



# Wisconsin Elections Commission

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**DATE:** October 5, 2020

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

**FROM:** Meagan Wolfe  
Administrator

**SUBJECT:** Alternate Sites for In-Person Absentee Voting

The Wisconsin Elections Commission (“WEC”) has received several requests from clerks across the state regarding the ability to designate alternate sites for in-person absentee voting (*e.g.* space/facility concerns, emergencies, etc.), or the possibility of designating additional sites for in-person absentee voting (*e.g.* satellite locations, drive-throughs, etc.) leading up to the November election. The WEC or staff have no ability to authorize such a transition, and per statute, municipal governing bodies must have already designated these locations by June 12, 2020.

Wisconsin Statute § 6.84(2) provides that the various absentee ballot processes shall be construed as mandatory (*e.g.* Wis. Stat. § 6.86). Ballots counted in contravention of those procedures will be spoiled and may not be included in the certified result of any election. The advice from the WEC has not changed on whether municipalities may now new locations for in-person voting that were not established prior to the primary.

Wisconsin Statute § 6.855 provides as follows:

§ 6.855(1). The governing body of a municipality may elect to designate a site other than the office of the municipal clerk or board of election commissioners as the location from which electors of the municipality may request and vote absentee ballots and to which voted absentee ballots shall be returned by electors for any election. The designated site shall be located as near as practicable to the office of the municipal clerk or board of election commissioners and no site may be designated that affords an advantage to any political party. An election by a governing body to designate an alternate site under this section shall be made no fewer than 14 days prior to the time that absentee ballots are available for the primary under s. 7.15(1)(cm), if a primary is scheduled to be held, or at least 14 days prior to the time that absentee ballots are available for the election under s. 7.15(1)(cm), if a primary is not scheduled to be held, and shall remain in effect until at least the day after the election. If the governing body of a municipality makes an election under this section, no function related to voting and return of absentee ballots that is to be conducted at the alternate site may be conducted in the office of the municipal clerk or board of election commissioners.

*Wisconsin Elections Commissioners*

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

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Administrator  
Meagan Wolfe

Unfortunately, the deadline for designating or changing an alternate in-person absentee site has now passed. While statute does provide an emergency option for the relocation of a polling place, there is no such provision for moving an in-person absentee site. Municipalities may only use sites for in-person absentee voting for the November 3 General Election that were designated by their governing body prior to the June 12, 2020 deadline.

The law does not provide an option to move in-person absentee voting sites in the event of an emergency such as flooding or fire. Please know that the staff of WEC are sympathetic to this, and it is the agency's intention to present these concerns to the Commission for consideration and possible legislative referral after the current election cycle. Do not hesitate to contact WEC if your office requires guidance regarding alternative solutions (*e.g.* use of alternate entrances, locating a station outside of the building, utilizing signage, etc.).