

Faxing or E-mailing Absentee Ballots

It may happen that an elector does not have enough time to request that an absentee ballot be mailed to them in order for the ballot to arrive in time to be counted on Election Day. 2011 Wisconsin Act 23 provides that municipal clerks *shall* fax or e-mail a ballot to any absentee elector who requests to receive a ballot by fax or e-mail. § 6.87(3)(d), Wis. Stats. The following procedures are provided to assist clerks in administering this provision.

ABSENTEE BALLOT REQUEST

- ◆ ***Receive a written request for an absentee ballot from a qualified elector.*** The request may be on the form prescribed by the Government Accountability Board (*Application for Absentee Ballot GAB-121*) or may be in the form of a letter that substantially complies with the application for absentee ballot. GAB-121 is available for download on the Government Accountability Board website at <http://gab.wi.gov>. ***The elector must sign the request.*** The request may be received via mail, e-mail, fax or personal delivery. The municipal clerk shall mail or transmit ballots to a qualified voter within 24 hours of receipt of the request.
- ◆ ***The elector requests that an absentee ballot be faxed or e-mailed to them*** and provides their fax number or e-mail address.

PHOTO ID REQUIREMENT

Generally-

- ◆ ***If the request is received by mail,*** proof of identification must be received with the application. If proof of identification does not accompany the request and the voter has not previously provided a copy of proof of identification, the voter may not receive an absentee ballot.
- ◆ ***If the request is received by fax or email,*** proof of identification is not required to accompany the request, but may be returned with the ballot. If proof of identification does not accompany the fax or email request, and the absentee voter has not previously provided proof of identification, the clerk checks the first box in the Municipal Clerk section of the envelope.
- ◆ Proof of identification must be provided only once, either with the application or the ballot (unless the voter re-registers with a new name or address).

Exceptions-

- ◆ ***Military, overseas and confidential voters*** are exempt from the ID requirement.
- ◆ ***Indefinitely-confined voters*** are not required to provide a copy of proof of identification with an absentee ballot request. The voter may submit a copy of ID with the returned ballot, or the signature of witness on the Absentee Certificate satisfies the ID requirement.
- ◆ ***Voters in SVD-eligible care facilities not served by SVDs,*** who are not indefinitely-confined, are not required to provide a copy of proof of identification with an absentee ballot request. The voter may submit a copy of ID with the returned ballot, or may complete the Certification of Care Facility Authorized Representative section of the Absentee Certificate. If ID is not submitted with the request, the clerk checks the second box in the Municipal Clerk section of the envelope.

FAX AND EMAIL PROCEDURE

After determining that the elector is qualified to receive an absentee ballot, the municipal clerk shall fax or e-mail the ballot to the elector.

- ◆ Before faxing or emailing a ballot, the municipal clerk shall initial the ballot in the endorsement section and initial the face of the ballot.
- ◆ The municipal clerk shall fax or e-mail the ballot and the face of the certificate envelope to the absentee voter, along with the Uniform Instructions. The Uniform Instructions incorporate fax and email procedures and can be accessed from the G.A.B. website <http://gab.wi.gov>. The key components of the instructions are set out below:
 - Print out the ballot and the certificate (*e-mail ballot recipients*).
 - Mark the ballot for the candidates of his or her choice in the presence of a witness who is a U.S. citizen.
 - Seal the ballot in an envelope such as a business-size envelope.
 - Complete and sign the certificate and have the witness sign it.
 - Affix the completed certificate to the envelope containing the ballot with glue or tape.
 - Place the sealed envelope containing the ballot in a larger envelope.
 - If required, place a copy of photo identification in the larger envelope.
 - If required, place a copy of proof of residence in the larger envelope. This is only required for first time voters in Wisconsin who registered by mail and did not already provide proof of residence.
 - Mail or personally deliver it to the municipal clerk so that it is received before the close of voting on Election Day. (Exceptions to the Election-Day deadline are listed in the **OTHER INFORMATION** section of this memo.) *The ballot may not be faxed or emailed back to the clerk.*

RETURNING THE VOTED BALLOT

- ◆ The absentee elector must return the ballot and the completed certificate to the municipal clerk, by mail or personal delivery. The municipal clerk must receive the ballot by Election Day, in time for the clerk to deliver the ballot to the polling place before the close of the polls. See the **OTHER INFORMATION** section of this memo for exceptions.
- ◆ The elector may choose overnight delivery to assure that their ballot arrives on time. The municipal clerk is not responsible for return postage of a faxed or e-mailed absentee ballot.

DOCUMENTATION

- ◆ The municipal clerk enters a notation of the date and time and whether the absentee ballot has been faxed or e-mailed to an elector on their Absentee Ballot Log.
- ◆ When the clerk receives the absentee ballot, the date and time is noted on the log. The clerk delivers the envelope containing the ballot, with the certificate attached, to the appropriate polling place in a carrier envelope.
- ◆ At the polling place, the election inspectors follow the same procedures for handling absentee ballots. The ballot may be remade by 2 election inspectors in order for the ballot to be accepted by an electronic voting device.

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OTHER INFORMATION

- ◆ Hospitalized electors or sequestered jurors may receive absentee ballots on Election Day. They must request a ballot no later than 5:00 p.m. on Election Day. The ballot must be returned to the polling place before the close of the polls.
- ◆ At the Partisan Primary or November General Election, military voters away from their residence due to active duty may request an absentee ballot no later than 5:00 p.m. on Election Day. The ballot must be returned no later than 7 days after the Partisan Primary and no later than 10 days after the November General Election. Ballots must be postmarked no later than the date of the Partisan Primary or General Election.
- ◆ When faxing to military and overseas electors, please follow the procedures set out in *Electronic Transmission Service Manual* provided by the Federal Voting Assistance Program (FVAP). <http://www.fvap.gov/resources/media/etsmanualforleos.pdf> The FVAP's Electronic Transmission Service allows local election officials to transmit and receive election materials by fax or email to and from Uniformed Service members and overseas citizens at no cost.