



# Wisconsin Elections Commission

201 West Washington Avenue | Second Floor | P.O. Box 7984 | Madison, WI 53707-7984

---

**DATE:** For the July 22, 2022 Commission Meeting

**TO:** Commissioners, Wisconsin Elections Commission

**FROM:** Robert Kehoe, Deputy Administrator  
Wisconsin Elections Commission

**SUBJECT:** Badger Voters Pricing Analysis

## 1. Purpose

This report analyzes the Badger Voters pricing structure and operating costs as requested by the Commissioners.

## 2. Background

Badger Voters is a website established by the Wisconsin Elections Commission (“WEC”) and its predecessors to provide a simple and automated way for the public to request voter data lists, absentee ballot data, and candidate nomination papers. Launched in 2014, Badger Voters was intended to: (1) reduce the workload of local election officials; (2) improve public access to election information; and (3) apply technology to enhance efficiency, effectiveness, and quality of customer service.<sup>1</sup> Wisconsin law directs the Commission to provide this information and specifies how a fee schedule is to be developed.<sup>2</sup>

The Badger Voters website (<https://badgervoters.wi.gov/>) provides a simple and automated way for the public to request voter data, absentee records, and candidates’ nomination papers. Data can be sorted by election, office, county, municipality, ward, aldermanic district, and many more categories. This allows the customer to receive only the data they are seeking. The voter data shows election activity back to 2006, when Wisconsin began using a statewide voter registration system, with the participation description of “at polls” or “absentee.”

Absentee ballot data is available from 2016. Absentee data purchases provide customers with application and ballot activity and allow the customers the option to “subscribe” for future updates to data received and the ability to receive new files at the frequency they select; twice per week, weekly, every other week, or monthly.

Customers can also make custom requests for data beyond what is included in a standard request format or for statistics that are not posted to our Elections Commission website. The customer is provided an estimate of costs (developer time) to create and run the query and total number of

---

<sup>1</sup> Government Accountability Board Memo titled “G.A.B. Launches Badger Voters,” dated May 1, 2014

<sup>2</sup> Wis. Stat. § 6.36 regarding voter registration data and Wis. Stat. § 5.05(14)(b) regarding absentee ballot data

*Wisconsin Elections Commissioners*

Don M. Millis, chair | Marge Bostelmann | Julie M. Glancey | Ann S. Jacobs | Robert Spindell | Mark L. Thomsen

---

*Administrator*  
Meagan Wolfe

records in the data set. If they choose to purchase the file, our developer will then produce the file. Custom requests that take under a half-hour of developer time are only charged for the record count.

In 2020 the WEC added the ability to download candidate nomination papers. With social distancing requirements it provided a simple solution for customers to access these documents without having to visit our office in-person. This program will add per page fees in the future as outlined in our standard document fee structure. Currently the fees are being waived and charged to the Coronavirus Aid, Relief, and Economic Security (CARES) Grant.

The WEC does not provide date of birth information (including age or age range), driver license numbers or social security numbers. Additionally, the WEC will never provide information regarding a confidential elector as defined in Wis. Stats. § 6.47. Finally, the WEC does not have any information regarding party preference, demographics, or how a voter actually voted.

### 3. Pricing Structure

Pricing for Badger Voters services is founded on the Wisconsin Statutes, which provide:

The commission shall establish by rule the fee for obtaining a copy of the official registration list, or a portion of the list, including access to the subscription service established under s. 5.05 (14) (b). **The amount of the fee shall be set, after consultation with county and municipal election officials, at an amount estimated to cover both the cost of reproduction and the cost of maintaining the list at the state and local level.** The rules shall require that revenues from fees received be shared between the state and municipalities or their designees under s. 6.33 (5) (b), and shall specify a method for such allocation.

Wis. Stat. § 6.36(6) (emphasis added)

Thus, the law requires that Badger Voters fees be based on two elements:

- (1) the cost to produce the information; and
- (2) the cost to maintain the information.

As required by statute, fees are established in the Wisconsin Administrative Code section EL 3.50. The WEC does not have discretion to change the fees without a change to the Administrative Code.

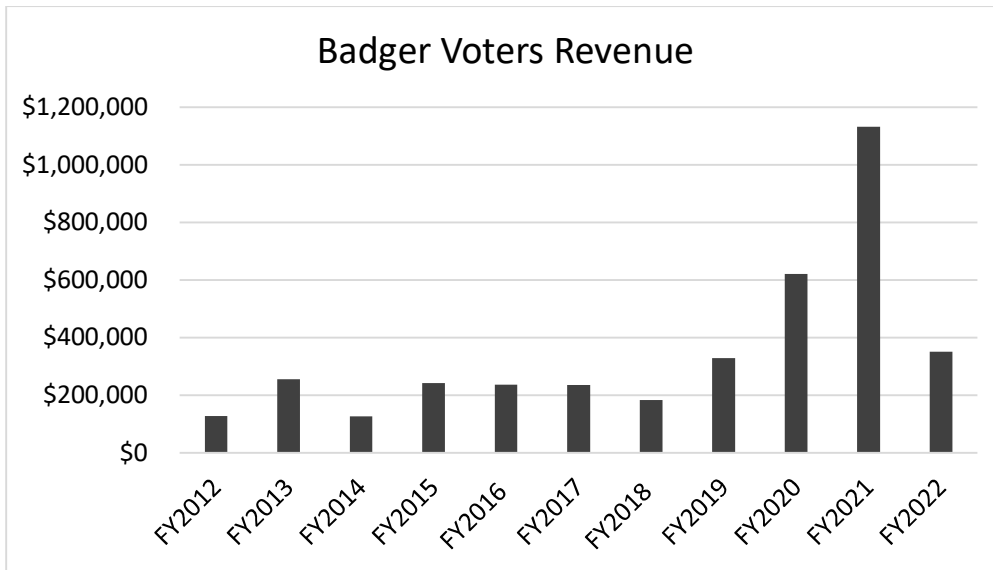
Voter data and custom requests have a base fee of \$25. Additionally, there is a fee of \$5 for every thousand records returned by the request, rounded up to a thousand if less than one thousand, or to the nearest thousand if more. The fee is capped at \$12,500. Requests for 2,495,000 or more records all cost \$12,500. Wis. Admin. Code § EL 3.50(4).

Custom requests incur an additional charge of \$75 per half hour of development time required to complete the request. Requests requiring less than thirty minutes are not charged this fee. Wis. Admin. Code § EL 3.50(9).

### 4. Analysis

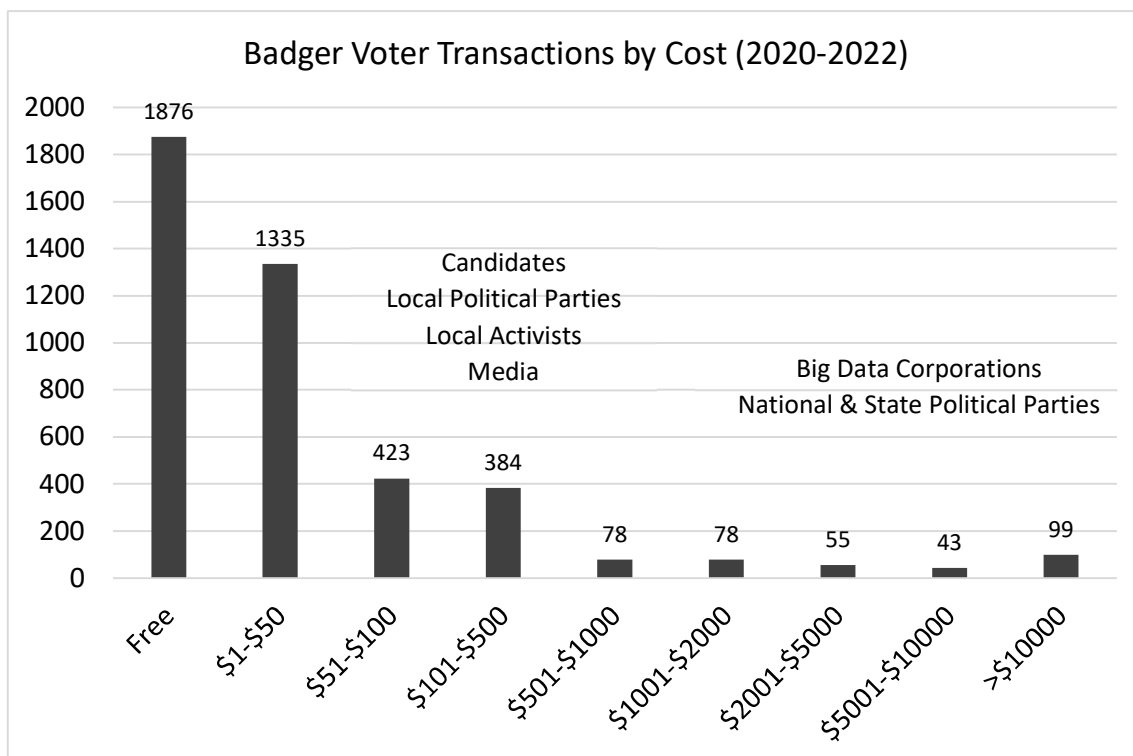
Badger Voters program revenue is trending upwards since 2018 with a marked increase in the total number of requests received. Prior to FY2019, annual program revenue averaged just over \$200,000 annually with approximately 370 transactions each year. Since 2019, the average annual program revenue is \$607,669 with an average of 896 transactions each year. This change in customer activity is visible in Table 1 below.

Table 1 (Revenue)



Individual transaction sizes remain low, with most transactions at \$50.00 or less. While not all customers choose to identify themselves, the majority appear to be candidates for office, local political parties, researchers or activists, or members of the media. The most expensive transactions (over \$10,000) are almost exclusively made by data collection companies, large partisan organizations, or state/national political parties.

Table 2 (Transactions by Cost)



Starting in FY2022, Badger Voters program revenue may be retained by the WEC to offset costs previously absorbed by taxpayers.

While actual costs to administer the Badger Voters program are modest, the expense of hosting, maintaining, and securing the statewide voter registration and election administration system (“statewide system”) is significant. Both expenses should be considered when evaluating the Badger Voters fee schedule, as required by Wis. Stat. § 6.36(6).

The cost to produce Badger Voters data is largely a function of staff time. This includes time to respond to customer requests, answer questions, proof reports, and monitor subscriptions. Additional time is required of specialized developers who maintain the system, produce custom data reports, and make system improvements as needed. This cumulatively requires less than 1,500 hours a year. Even accounting for employee benefits, this represents less than \$75,000 annually.

The cost to maintain the data made available through Badger Voters is much greater and well documented in agency budget materials. With expenses from over two-dozen accounts covering everything from labor to hardware, the statewide system costs approximately \$1.5 million per year to maintain.<sup>3</sup> Badger Voters program revenue thus averages about one-third of actual costs to maintain and secure the information provided by the program.<sup>4</sup>

## 5. Other States

The voter data programs available in other states offer an interesting contrast to Badger Voters and illustrate alternative approaches the WEC may wish to further evaluate. Wisconsin’s program is more costly than most, but also offers convenience, flexibility, and transparency that no other state can match. As noted in a federal Election Assistance Commission Report:

*The price, availability, and type of data in a voter file varies state-by-state. The price of a statewide voter file ranges from \$0 to \$37,000. The relative availability of voter file information can be characterized as open (effectively no use restrictions), mixed (some restrictions for specific types of user groups) or restricted (some restrictions for specific types of user groups or complete restrictions for specific types of user groups).*

Availability of State Voter File and Confidential Information, U.S. EAC, October 2020

A complete listing of voter data programs in all fifty states is attached as *Table 3*. In general:

- Few states offer a web portal for voter data requests (most require a paper application)
- Few states support custom data requests or absentee ballot data (most offer a pre-defined printed product or CD-ROM)
- Nearly half of states restrict access to voter data to specific groups (23 states)
- No other state offers all the features available in Wisconsin (web portal; support for custom requests; absentee ballot data, online payment; instant data access for self-service customers; and open availability to anyone for any purpose)

Also of note, nearly all other states prohibit commercial use of voter data. Other states that permit commercial use generally have provisions that allow voters to conceal or remove their personal contact information. Wisconsin law places no restrictions on use, and further provides no means for residents to remove or shield information in the statewide database. This is a common source of

---

<sup>3</sup> Statewide system average annual operating cost since 2019 of \$1,504,693.07.

<sup>4</sup> Average Badger Voter program revenue since 2019 of \$607,699.00.

frustration for Wisconsin voters, who are disheartened to hear that their address, telephone number, and email address are routinely purchased by telemarketers and resold on the internet.

Several states offered innovative options that may be of interest to the commission. For the purposes of this memorandum, three state programs are highlighted below.

**GEORGIA:** Georgia is one of a few states that offer an online portal<sup>5</sup>, electronic payment, and inexpensive options to anyone. A statewide list costs only \$250, while county or municipal lists cost \$50. However, Georgia does not support custom requests, does not offer absentee ballot data, and does not offer options that cost less than \$50. Georgia prohibits commercial use.

**MONTANA:** Montana also offers an online portal<sup>6</sup>, electronic payment, and moderate rates. A statewide list costs \$1,000 and the website offers a wide range of options based on jurisdiction or demographics. Montana does not support custom requests but will provide absentee ballot data. Montana prohibits commercial use.

**OHIO:** Ohio offers an online portal<sup>7</sup> with voter data files readily available to anyone for free. They do not offer any customization or provide absentee ballot data. Ohio prohibits commercial use.

States that offer low or no-cost voter lists all prohibit custom requests and offer only the pre-defined voter data – often on a mailed CD-ROM. Few offer absentee data of any kind. These restrictions almost certainly enable these states to limit both the volume of requests and the overhead required to support them.

## **6. Conclusions**

Badger Voters offers a level of service and flexibility unmatched by any other state. Wisconsin alone provides a convenient online portal supporting custom requests for virtually any information contained in the statewide system. This level of service comes with increased costs to support and secure the system.

Badger Voters pricing follows the statutory guidance to account for both the cost to produce voter information and the cost to maintain voter information. While costs have increased since 2014, program revenue has also increased over the same period. Accessing Badger Voters is not expensive for most customers; three quarters of transactions less than \$50. The program is, however, exceptionally expensive for those who wish to access a large volume of information. Only one other state charges more for a statewide list.

Low flat rates for standardized data sets could make the statewide list more accessible and may potentially reduce staff costs as well. Several other states simply make a copy of the list available for download and update the file monthly. No resources or staff time is required to tailor the data for particular needs or to process custom requests.

Regardless of the approach desired, changing the Badger Voters fee schedule would likely require changes to both statute and administrative code. Minor changes may be possible with only an update to the administrative code. As written, the statutes require Badger Voters fees to account for both data production and data maintenance costs. Current laws also have no restrictions on

---

<sup>5</sup> <https://georgiasecretaryofstate.net/collections/voter-list-1>

<sup>6</sup> <https://app.mt.gov/cgi-bin/voterfile/voterfile.cgi>

<sup>7</sup> <https://www6.ohiosos.gov/ords/f?p=VOTERFTP:HOME:.....>

commercial use, meaning data companies and telemarketers would certainly benefit from a reduction in the maximum fee. A reduction in fees would also transfer system costs to Wisconsin taxpayers.