

State of Wisconsin\Government Accountability Board

212 East Washington Avenue, 3rd Floor
Post Office Box 7984
Madison, WI 53707-7984
Voice (608) 266-8005
Fax (608) 267-0500
E-mail: gab@wisconsin.gov
<http://gab.wi.gov>



JUDGE DAVID G. DEININGER
Chair

KEVIN J. KENNEDY
Director and General Counsel

Legislative Changes

2011 Wisconsin Act 227

2011 Wisconsin Act 227 (SB 271) was enrolled on March 20, 2012. The bill was signed by the Governor on April 6, 2012. The law will become effective on April 20, 2012.

Clerks Returning Absentee Ballots to Voters

- A municipal clerk shall not return an absentee ballot once a voter mails or personally delivers the absentee ballot to the clerk, except for damaged or spoiled ballots or envelopes with incomplete or no certificates.
- If an absentee ballot envelope contains no certificate or an incomplete certificate, a clerk may return the ballot to a voter, whenever time permits, for the elector to correct the defect and submit the ballot within the authorized period.

The authorized period is considered personal delivery by 8 p.m. on Election Day or by mail, if postmarked on Election Day and received by 4 p.m. on the Friday after the election.

- If an elector returns a spoiled or damaged absentee ballot to the clerk and the clerk believes the ballot was issued to the elector returning it, the clerk shall issue a new ballot to the elector within the absentee ballot request timeline.
 - Regular absentee voters must request replacement ballots by 5 p.m. the Thursday before the election.
 - Indefinitely confined and military voters must request replacement ballots by 5 p.m. the Friday before the election.
 - Military voters away from home may request absentee ballots by 5 p.m. on Election Day for the partisan primary, the general election, the presidential preference primary, or a special election for national office.
 - Absentee ballots must be requested in person by 5 p.m. or the close of business, whichever is later, the Friday before the election.

Voting by Absentee and In Person

- Voters are prohibited from mailing or personally delivering an absentee ballot and voting in person at the same election on Election Day.
 - Voters with spoiled ballots that did not receive or return a replacement ballot can vote in person at the polling place on Election Day.

- Voters with incomplete or no certificate envelopes who did not receive or return a replacement envelope cannot vote in-person at the polling place.
- Voters with incomplete or no certificate envelopes can correct their envelopes up to and including Election Day.

Electronic Applications for Absentee Ballots and Proof of Identification*

- An individual applying for an absentee ballot by fax or email must provide identification with their absentee ballot application, except for a voter exempt from the photo ID requirement.*
- Absentee ballots can no longer become provisional ballots for lack of proof of identification.*

Proof of Identification for Provisional Ballots*

- Voters are no longer allowed to provide a copy of proof of identification for provisional ballots.*
- Voters must show an original form of proof of identification by 4 p.m. the Friday after the election, in order for their ballot to count.*

* Two courts (League of Women Voters of Wisconsin et al. v. Walker et al. and Milwaukee Branch of NAACP et al. v. Walker et al.) have issued injunctions preventing the Government Accountability Board from enforcing the photo ID requirements in Act 23. Photo ID requirements are not currently in effect for elections.

Please Note: According to the Wisconsin Statutes, there are separate laws and procedures governing the process for dealing with damaged or spoiled ballots, as opposed to absentee ballot envelopes with incomplete or no certificate. Defective or spoiled ballots must be requested under the absentee ballot request timeline. Incomplete or no certificate absentee ballot envelopes can be corrected under a “whenever time permits” timeline, up to and including Election Day.