department may, by rule, require that applications for reinstatement of operator's licenses or identification cards, issuance of occupational licenses, reissuance of operator's licenses, or issuance of duplicate operator's licenses or identification cards, received by the department after ~~May 10, 2008~~ the effective date of this subsection .... [LRB inserts date], be processed in a manner consistent with the requirements established under this section for applications for initial issuance or renewal of operator's licenses and identification cards.

**SECTION 124.** 343.165 (7) of the statutes is created to read:

343.165 (7) (a) The department may process an application for, and issue or renew, an operator's license or identification card without meeting the requirements under subs. (2) and (3) if all of the following apply:

1. The operator's license contains the marking specified in s. 343.03 (3r) or the identification card contains the marking specified in s. 343.50 (3) (b).

2. The operator's license or identification card is processed and issued or renewed in compliance with applicable department practices and procedures that were in effect immediately prior to the effective date of this subdivision .... [LRB inserts date].

(b) In addition to other instances of original issuance or renewal, this subsection specifically applies to renewals occurring after the effective date of this paragraph .... [LRB inserts date], of operator's licenses or identification cards originally issued prior to the effective date of this paragraph .... [LRB inserts date].

**SECTION 125.** 343.17 (3) (a) 2. of the statutes is amended to read:

343.17 (3) (a) 2. A color photograph of the person, unless the exception under s. 343.14 (3m) applies.

**SECTION 126.** 343.17 (3) (a) 14. of the statutes is created to read:

343.17 (3) (a) 14. If the license contains the marking specified in s. 343.03 (3r), a distinctive appearance speci-

fied by the department that clearly distinguishes the license from other operator's licenses or identification cards issued by the department and that alerts federal agency and other law enforcement personnel that the license may not be accepted for federal identification or any other official purpose.

**SECTION 127.** 343.17 (5) of the statutes is amended to read:

343.17 (5) NO PHOTOS ON TEMPORARY LICENSES. The temporary licenses issued under ss. 343.10, 343.11 (1) and (3), 343.16 (6) (b), and 343.305 (8) (a) shall be on forms provided by the department and shall contain the information required by sub. (3), except the license is that temporary licenses under ss. 343.16 (6) (b) and 343.305 (8) (a), and temporary licenses subject to any photograph exception under s. 343.14 (3), are not required to include a photograph of the licensee.

**SECTION 128.** 343.17 (5) of the statutes, as affected by 2007 Wisconsin Act 20 and 2011 Wisconsin Act ... (this act), is repealed and recreated to read:

343.17 (5) NO PHOTOS ON TEMPORARY LICENSES. The temporary licenses issued under ss. 343.10, 343.11 (1) and (3), 343.16 (6) (b), and 343.305 (8) (a) shall be on forms provided by the department and shall contain the information required by sub. (3), except that temporary licenses under ss. 343.16 (6) (b) and 343.305 (8) (a) are not required to include a photograph of the licensee. This subsection does not apply to a noncitizen temporary license, as described in s. 343.03 (3m).

**SECTION 129.** 343.50 (1) of the statutes is renumbered 343.50 (1) (a).

**SECTION 130.** 343.50 (1) of the statutes, as affected by 2007 Wisconsin Act 20 and 2011 Wisconsin Act ... (this act), is repealed and recreated to read:

343.50 (1) (a) Subject to par. (b) and s. 343.165, the department shall issue to every qualified applicant, who has paid all required fees, an identification card as provided in this section.

(b) The department may not issue an identification card to a person previously issued an operator's license in another jurisdiction unless the person surrenders to the department any valid operator's license possessed by the person issued by another jurisdiction, which surrender operates as a cancellation of the license insofar as the person's privilege to operate a motor vehicle in this state is concerned. Within 30 days following issuance of the identification card under this section, the department shall destroy any operator's license surrendered under this paragraph and report to the jurisdiction that issued the surrendered operator's license that the license has been destroyed and the person has been issued an identification card in this state.

(c) The department may issue a receipt to any applicant for an identification card, which receipt shall constitute a temporary identification card while the application is being processed and shall be valid for a period not to

exceed 60 days. If the application for an identification card is processed under the exception specified in s. 343.165 (7), the receipt shall include the marking specified in sub. (3) (b).

**SECTION 131.** 343.50 (1) (c) of the statutes is created to read:

343.50 (1) (c) The department may issue a receipt to any applicant for an identification card, which receipt shall constitute a temporary identification card while the application is being processed and shall be valid for a period not to exceed 60 days.

**SECTION 132.** 343.50 (3) of the statutes is amended to read:

343.50 (3) DESIGN AND CONTENTS OF CARD. The card shall be the same size as an operator's license but shall be of a design which is readily distinguishable from the design of an operator's license and bear upon it the words "IDENTIFICATION CARD ONLY". The information on the card shall be the same as specified under s. 343.17 (3). The card may serve as a record of gift under s. 157.06 (2) (t) and the holder may affix a sticker thereto as provided in s. 343.175 (3). The card may also serve as a record of refusal under s. 157.06 (2) (u). The Except as provided in sub. (4g), the card shall contain the holder's photograph and, if applicable, shall be of the design specified under s. 343.17 (3) (a) 12.

**SECTION 133.** 343.50 (3) of the statutes, as affected by 2007 Wisconsin Act 20 and 2011 Wisconsin Act ... (this act), is repealed and recreated to read:

343.50 (3) DESIGN AND CONTENTS OF CARD. (a) The card shall be the same size as an operator's license but shall be of a design which is readily distinguishable from the design of an operator's license and bear upon it the words "IDENTIFICATION CARD ONLY." The information on the card shall be the same as specified under s. 343.17 (3). If the issuance of the card requires the applicant to present any documentary proof specified in s. 343.14 (2) (es) 4. to 7., the card shall display, on the front side of the card, a legend identifying the card as temporary. The card shall contain physical security features consistent with any requirement under federal law. The card may serve as a record of gift under s. 157.06 (2) (t) and the holder may affix a sticker thereto as provided in s. 343.175 (3). The card may also serve as a record of refusal under s. 157.06 (2) (u). Except as provided in sub. (4g), the card shall contain the holder's photograph and, if applicable, shall be of the design specified under s. 343.17 (3) (a) 12.

(b) If an identification card is issued based upon the exception specified in s. 343.165 (7), the card shall, in addition to any other required legend or design, be of the design specified under s. 343.17 (3) (a) 14. and include a marking similar or identical to the marking described in s. 343.03 (3r).

**SECTION 134.** 343.50 (4) of the statutes is amended to read:



343.50 (4) APPLICATION. The application for an identification card shall include any information required under ss. 85.103 (2) and 343.14 (2) (a), (b), (bm), (br), (em), and (er), and such further information as the department may reasonably require to enable it to determine whether the applicant is entitled by law to an identification card. ~~The Except as provided in sub. (4g), the department shall, as part of the application process, take a photograph of the applicant to comply with sub. (3). No Except as provided in sub. (4g), no~~ application may be processed without the photograph being taken. Misrepresentations in violation of s. 343.14 (5) are punishable as provided in s. 343.14 (9).

**SECTION 135.** 343.50 (4) of the statutes, as affected by 2007 Wisconsin Act 20 and 2011 Wisconsin Act ... (this act), is repealed and recreated to read:

343.50 (4) APPLICATION. The application for an identification card shall include any information required under ss. 85.103 (2) and 343.14 (2) (a), (b), (bm), (br), (em), and (es), and such further information as the department may reasonably require to enable it to determine whether the applicant is entitled by law to an identification card. Except with respect to renewals described in s. 343.165 (4) (d) and except as provided in sub. (4g), the department shall, as part of the application process, take a digital photograph including facial image capture of the applicant to comply with sub. (3) (a). Except with respect to renewals described in s. 343.165 (4) (d) and except as provided in sub. (4g), no application may be processed without the photograph being taken. Misrepresentations in violation of s. 343.14 (5) are punishable as provided in s. 343.14 (9).

**SECTION 136.** 343.50 (4g) of the statutes is created to read:

343.50 (4g) PHOTOGRAPH REQUIREMENT; EXCEPTION. An application for an identification card may be processed and the identification card issued or renewed without a photograph being taken of the applicant if the applicant provides to the department an affidavit stating that the applicant has a sincerely held religious belief against being photographed; identifying the religion to which he or she belongs or the tenets of which he or she adheres to; and stating that the tenets of the religion prohibit him or her from being photographed.

**SECTION 137.** 343.50 (4g) of the statutes, as created by 2011 Wisconsin Act ... (this act), is repealed and recreated to read:

343.50 (4g) PHOTOGRAPH REQUIREMENT; EXCEPTION. If the application for an identification card is processed under the exception specified in s. 343.165 (7), the application may be processed and the identification card issued or renewed without a photograph being taken of the applicant if the applicant provides to the department an affidavit stating that the applicant has a sincerely held religious belief against being photographed; identifying the religion to which he or she belongs or the tenets of

which he or she adheres to; and stating that the tenets of the religion prohibit him or her from being photographed.

**SECTION 138.** 343.50 (5) (a) of the statutes, as affected by 2009 Wisconsin Act 28, sections 2958 and 2959, and 2011 Wisconsin Act ... (this act), is repealed and recreated to read:

343.50 (5) (a) 1. Except as provided in subds. 2. and 3., the fee for an original card, for renewal of a card, and for the reinstatement of an identification card after cancellation under sub. (10) shall be \$18.

2. The department may not charge a fee to an applicant for the initial issuance of an identification card if any of the following apply:

a. The department has canceled the applicant's valid operator's license after a special examination under s. 343.16 (5) and, at the time of cancellation, the expiration date for the canceled license was not less than 6 months after the date of cancellation.

b. The department has accepted the applicant's voluntary surrender of a valid operator's license under s. 343.265 (1) and, at the time the department accepted surrender, the expiration date for the surrendered license was not less than 6 months after the date that the department accepted surrender.

3. The department may not charge a fee to an applicant for the initial issuance, renewal, or reinstatement of an identification card if the applicant is a U.S. citizen who will be at least 18 years of age on the date of the next election and the applicant requests that the identification card be provided without charge for purposes of voting.

**SECTION 139.** 343.50 (5) (a) 1. of the statutes is amended to read:

343.50 (5) (a) 1. Except as provided in ~~subd.~~ subds. 2. and 3., the fee for an original card and for the reinstatement of an identification card after cancellation under sub. (10) shall be \$18.

**SECTION 140.** 343.50 (5) (a) 3. of the statutes is created to read:

343.50 (5) (a) 3. The department may not charge a fee to an applicant for the initial issuance or reinstatement of an identification card if the applicant is a U.S. citizen who will be at least 18 years of age on the date of the next election and the applicant requests that the identification card be provided without charge for purposes of voting.

**SECTION 141.** 343.50 (5m) of the statutes is amended to read:

343.50 (5m) CARD ISSUANCE FEE. In addition to any other fee under this section, for the issuance of an original identification card or duplicate identification card or for the renewal or reinstatement of an identification card after cancellation under sub. (10), a card issuance fee of \$10 shall be paid to the department. The fee under this subsection does not apply to an applicant if the department may not charge the applicant a fee under sub. (5) (a) 2. or 3.

**SECTION 142.** 343.50 (6) of the statutes is amended to read:

343.50 (6) RENEWAL. At least 30 days prior to the expiration of the card, the department shall mail a renewal application to the last-known address of each identification card holder. The department shall include with the application information, as developed by all organ procurement organizations in cooperation with the department, that promotes anatomical donations and which relates to the anatomical donation opportunity available under s. 343.175. The fee for a renewal identification card shall be \$18, ~~which except that, if the identification card holder satisfies the requirements for an applicant specified in sub. (5) (a) 3., there shall be no fee for renewal of the identification card.~~ The renewal identification card shall be valid for 8 years, except that a card that is issued to a person who is not a United States citizen and who provides documentary proof of legal status as provided under s. 343.14 (2) (er) shall expire on the date that the person's legal presence in the United States is no longer authorized. If the documentary proof as provided under s. 343.14 (2) (er) does not state the date that the person's legal presence in the United States is no longer authorized, then the card shall be valid for 8 years.

**SECTION 143.** 343.50 (6) of the statutes, as affected by 2007 Wisconsin Act 20, section 3383, and 2011 Wisconsin Act .... (this act), is repealed and recreated to read:

343.50 (6) RENEWAL NOTICE. At least 30 days prior to the expiration of an identification card, the department shall mail a renewal application to the last-known address of the card holder. If the card was issued or last renewed based upon the person's presenting of any documentary proof specified in s. 343.14 (2) (es) 4. to 7., the notice shall inform the card holder of the requirement under s. 343.165 (4) (c). The department shall include with the application information, as developed by all organ procurement organizations in cooperation with the department, that promotes anatomical donations and which relates to the anatomical donation opportunity available under s. 343.175.

**SECTION 144. Nonstatutory provisions.**

(1) PUBLIC INFORMATIONAL CAMPAIGN. In conjunction with the first regularly scheduled primary and election at which the voter identification requirements of this act initially apply, the government accountability board shall conduct a public informational campaign for the purpose of informing prospective voters of the voter identification requirements of this act.

(2) SPECIAL PROCEDURE AT ELECTIONS HELD PRIOR TO 2012 SPRING PRIMARY. Notwithstanding sections 6.15 (3), 6.18, 6.79 (2) (a), 6.82 (1) (a), 6.86 (1) (ar) and (3) (a) 1., 6.87 (1), (2), and (4) (b) 1., and 6.97 (1), (2), and (3) (b) of the statutes, as affected by this act, and sections 6.15 (2) (bm) and 6.97 (3) (a) and (c) of the statutes, as created by this act, no elector who votes by absentee ballot at an election held prior to the 2012 spring primary is required

to provide proof of identification, and an elector who votes at a polling place at an election held prior to the date of the 2012 spring primary shall be requested by the election officials to present proof of identification, but if the elector does not present proof of identification, and the elector is otherwise qualified, the elector's ballot shall be counted without the necessity of presenting proof of identification and without the necessity of casting a provisional ballot. If any elector who votes at a polling place at such an election does not provide proof of identification and would be required to provide proof of identification but for the exemption under this subsection, the election official who provides that elector with a ballot shall also provide to the elector written information prescribed by the government accountability board briefly describing the voter identification requirement created by this act and informing the elector that he or she will be required to comply with that requirement when voting at future elections beginning with the 2012 spring primary unless an exemption applies.

(3) SPECIAL REGISTRATION DEPUTY APPOINTMENTS. Notwithstanding section 6.26 (2) (am), 2009 stats., the appointment of each individual who serves as a special registration deputy under section 6.26 (2) of the statutes on the effective date of this subsection solely as the result of action of the government accountability board is revoked.

**SECTION 145. Initial applicability.**

(1) PARTY TICKET VOTING. The treatment of sections 5.37 (1), 5.64 (1) (ar) 1. a. and 1m. and (b), 5.91 (2), 7.50 (2) (a), and 10.02 (3) (b) 1. and (c) of the statutes first applies with respect to voting at the 2012 general election.

(2) ABSENTEE VOTING. The treatment of section 6.86 (1) (b) of the statutes first applies with respect to requests for absentee ballots made for voting at elections held on the effective date of this subsection.

(3) DEADLINE FOR LATE REGISTRATION. The treatment of sections 6.29 (2) (a) (with respect to the deadline for late registration) first applies with respect to late registration for elections held on the effective date of this subsection.

(4) VOTER REGISTRATION INFORMATION. The treatment of section 6.33 (1) of the statutes first applies with respect to registration of electors occurring on the effective date of this subsection.

(5) PROOF OF RESIDENCE. The treatment of section 6.34 (3) (a) 7. and (b) (intro.) of the statutes first applies with respect to elections held on the effective date of this subsection.

**SECTION 146. Effective dates.** This act takes effect on the day after publication, except as follows:

(1) VOTING IDENTIFICATION ASSISTANCE. The treatment of section 7.08 (12) of the statutes and SECTION 144 (1) of this act take effect on the day after publication or



the day after publication of the 2011–2013 biennial budget act, whichever is later.

(2) OPERATOR'S LICENSES AND IDENTIFICATION CARDS.

(a) The treatment of sections 343.03 (3r), 343.06 (1) (L), 343.10 (7) (d), 343.11 (3) (by SECTION 114), 343.14 (3) and (3m), 343.165 (1) (intro.), (2), (3) (a), (4) (a), (c), and (d), (5), and (7), and 343.17 (3) (a) 2. and 14. of the statutes and the repeal and recreation of sections 343.17 (5) and 343.50 (1), (3), (4), and (4g) of the statutes take effect on the day after publication or on the date on which the creation of section 343.165 of the statutes by [2007 Wisconsin Act 20](#) takes effect, whichever is later.

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(b) The amendment of section 343.50 (5) (a) 1., (5m), and (6) of the statutes and the creation of section 343.50 (5) (a) 3. of the statutes take effect on the day after publication, or on the day after publication of the 2011–13 biennial budget act, whichever is later.

(c) The repeal and recreation of sections 343.50 (5) (a) and (6) of the statutes takes effect on the day after publication, or on the day after publication of the 2011–13 biennial budget act, or on the date on which the creation of section 343.165 of the statutes by [2007 Wisconsin Act 20](#) takes effect, whichever is latest.