



STATE OF WISCONSIN  
DEPARTMENT OF JUSTICE

BRAD D. SCHIMEL  
ATTORNEY GENERAL

Paul W. Connell  
Deputy Attorney General

Delanie M. Breuer  
Chief of Staff

17 W. Main Street  
P.O. Box 7857  
Madison, WI 53707-7857  
www.doj.state.wi.us

Misha Tseytlin  
Solicitor General  
tseytlinm@doj.state.wi.us  
608/267-9323  
FAX 608/261-7206

January 13, 2017

Gino J. Agnello  
Clerk of the U.S. Court of Appeals  
for the Seventh Circuit  
Room 2722  
219 S. Dearborn Street  
Chicago, IL 60604

Re: *One Wisconsin Institute v. Thomsen*, Nos. 16-3091 & 16-3083

Dear Mr. Agnello:

Under Federal Rule of Appellate Procedure 28(j), Defendants-Appellants, Cross-Appellees submit 2015 Wis. Act 261 and corresponding memoranda of the Wisconsin Elections Commission (WEC).

Before the district court, Plaintiffs challenged two laws relating to the operation of Special Registration Deputies (SRDs)—2011 Wis. Act 240, § 2, and 2011 Wis. Act 23, § 26—under the First, Fourteenth, Fifteenth and Twenty-Sixth Amendments, as well as under the Voting Rights Act. *See* Plaintiffs' Post-Trial Brief, R.208:51–55, 141–42, 198–99.<sup>1</sup> The district court rejected all of these claims. A.083, 091, 111–114, 141, 143. On appeal, Plaintiffs only purported to challenge the district court's holdings regarding the SRD provisions under the Fifteenth and Twenty-Sixth Amendments. *See* Pls. Opening Br. 5–6, 11–19; Defs. Resp. Br. 6. However, Plaintiffs failed to develop sufficiently any arguments with regard to the SRD provisions and so have waived these claims. Defs. Resp. Br. 46–47.

To the extent this Court concludes that Plaintiffs' arguments against the SRD provisions still remain alive on appeal, those claims are now moot in any event. In 2015 Wis. Act 261, enacted on March 16, 2016, the Wisconsin Legislature eliminated all SRDs in the State, replacing them with an online registration system and Election Registration Officials (whose roles are more limited). *See* 2015 Wis. Act

---

<sup>1</sup> Citations to the District Court docket are "R.[ECF Number]:[Page Number]."

Gino J. Agnello  
Clerk of the U.S. Court of Appeals  
for the Seventh Circuit  
January 13, 2017  
Page 2

261, §§ 23, 25, 29. The Act provided that the SRDs would be eliminated on the date that WEC notified the Legislative Reference Bureau that its online voter registration system had been satisfactorily implemented. 2015 Wis. Act. 261, §§ 109–110. WEC successfully launched its Online Voter Registration system on January 9, 2017, WEC Memo, *Elimination of SRDs* (Jan. 9, 2017), and provided the required notification to the Bureau on January 12, 2017, WEC Memo, *Notice to Wisconsin Legislative Reference Bureau* (Jan. 12, 2017), meaning that SRDs have been officially eliminated. Because SRDs no longer exist in Wisconsin, Plaintiffs' claims against the 2011 laws relating to those deputies, to the extent any of those claims are still live, have been rendered entirely moot. *See generally Zessar v. Keith*, 536 F.3d 788 (7th Cir. 2008).

Sincerely,

s/ Misha Tseytlin  
MISHA TSEYTLIN  
Solicitor General  
Counsel of Record for Defendants-  
Appellants, Cross-Appellees

*c: All counsel of record via ECF*

# State of Wisconsin



2015 Senate Bill 295

Date of enactment: **March 16, 2016**

Date of publication\*: **March 17, 2016**

## 2015 WISCONSIN ACT 261

AN ACT *to repeal* 6.26, 6.40, 6.55 (2) (a) 2. and 7.515; *to renumber* 5.05 (14); *to renumber and amend* 6.28 (1), 6.33 (5) (a) and 6.36 (1) (a); *to amend* 5.056, 5.85 (2) (b) 1., 5.85 (2) (b) 2., 5.90 (1), 5.91 (intro.), 6.10 (3), 6.22 (5), 6.24 (3), 6.25 (1) (a), 6.25 (1) (b), 6.275 (1) (b), 6.30 (1), 6.30 (4), 6.32, 6.325, 6.33 (1), 6.33 (2) (a), 6.33 (2) (b), 6.34 (2), 6.34 (3) (a) 7. b., 6.35 (1) (intro.), 6.36 (1) (b) 1. a., 6.36 (2) (c), 6.36 (6), 6.50 (3), 6.50 (10), 6.55 (2) (b), 6.55 (2) (c) 1., 6.55 (2) (cs), 6.55 (2) (d), 6.55 (6), 6.79 (1m), 6.79 (2) (d), 6.86 (3) (b), 6.87 (4) (b) 1., 6.87 (6), 7.03 (1) (d), 7.08 (1) (c), 7.30 (2) (a), 7.31 (1), 7.315 (1) (a), 7.315 (1) (b) 1., 7.315 (1) (b) 2., 7.315 (3), 7.37 (13), 7.51 (5) (b), 7.53 (1) (a), 7.53 (3) (a), 7.60 (1), 9.01 (1) (a) 1., 11.1104 (3) (b), 11.1104 (4) (b), 11.1104 (6), 17.29, 85.61 (1) and 343.027; *to repeal and recreate* 5.05 (14) (b), 5.05 (14) (c), 5.05 (18), 5.056, 5.91 (intro.), 6.24 (3), 6.30 (4), 6.30 (5), 6.32, 6.33 (1), 6.33 (5) (a), 6.34 (2m), 6.34 (4), 6.35 (2), 6.36 (1) (a) (intro.), 6.36 (1) (a) 4., 6.36 (1) (a) 9., 6.36 (1) (am), 6.36 (1) (b) 1. a., 6.36 (6), 6.55 (2) (cs), 6.79 (1m), 7.08 (1) (c), 7.31 (1), 7.315 (1) (a), 7.315 (3), 9.01 (1) (a) 1., 85.61 (1) and 343.027; and *to create* 5.02 (4g), 5.02 (6m) (g), 5.05 (14) (b), 5.05 (14) (c), 5.05 (18), 6.30 (5), 6.33 (5) (a) 2., 6.34 (2m), 6.34 (3) (a) 12., 6.34 (4), 6.35 (2), 6.36 (1) (a) 13. to 16., 6.36 (1) (ae), 6.87 (6d), 7.315 (4), 7.51 (4) (c), 11.1101 (4), 19.42 (10) (ab) and 19.42 (13) (p) of the statutes; **relating to:** electronic voter registration and election administration and granting rule-making authority.

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

**SECTION 1.** 5.02 (4g) of the statutes is created to read:

5.02 (4g) "Election registration official" means an election official assigned under s. 6.28 (1) (a) or 7.30 to register electors.

**SECTION 2.** 5.02 (6m) (g) of the statutes is created to read:

5.02 (6m) (g) An unexpired veterans identification card issued by the veterans health administration of the federal department of veterans affairs.

**SECTION 3.** 5.05 (14) of the statutes is renumbered 5.05 (14) (a).

**SECTION 4.** 5.05 (14) (b) of the statutes is created to read:

5.05 (14) (b) The board shall establish a subscription service whereby a person may electronically access the absentee ballot information provided under s. 6.33 (5) (a), including semiweekly updates of such information.

**SECTION 5.** 5.05 (14) (b) of the statutes, as affected by 2015 Wisconsin Act .... (this act), is repealed and recreated to read:

5.05 (14) (b) The commission shall establish a subscription service whereby a person may electronically access the absentee ballot information provided under s. 6.33 (5) (a), including semiweekly updates of such information.

\* Section 991.11, WISCONSIN STATUTES: 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."

**SECTION 6.** 5.05 (14) (c) of the statutes is created to read:

5.05 (14) (c) On election night the board shall provide a link on its Internet site to the posting of each county's election returns on each county's Internet site.

**SECTION 7.** 5.05 (14) (c) of the statutes, as affected by 2015 Wisconsin Act .... (this act), is repealed and recreated to read:

5.05 (14) (c) On election night the commission shall provide a link on its Internet site to the posting of each county's election returns on each county's Internet site.

**SECTION 8.** 5.05 (18) of the statutes is created to read:

5.05 (18) ELECTRONIC POLL LISTS. The board may facilitate the creation and maintenance of electronic poll lists for purposes of s. 6.79 including entering into contracts with vendors and establishing programs for development and testing.

**SECTION 9.** 5.05 (18) of the statutes, as created by 2015 Wisconsin Act .... (this act), is repealed and recreated to read:

5.05 (18) ELECTRONIC POLL LISTS. The commission may facilitate the creation and maintenance of electronic poll lists for purposes of s. 6.79 including entering into contracts with vendors and establishing programs for development and testing.

**SECTION 10.** 5.056 of the statutes is amended to read:

**5.056 Matching program with secretary of transportation.** The administrator of the elections division of the board shall enter into the agreement with the secretary of transportation specified under s. 85.61 (1) to match personally identifiable information on the official registration list maintained by the board under s. 6.36 (1) and the information specified in s. 6.34 (2m) with personally identifiable information maintained by the department of transportation.

**SECTION 11.** 5.056 of the statutes, as affected by 2015 Wisconsin Acts 118 and .... (this act), is repealed and recreated to read:

**5.056 Matching program with secretary of transportation.** The commission administrator shall enter into the agreement with the secretary of transportation specified under s. 85.61 (1) to match personally identifiable information on the official registration list maintained by the commission under s. 6.36 (1) and the information specified in s. 6.34 (2m) with personally identifiable information maintained by the department of transportation.

**SECTION 12.** 5.85 (2) (b) 1. of the statutes is amended to read:

5.85 (2) (b) 1. In case of an overvote for any office, the election officials shall may either use the override function of the electronic voting system in order to eliminate the votes for the overvoted office, which shall be noted on the inspector's statement, or make a true duplicate ballot of all votes on the ballot except for the office that is overvoted in the manner described in this subdivi-

sion. ~~The~~ If the election officials make a true duplicate ballot, they shall use an official ballot of that kind used by the elector who voted the original ballot, and one of the marking devices, so as to transfer all votes of the elector except for the office overvoted to an official ballot of that kind used in the ward at that election. Unless election officials are selected under s. 7.30 (4) (c) without regard to party affiliation, whenever election officials of both of the 2 major political parties are present, the election officials acting under this subdivision shall consist in each case of at least one election official of each of the parties.

**SECTION 13.** 5.85 (2) (b) 2. of the statutes is amended to read:

5.85 (2) (b) 2. On any original ballot upon which there is an overvote and for which a duplicate ballot is made under subd. 1., the election officials shall, in the space on the ballot for official endorsement, identify the ballot as an "Overvoted Ballot" and write a serial number. ~~On the~~ any duplicate ballot produced under subd. 1., the election officials shall, in the space on the ballot for official endorsement, identify the ballot as a "Duplicate Overvoted Ballot" and write a serial number. The election officials shall place the same serial number on each "Overvoted Ballot" and its corresponding "Duplicate Overvoted Ballot," commencing with number "1" and continuing consecutively for each of the ballots for which a "Duplicate Overvoted Ballot" is produced in that ward or election district. The election officials shall initial the "Duplicate Overvoted Ballot" ballots and shall place them in the container for return of the ballots. The "Overvoted Ballot" ballots and their envelopes shall be placed in the "Original Ballots" envelope.

**SECTION 14.** 5.90 (1) of the statutes is amended to read:

5.90 (1) Except as otherwise provided in this subchapter, recounts of votes cast on an electronic voting system shall be conducted in the manner prescribed in s. 9.01. Except as provided in this subsection, sub. (2), and s. 9.01 (1) (b) 8s., if the ballots are distributed to the electors, the board of canvassers shall recount the ballots with automatic tabulating equipment. The board of canvassers shall test the automatic tabulating equipment to be used prior to the recount as provided in s. 5.84, and then the official ballots or the record of the votes cast shall be recounted on the automatic tabulating equipment. In addition, the board of canvassers shall check the ballots for the presence or absence of the initials and other distinguishing marks, shall examine the ballots marked "Rejected", "Defective", "Overvoted", and "Objected to" to determine the propriety of such labels, and shall compare the "Duplicate Overvoted Ballots" and "Duplicate Damaged Ballots" with their respective originals to determine the correctness of the duplicates. Unless a court orders a recount to be conducted by another method under sub. (2), the board of canvassers may determine to conduct the recount of a specific election by hand and

may determine to conduct the recount by hand for only certain wards or election districts. If electronic voting machines are used, the board of canvassers shall perform the recount using the permanent paper record of the votes cast by each elector, as generated by the machines.

**SECTION 15.** 5.91 (intro.) of the statutes is amended to read:

**5.91 Requisites for approval of ballots, devices and equipment.** (intro.) No ballot, voting device, automatic tabulating equipment, or related equipment and materials to be used in an electronic voting system may be utilized in this state unless it is ~~approved~~ certified by the board. The board may revoke its ~~approval~~ certification of any ballot, device, equipment or materials at any time for cause. ~~No such ballot, voting device, automatic tabulating equipment or related equipment or material may be approved. The board may certify any such voting device, automatic tabulating equipment, or related equipment or materials regardless of whether any such item is approved by the federal election assistance commission, but the board may not certify any ballot, device, equipment, or material to be used in an electronic voting system unless it fulfills the following requirements:~~

**SECTION 16.** 5.91 (intro.) of the statutes, as affected by 2015 Wisconsin Act .... (this act), is repealed and recreated to read:

**5.91 Requisites for approval of ballots, devices and equipment.** (intro.) No ballot, voting device, automatic tabulating equipment, or related equipment and materials to be used in an electronic voting system may be utilized in this state unless it is certified by the commission. The commission may revoke its certification of any ballot, device, equipment or materials at any time for cause. The commission may certify any such voting device, automatic tabulating equipment, or related equipment or materials regardless of whether any such item is approved by the federal election assistance commission, but the commission may not certify any ballot, device, equipment, or material to be used in an electronic voting system unless it fulfills the following requirements:

**SECTION 17.** 6.10 (3) of the statutes is amended to read:

6.10 (3) When an elector moves his or her residence from one ward or municipality to another ward or municipality within the state at least 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 his or her residence later than 28 days before an election, the elector shall vote in the elector's former ward or municipality if otherwise qualified to vote there.

**SECTION 18.** 6.22 (5) of the statutes is amended to read:

6.22 (5) VOTING PROCEDURE. Except as ~~provided in s. 7.515 and as authorized in s. 6.25,~~ the ballot shall be marked and returned, deposited and recorded in the same manner as other absentee ballots. In addition, the certification under s. 6.87 (2) shall have a statement of the elector's birth date. Failure to return any unused ballots in a primary election does not invalidate the ballot on which the elector casts his or her votes.

**SECTION 19.** 6.24 (3) of the statutes is amended to read:

6.24 (3) REGISTRATION. The overseas elector shall register in the municipality where he or she was last domiciled or where the overseas elector's parent was last domiciled on a form prescribed by the board designed to ascertain the elector's qualifications under this section. ~~The form board shall be~~ ensure that the form is substantially similar to the original form under s. 6.33 (1), insofar as applicable. Registration shall be accomplished in accordance with s. 6.30 (4) ~~or (5).~~

**SECTION 20.** 6.24 (3) of the statutes, as affected by 2015 Wisconsin Act .... (this act), is repealed and recreated to read:

6.24 (3) REGISTRATION. The overseas elector shall register in the municipality where he or she was last domiciled or where the overseas elector's parent was last domiciled on a form prescribed by the commission designed to ascertain the elector's qualifications under this section. The commission shall ensure that the form is substantially similar to the original form under s. 6.33 (1), insofar as applicable. Registration shall be accomplished in accordance with s. 6.30 (4) or (5).

**SECTION 21.** 6.25 (1) (a) of the statutes is amended to read:

6.25 (1) (a) Any individual who qualifies as a military elector under s. 6.22 (1) (b) and who transmits an application for an official absentee ballot for any election, including a primary election, no later than the latest time specified for the elector in s. 6.86 (1) (b) may, in lieu of the official ballot, cast a federal write-in absentee ballot prescribed under [42 USC 1973ff-2](#) for any candidate for an office listed on the official ballot or for all of the candidates of any recognized political party for the offices listed on the official ballot at that election if the federal write-in absentee ballot is received by the appropriate municipal clerk no later than the applicable time prescribed in s. 6.87 (6) ~~or 7.515(3).~~

**SECTION 22.** 6.25 (1) (b) of the statutes is amended to read:

6.25 (1) (b) Any individual who qualifies as an overseas elector under s. 6.24 (1) and who transmits an application for an official absentee ballot for an election for national office, including a primary election, no later than the latest time specified for an elector in s. 6.86 (1) (b) may, in lieu of the official ballot, cast a federal write-in absentee ballot prescribed under [42 USC 1973ff-2](#) for any candidate or for all candidates of any recognized

political party for national office listed on the official ballot at that election, if the federal write-in absentee ballot is received by the appropriate municipal clerk no later than the applicable time prescribed in s. 6.87 (6) ~~or 7.515 (3)~~.

**SECTION 23.** 6.26 of the statutes, as affected by 2015 Wisconsin Acts 39 and 118, is repealed.

**SECTION 24.** 6.275 (1) (b) of the statutes is amended to read:

6.275 (1) (b) The total number of electors of the municipality residing in that county who were preregistered on the deadline specified in s. 6.28 (1) (a), including valid mail registrations which are postmarked by that day and valid electronic registrations entered under s. 6.30 (5).

**SECTION 25.** 6.28 (1) of the statutes is renumbered 6.28 (1) (a) and amended to read:

6.28 (1) ~~REGISTRATION LOCATIONS; DEADLINE; LOCATIONS.~~ (a) Except as authorized in ss. 6.29, 6.55 (2), and 6.86 (3) (a) 2., registration in person for ~~any an~~ election shall ~~close closes~~ at 5 p.m. on the 3rd Wednesday preceding the election. Registrations made by mail under s. 6.30 (4) must be delivered to the office of the municipal clerk or postmarked no later than the 3rd Wednesday preceding the election. Electronic registration under s. 6.30 (5) for an election closes at 11:59 p.m. on the 3rd Wednesday preceding the election. The municipal clerk or board of election commissioners may assign election registration officials to register electors who apply for an in-person absentee ballot under s. 6.86 (1) (b) or to register electors at a polling place on election day or at a residential care facility, as defined under s. 6.875 (1) (bm).

(b) All applications for registration corrections and additions may be made throughout the year at the office of the city board of election commissioners, at the office of the municipal clerk, at the office of the county clerk, or at other locations provided by the board of election commissioners or the common council in cities over 500,000 population or by either or both the municipal clerk, or the common council, village or town board in all other municipalities. Other registration locations may include but are not limited to fire houses, police stations, public libraries, institutions of higher education, supermarkets, community centers, plants and factories, banks, savings and loan associations and savings banks. Special registration deputies shall be appointed for each location unless the location can be sufficiently staffed by the board of election commissioners or the municipal clerk or his or her deputies. An elector who wishes to obtain a confidential listing under s. 6.47 (2) shall register at the office of the municipal clerk of the municipality where the elector resides.

**SECTION 26.** 6.30 (1) of the statutes is amended to read:

6.30 (1) **IN PERSON.** An elector shall apply for registration in person, except as provided under ~~sub. subs.~~ (4) and (5) and s. 6.86 (3) (a) 2.

**SECTION 27.** 6.30 (4) of the statutes is amended to read:

6.30 (4) **BY MAIL.** Any eligible elector may register by mail on a form prescribed by the board and provided by each municipality. The form shall be designed to obtain the information required in ~~ss. s.~~ 6.33 (1) ~~and to provide for changes authorized under s. 6.40 (1) (a).~~ The form shall contain a certification by the elector that all statements are true and correct. The form shall be prepostpaid for return when mailed at any point within the United States. The form shall be available in the municipal clerk's office and may be distributed by any elector of the municipality. The clerk shall mail a registration form to any elector upon written or oral request.

**SECTION 28.** 6.30 (4) of the statutes, as affected by 2015 Wisconsin Act ... (this act), is repealed and recreated to read:

6.30 (4) **BY MAIL.** Any eligible elector may register by mail on a form prescribed by the commission and provided by each municipality. The form shall be designed to obtain the information required in s. 6.33 (1). The form shall contain a certification by the elector that all statements are true and correct. The form shall be prepostpaid for return when mailed at any point within the United States. The form shall be available in the municipal clerk's office and may be distributed by any elector of the municipality. The clerk shall mail a registration form to any elector upon written or oral request.

**SECTION 29.** 6.30 (5) of the statutes is created to read:

6.30 (5) **BY ELECTRONIC APPLICATION.** An eligible elector who holds a current and valid operator's license issued under ch. 343 or a current and valid identification card issued under s. 343.50 may register electronically in the manner prescribed by the board. The board shall maintain on the Internet a secure registration form that enables the elector to enter the information required under s. 6.33 (1) electronically. An elector who registers electronically under this subsection must authorize the board to obtain from the department of transportation an electronic copy of the elector's signature, which signature shall constitute an affirmation that all information provided by the elector is correct and shall have the same effect as if the elector had signed the application personally. The board shall include on the registration form a place for the elector to give this authorization. Upon submittal of the electronic application, the board shall obtain from the department of transportation a copy of the electronic signature of the elector. The board shall maintain the application on file and shall notify the municipal clerk or board of election commissioners of the municipality where the elector resides of its receipt of each completed

application. The board shall also permit any elector who has a current and valid operator's license issued to the elector under ch. 343 or a current and valid identification card issued under s. 343.50 to make changes in his or her registration at the same Internet site that is used by electors for original registration under this subsection. An elector shall attest to the correctness of any changes in the same manner as provided in this subsection for information entered on an application for original registration.

**SECTION 30.** 6.30 (5) of the statutes, as created by 2015 Wisconsin Act .... (this act), is repealed and recreated to read:

**6.30 (5) BY ELECTRONIC APPLICATION.** An eligible elector who holds a current and valid operator's license issued under ch. 343 or a current and valid identification card issued under s. 343.50 may register electronically in the manner prescribed by the commission. The commission shall maintain on the Internet a secure registration form that enables the elector to enter the information required under s. 6.33 (1) electronically. An elector who registers electronically under this subsection must authorize the commission to obtain from the department of transportation an electronic copy of the elector's signature, which signature shall constitute an affirmation that all information provided by the elector is correct and shall have the same effect as if the elector had signed the application personally. The commission shall include on the registration form a place for the elector to give this authorization. Upon submittal of the electronic application, the commission shall obtain from the department of transportation a copy of the electronic signature of the elector. The commission shall maintain the application on file and shall notify the municipal clerk or board of election commissioners of the municipality where the elector resides of its receipt of each completed application. The commission shall also permit any elector who has a current and valid operator's license issued to the elector under ch. 343 or a current and valid identification card issued under s. 343.50 to make changes in his or her registration at the same Internet site that is used by electors for original registration under this subsection. An elector shall attest to the correctness of any changes in the same manner as provided in this subsection for information entered on an application for original registration.

**SECTION 31.** 6.32 of the statutes is amended to read:

**6.32 Verification of certain registrations. (1)** Upon receipt of a registration form that is submitted by mail under s. 6.30 (4) ~~or that is submitted by a special registration deputy appointed under s. 6.26 or by electronic application under s. 6.30 (5)~~, the board or municipal clerk shall examine the form for sufficiency.

**(2)** If the form is insufficient to accomplish registration or the board or clerk knows or has reliable information that the proposed elector is not qualified, the board or clerk shall notify the proposed elector within 5 days, if possible, and request that the elector appear at the

clerk's office or ~~other~~ another registration ~~center~~ location to complete a proper registration or substantiate the information presented.

**(3)** If the form is submitted later than the close of registration, the board or clerk shall make a good faith effort to notify the elector that he or she may register at the clerk's office under s. 6.29 or at the proper polling place or other location designated under s. 6.55 (2).

**(4)** If the form is sufficient to accomplish registration and the board or clerk has no reliable information to indicate that the proposed elector is not qualified, the board or clerk shall enter the elector's name on the registration list and transmit a 1st class letter or postcard to the registrant, specifying the elector's ward or aldermanic district, or both, if any, and polling place. The letter or postcard shall be sent within 10 days of receipt of the form. If the letter or postcard is returned, or if the board or clerk is informed of a different address than the one specified by the elector, the board or clerk shall change the status of the elector on the list from eligible to ineligible. The letter or postcard shall be marked in accordance with postal regulations to ensure that it will be returned to the board or clerk if the elector does not reside at the address given on the letter or postcard.

**SECTION 31d.** 6.32 of the statutes, as affected by 2015 Wisconsin Act .... (this act), is repealed and recreated to read:

**6.32 Verification of certain registrations. (1)** Upon receipt of a registration form that is submitted by mail under s. 6.30 (4) or by electronic application under s. 6.30 (5), the commission or municipal clerk shall examine the form for sufficiency.

**(2)** If the form is insufficient to accomplish registration or the commission or clerk knows or has reliable information that the proposed elector is not qualified, the commission or clerk shall notify the proposed elector within 5 days, if possible, and request that the elector appear at the clerk's office or another registration location to complete a proper registration or substantiate the information presented.

**(3)** If the form is submitted later than the close of registration, the commission or clerk shall make a good faith effort to notify the elector that he or she may register at the clerk's office under s. 6.29 or at the proper polling place or other location designated under s. 6.55 (2).

**(4)** If the form is sufficient to accomplish registration and the commission or clerk has no reliable information to indicate that the proposed elector is not qualified, the commission or clerk shall enter the elector's name on the registration list and transmit a 1st class letter or postcard to the registrant, specifying the elector's ward or aldermanic district, or both, if any, and polling place. The letter or postcard shall be sent within 10 days of receipt of the form. If the letter or postcard is returned, or if the commission or clerk is informed of a different address than the one specified by the elector, the commission or

clerk shall change the status of the elector on the list from eligible to ineligible. The letter or postcard shall be marked in accordance with postal regulations to ensure that it will be returned to the commission or clerk if the elector does not reside at the address given on the letter or postcard.

**SECTION 32.** 6.325 of the statutes is amended to read:

**6.325 Disqualification of electors.** No person may be disqualified as an elector unless the municipal clerk, board of election commissioners or a challenging elector under s. 6.48 demonstrates beyond a reasonable doubt that the person does not qualify as an elector or is not properly registered. If it appears that the challenged elector is registered at a residence in this state other than the one where the elector now resides, the municipal clerk or board of election commissioners shall, before permitting the elector to vote, require the elector to ~~transfer his or her registration under s. 6.40 (1) (a)~~ properly register and shall notify the municipal clerk or board of election commissioners at the former residence. The municipal clerk or board of election commissioners may require naturalized applicants to show their naturalization certificates.

**SECTION 33.** 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 nonelectronic forms shall be printed ~~on cards~~ and each item of information shall be of uniform font size, as prescribed by the board. Except as otherwise provided in this subsection, electronic forms shall contain the same information as non-electronic forms. The municipal clerk shall supply sufficient forms to meet voter registration needs. The ~~forms~~ board shall be designed design the form to obtain from each ~~applicant elector~~ 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 elector~~ has resided within the ward or election district for ~~at least 28~~ the number of consecutive days specified in s. 6.02 (1); whether the ~~applicant elector~~ has been convicted of a felony for which he or she has not been pardoned, and if so, whether the ~~applicant elector~~ is incarcerated, or on parole, probation, or extended supervision; whether the ~~applicant elector~~ is disqualified on any other ground from voting; and whether the ~~applicant elector~~ is currently registered to vote at any other location. The ~~form~~ board shall include on the nonelectronic form a space for the applicant's elector's signature and on the electronic form the authorization specified under s. 6.30 (5). Below the space for the signature or authorization, respectively, the ~~form~~ board shall ~~state~~ include the following statement: "Falsification of information on this form is punishable under Wisconsin law as a Class I felony." The ~~form~~

board shall include on the form 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~~ board shall include on the form 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~~ board shall also include on the form a space where the clerk may record an indication of whether the form is received by mail or by electronic application, a space where the clerk shall record an indication of the type of identifying document submitted by the elector as proof of residence under s. 6.34 or an indication that the elector's information in lieu of proof of residence was verified under s. 6.34 (2m), the name of the entity or institution that issued the identifying document, and, if the identifying document includes a number that applies only to the individual holding that document, that number. The ~~form~~ board shall also include on the form a space where the clerk, for any ~~applicant elector~~ 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 34.** 6.33 (1) of the statutes, as affected by 2015 Wisconsin Act ... (this act), is repealed and recreated to read:

6.33 (1) The commission shall prescribe the format, size, and shape of registration forms. All nonelectronic forms shall be printed and each item of information shall be of uniform font size, as prescribed by the commission. Except as otherwise provided in this subsection, electronic forms shall contain the same information as non-electronic forms. The municipal clerk shall supply sufficient forms to meet voter registration needs. The commission shall design the form to obtain from each elector 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 elector has resided within the ward or election district for the number of consecutive days specified in s. 6.02 (1); whether the elector has been convicted of a felony for which he or she has not been pardoned, and if so, whether the elector is incarcerated, or on parole, probation, or extended supervision; whether the elector is disqualified on any other ground from voting; and whether the elector is currently registered to vote at any

other location. The commission shall include on the non-electronic form a space for the elector's signature and on the electronic form the authorization specified under s. 6.30 (5). Below the space for the signature or authorization, respectively, the commission shall include the following statement: "Falsification of information on this form is punishable under Wisconsin law as a Class I felony." The commission shall include on the form a space to enter the name of any inspector, municipal clerk, or deputy clerk under s. 6.55 (2) who obtains the form and a space for the inspector, clerk, or deputy clerk to sign his or her name, affirming that the inspector, clerk, or deputy clerk has accepted the form. The commission shall include on the form 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 commission shall also include on the form a space where the clerk may record an indication of whether the form is received by mail or by electronic application, a space where the clerk shall record an indication of the type of identifying document submitted by the elector as proof of residence under s. 6.34 or an indication that the elector's information in lieu of proof of residence was verified under s. 6.34 (2m), the name of the entity or institution that issued the identifying document, and, if the identifying document includes a number that applies only to the individual holding that document, that number. The commission shall also include on the form a space where the clerk, for any elector 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 35.** 6.33 (2) (a) of the statutes is amended to read:

6.33 (2) (a) All information may be recorded by any person, except that the clerk shall record the ward and aldermanic district, if any, other geographic information under sub. (1), the indication of whether the registration is received by mail, and the type of identifying document submitted by the elector as proof of residence under s. 6.34, and any information relating to an applicant's voting identification card shall be recorded by the clerk. Each applicant. Except as provided in s. 6.30 (5), each elector shall sign his or her own name unless the applicant elector is unable to sign his or her name due to physical disability. In such case, the applicant elector may authorize another elector to sign the form on his or her behalf. If the applicant elector so authorizes, the elector signing the form shall attest to a statement that the application is made upon request and by authorization of a named elector who is unable to sign the form due to physical disability.

**SECTION 36.** 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 before the clerk, issuing officer or ~~registration~~ deputy election registration official. The form shall contain a certification by the registering elector that all statements are true and correct.

**SECTION 37.** 6.33 (5) (a) of the statutes is renumbered 6.33 (5) (a) 1. and amended to read:

6.33 (5) (a) 1. 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~~ or changes a registration from eligible to ineligible status, the municipal clerk or the clerk's designee shall promptly enter electronically on the list maintained by the board under s. 6.36 (1) the information required under that subsection.

3. Except as provided in par. (b) and this paragraph, the municipal clerk ~~may or the clerk's designee shall~~ update any entries that change on the date of an election other than a general election within 30 days after the date of that election, and ~~may~~ shall 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.

4. 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 38.** 6.33 (5) (a) of the statutes, as affected by 2015 Wisconsin Acts 118 and ... (this act), is repealed and recreated to read:

6.33 (5) (a) 1. 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 or changes a registration from eligible to ineligible status the municipal clerk or the clerk's designee shall promptly enter electronically on the list maintained by the commission under s. 6.36 (1) the information required under that subsection.

2. Except as provided in par. (b) and this paragraph, whenever a municipal clerk mails an absentee ballot to an elector or receives an in-person absentee ballot application or an absentee ballot the municipal clerk shall, no later than 48 hours after mailing an absentee ballot or receiving an in-person absentee ballot application or an absentee ballot, enter electronically on the list maintained by the commission under s. 6.36 (1) the information required under that subsection or submit the information to the clerk's designee who shall, no later than 24 hours after receiving the information from the clerk, enter electronically on the list maintained by the commission under s. 6.36 (1) the information required under that

subsection. If a deadline under this subdivision falls on a Saturday or Sunday, the deadline is extended to the next business day.

3. Except as provided in par. (b) and this paragraph, the municipal clerk or the clerk's designee shall update any entries that change on the date of an election other than a general election within 30 days after the date of that election, and shall update any entries that change on the date of a general election within 45 days after the date of that election. The commission administrator 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.

4. The municipal clerk shall provide to the commission information that is confidential under s. 6.47 (2) in such manner as the commission prescribes.

**SECTION 39.** 6.33 (5) (a) 2. of the statutes is created to read:

6.33 (5) (a) 2. Except as provided in par. (b) and this paragraph, whenever a municipal clerk mails an absentee ballot to an elector or receives an in-person absentee ballot application or an absentee ballot the municipal clerk shall, no later than 48 hours after mailing an absentee ballot or receiving an in-person absentee ballot application or an absentee ballot, enter electronically on the list maintained by the board under s. 6.36 (1) the information required under that subsection or submit the information to the clerk's designee who shall, no later than 24 hours after receiving the information from the clerk, enter electronically on the list maintained by the board under s. 6.36 (1) the information required under that subsection. If a deadline under this subdivision falls on a Saturday or Sunday, the deadline is extended to the next business day.

**SECTION 40.** 6.34 (2) of the statutes is amended to read:

6.34 (2) ~~Upon~~ Except as provided in sub. (2m), 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, shall provide an identifying document that establishes proof of residence under sub. (3). If the elector registered by mail or by electronic application, the identifying document may not be a residential lease.

**SECTION 41.** 6.34 (2m) of the statutes is created to read:

6.34 (2m) An elector who registers by electronic application under s. 6.30 (5) is not required to provide proof of residence under sub. (2) if, at the time of registration, the elector provides the number of a current and valid operator's license issued under ch. 343, or the number of a current and valid identification card issued under s. 343.50, together with the elector's name and date of birth and the board is able to verify the information specified under sub. (3) (b) using the system maintained under sub. (4).

**SECTION 42.** 6.34 (2m) of the statutes, as created by 2015 Wisconsin Act ... (this act), is repealed and recreated to read:

6.34 (2m) An elector who registers by electronic application under s. 6.30 (5) is not required to provide proof of residence under sub. (2) if, at the time of registration, the elector provides the number of a current and valid operator's license issued under ch. 343, or the number of a current and valid identification card issued under s. 343.50, together with the elector's name and date of birth and the commission is able to verify the information specified under sub. (3) (b) using the system maintained under sub. (4).

**SECTION 43.** 6.34 (3) (a) 7. b. of the statutes is amended to read:

6.34 (3) (a) 7. 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 election registration official~~, or inspector verifies that the student presenting the card is included on the list.

**SECTION 44.** 6.34 (3) (a) 12. of the statutes is created to read:

6.34 (3) (a) 12. For an occupant of a residential care facility, as defined in s. 6.875 (1) (bm), for the purpose of registering at the facility, a contract or intake document prepared by the residential care facility that specifies that the occupant currently resides in the facility. The contract or intake document may also identify the room or unit in which the occupant resides.

**SECTION 45.** 6.34 (4) of the statutes is created to read:

6.34 (4) The board shall maintain a system that electronically verifies, on an instant basis, information specified under sub. (3) (b) from the information submitted in lieu of proof of residence under sub. (2m), using the information maintained by the department of transportation pursuant to the board's agreement with the secretary of transportation under s. 85.61 (1). If a prospective elector enters information specified under sub. (3) (b) 2. into the system that does not match such information maintained by the department of transportation, the system shall redirect the elector to the department of transportation's Internet site so that the elector may update his or her information with the department of transportation.

**SECTION 46.** 6.34 (4) of the statutes, as created by 2015 Wisconsin Act ... (this act), is repealed and recreated to read:

6.34 (4) The commission shall maintain a system that electronically verifies, on an instant basis, information specified under sub. (3) (b) from the information submit-

ted in lieu of proof of residence under sub. (2m), using the information maintained by the department of transportation pursuant to the commission's agreement with the secretary of transportation under s. 85.61 (1). If a prospective elector enters information specified under sub. (3) (b) 2. into the system that does not match such information maintained by the department of transportation, the system shall redirect the elector to the department of transportation's Internet site so that the elector may update his or her information with the department of transportation.

**SECTION 47.** 6.35 (1) (intro.) of the statutes is amended to read:

6.35 (1) (intro.) Under the direction of the municipal clerk or board of election commissioners, the original registration forms shall be filed in one of the following ways, except as provided in ~~sub. subs.~~ (1m) ~~and (2)~~:

**SECTION 48.** 6.35 (2) of the statutes is created to read:

6.35 (2) The board shall prescribe, by rule, the procedure and methods by which municipal clerks and boards of election commissioners shall maintain records of registrations that are entered electronically under s. 6.30 (5).

**SECTION 49.** 6.35 (2) of the statutes, as created by 2015 Wisconsin Act .... (this act), is repealed and recreated to read:

6.35 (2) The commission shall prescribe, by rule, the procedure and methods by which municipal clerks and boards of election commissioners shall maintain records of registrations that are entered electronically under s. 6.30 (5).

**SECTION 50.** 6.36 (1) (a) (intro.) of the statutes, as affected by 2015 Wisconsin Act .... (this act), is repealed and recreated to read:

6.36 (1) (a) (intro.) The commission shall compile and maintain electronically an official registration list. The list shall contain all of the following:

**SECTION 51.** 6.36 (1) (a) of the statutes is renumbered 6.36 (1) (a) (intro.) and amended to read:

6.36 (1) (a) (intro.) The board shall compile and maintain electronically an official registration list. The list shall contain all of the following:

1. The name and address of each registered elector in the state, ~~the~~

2. The elector's date of birth of the elector, ~~the~~

3. The ward and aldermanic district of the elector, if any, ~~and, for,~~

4. For each elector, a unique registration identification number assigned by the board, ~~the~~

5. The number of a valid operator's license issued to the elector under ch. 343, if any, or the last 4 digits of the elector's social security account number, if any, ~~any,~~

6. Any identification serial number issued to the elector under s. 6.47 (3), ~~the~~

7. The date of any election in which the elector votes, ~~an~~

8. An indication of whether the elector is an overseas elector, as defined in s. 6.24 (1), ~~any.~~

9. Any information relating to the elector that appears on the current list transmitted to the board by the department of corrections under s. 301.03 (20m), ~~an.~~

10. An indication of any accommodation required under s. 5.25 (4) (a) to permit voting by the elector, ~~an.~~

11. An indication of the method by which the elector's registration form was received, ~~and an.~~

12. An indication of whether the elector was required under s. 6.34 to provide proof of residence and, if so, the type of identifying document submitted as proof of residence, the name of the entity or institution that issued the identifying document, and, if the identifying document included a number that applies only to the individual holding that document, up to the last 4 digits of that number. If the number on the identifying document submitted by the elector had 6 or fewer digits, the list under this paragraph may not contain more than the last 2 digits of that number.

~~(am)~~ The list under ~~this paragraph~~ par. (a) may contain such other information as may be determined by the board to facilitate administration of elector registration requirements.

**SECTION 52.** 6.36 (1) (a) 4. of the statutes, as affected by 2015 Wisconsin Act .... (this act), is repealed and recreated to read:

6.36 (1) (a) 4. For each elector, a unique registration identification number assigned by the commission.

**SECTION 53.** 6.36 (1) (a) 9. of the statutes, as affected by 2015 Wisconsin Act .... (this act), is repealed and recreated to read:

6.36 (1) (a) 9. Any information relating to the elector that appears on the current list transmitted to the commission by the department of corrections under s. 301.03 (20m).

**SECTION 54.** 6.36 (1) (a) 13. to 16. of the statutes are created to read:

6.36 (1) (a) 13. A separate column indicating the date on which an elector applied to vote by in-person absentee ballot.

14. Separate columns indicating the date on which the clerk mailed an absentee ballot to an elector and the date on which the elector returned the absentee ballot.

15. A separate column indicating the polling location associated with each elector's address and ward or aldermanic district, if any.

16. A separate column indicating the mailing address for the municipal clerk associated with each polling location identified under subd. 15.

**SECTION 55.** 6.36 (1) (ae) of the statutes is created to read:

6.36 (1) (ae) 1. The chief election officer shall enter into a membership agreement with Electronic Registration Information Center, Inc., for the purpose of main-

taining the official registration list under this section. Prior to entering into an agreement under this subdivision, the chief election officer shall ensure that the agreement satisfies all of the following conditions:

a. It safeguards the confidentiality of information or data in the registration list that may be subject to transfer under the agreement and to which access is restricted under par. (b) 1. a.

b. It prohibits the sale or distribution of the information or data in the registration list to a 3rd-party vendor and it prohibits any other action not associated with administration of or compliance with the agreement.

c. It does not affect the exemption for this state under the national voter registration act.

d. It allows the state to make contact with electors by electronic mail, whenever possible.

2. If the chief election officer enters into an agreement under subd. 1., the chief election officer shall comply with the terms of the agreement, including the transmission of information and data related to the registration of electors in this state to the Electronic Registration Information Center, Inc., for processing and sharing with other member states and governmental units.

**SECTION 56.** 6.36 (1) (am) of the statutes, as affected by 2015 Wisconsin Act .... (this act), is repealed and recreated to read:

6.36 (1) (am) The list under par. (a) may contain such other information as may be determined by the commission to facilitate administration of elector registration requirements.

**SECTION 57.** 6.36 (1) (b) 1. a. of the statutes is amended to read:

6.36 (1) (b) 1. a. Except as provided in pars. (ae), (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 58.** 6.36 (1) (b) 1. a. of the statutes, as affected by 2015 Wisconsin Acts 118 and .... (this act), is repealed and recreated to read:

6.36 (1) (b) 1. a. Except as provided in pars. (ae), (bm), and (bn), no person other than an employee of the commission, 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 59.** 6.36 (2) (c) of the statutes is amended to read:

6.36 (2) (c) The list shall contain, next to the name of each elector, an indication of whether proof of residence under s. 6.34 is required for the elector to be permitted to vote. If proof of residence is provided, the type of identifying document submitted by the elector and the name of the entity or institution that issued the identifying document, or an indication that the information provided by the elector in lieu of proof of residence was verified under s. 6.34 (2m), shall be entered on the list in the space provided. ~~Proof~~ Except as provided in s. 6.34 (2m), proof of residence is required if the elector is not a military elector or an overseas elector and the elector registers by mail or by electronic application and has not previously voted in an election in this state.

**SECTION 60.** 6.36 (6) of the statutes is amended to read:

6.36 (6) The board 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.

**SECTION 61.** 6.36 (6) of the statutes, as affected by 2015 Wisconsin Act .... (this act), is repealed and recreated to read:

6.36 (6) 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.

**SECTION 62.** 6.40 of the statutes is repealed.

**SECTION 63.** 6.50 (3) of the statutes is amended to read:

6.50 (3) Upon receipt of reliable information that a registered elector has changed his or her residence to a location outside of the municipality, the municipal clerk or board of election commissioners shall notify the elec-

tor by mailing a notice by 1st class mail to the elector's registration address stating the source of the information. All municipal departments and agencies receiving information that a registered elector has changed his or her residence shall notify the clerk or board of election commissioners. If the elector no longer resides in the municipality or fails to apply for continuation of registration within 30 days of the date the notice is mailed, the clerk or board of election commissioners shall change the elector's registration from eligible to ineligible status. Upon receipt of reliable information that a registered elector has changed his or her residence within the municipality, the municipal clerk or board of election commissioners shall ~~transfer~~ change the elector's registration and mail the elector a notice of the ~~transfer under s. 6.40 (2)~~ change. This subsection does not restrict the right of an elector to challenge any registration under s. 6.325, 6.48, 6.925, 6.93, or 7.52 (5).

**SECTION 64.** 6.50 (10) of the statutes is amended to read:

6.50 (10) Any qualified elector whose registration is changed from eligible to ineligible status under this section may reregister as provided under s. 6.28 (1), 6.29 (2), or 6.55 (2), or, if the elector has a current and valid operator's license issued to the elector under ch. 343 or a current and valid identification card issued under s. 343.50, may reregister under s. 6.30 (5).

**SECTION 65.** 6.55 (2) (a) 2. of the statutes is repealed.

**SECTION 66.** 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. The signing by the elector executing the registration form shall be in the presence of the special election registration deputy official or inspector. Upon receipt of the registration form, the deputy official or inspector shall enter both the type of identifying document submitted by the elector as proof of residence and the name of the entity or institution that issued the identifying document, and, if the identifying document includes a number that applies only to the individual holding that document, that number in the space provided on the form. The deputy official or inspector shall then print his or her name on and sign the form, indicating that the deputy official 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 67.** 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 acces-

sible 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. 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. The signing by the person executing the registration form shall be in the presence of the municipal clerk, deputy clerk, or special election registration deputy official. Upon receipt of the registration form, the municipal clerk, deputy clerk, or special election registration deputy official shall enter the type of identifying document submitted by the elector as proof of residence, the name of the entity or institution that issued the identifying document, and, if the identifying document includes a number that applies only to the individual holding that document, the last 4 digits of that number in the space provided on the form. If the number on the identifying document submitted by the elector has 6 or fewer digits, the clerk shall enter only the last 2 digits of that number. The municipal clerk, the deputy clerk, or the special election registration deputy official shall then print his or her name and sign the form, indicating that the clerk, deputy clerk, or deputy official has accepted the form. Upon proper completion of registration, the municipal clerk, deputy clerk, or special election registration deputy official shall serially number the registration and give one copy to the person for presentation at the polling place serving the person's residence or an alternate polling place assigned under s. 5.25 (5) (b).

**SECTION 68.** 6.55 (2) (cs) of the statutes is amended to read:

6.55 (2) (cs) The board shall provide to each municipal clerk a list prepared for use at each polling place showing the name and address of each person whose name appears on the list provided by the department of corrections under s. 301.03 (20m) as ineligible to vote on the date of the election, whose address is located in the area served by that polling place, and whose name does not appear on the poll list for that polling place. Prior to permitting an elector to register to vote under this subsection or s. 6.86 (3) (a) 2., the inspectors or special election registration deputies officials shall review the list. If the name of an elector who wishes to register to vote appears on the list, the inspectors or special election registration deputies officials shall inform the elector or the elector's agent that the elector is ineligible to register to vote. If the elector or the elector's agent maintains that the elector is eligible to vote in the election, the inspectors or special election registration deputies officials shall permit the elector to register but shall mark the elector's registration form as "ineligible to vote per Department of Corrections." If the elector wishes to vote, the inspectors shall

require the elector to vote by ballot and shall challenge the ballot as provided in s. 6.79 (2) (dm).

**SECTION 69.** 6.55 (2) (cs) of the statutes, as affected by 2015 Wisconsin Act .... (this act), is repealed and recreated to read:

6.55 (2) (cs) The commission shall provide to each municipal clerk a list prepared for use at each polling place showing the name and address of each person whose name appears on the list provided by the department of corrections under s. 301.03 (20m) as ineligible to vote on the date of the election, whose address is located in the area served by that polling place, and whose name does not appear on the poll list for that polling place. Prior to permitting an elector to register to vote under this subsection or s. 6.86 (3) (a) 2., the inspectors or election registration officials shall review the list. If the name of an elector who wishes to register to vote appears on the list, the inspectors or election registration officials shall inform the elector or the elector's agent that the elector is ineligible to register to vote. If the elector or the elector's agent maintains that the elector is eligible to vote in the election, the inspectors or election registration officials shall permit the elector to register but shall mark the elector's registration form as "ineligible to vote per Department of Corrections." If the elector wishes to vote, the inspectors shall require the elector to vote by ballot and shall challenge the ballot as provided in s. 6.79 (2) (dm).

**SECTION 70.** 6.55 (2) (d) of the statutes is amended to read:

6.55 (2) (d) A registered elector who has changed his or her name but resides at the same address, and has not notified previously provided notice of the change to the municipal clerk under s. 6.40 (1) (e), shall notify the inspector of the change before voting. The inspector shall then notify the municipal clerk at the time when materials are returned under s. 6.56 (1). If an elector has changed both a name and address, the elector shall register at the polling place or other registration location under pars. (a) and (b).

**SECTION 71.** 6.55 (6) of the statutes, as affected by 2015 Wisconsin Act 39, is amended to read:

6.55 (6) Any of the registration duties of inspectors under sub. (2) may be carried out in the municipality by the municipal clerk ~~or by special registration deputies appointed by the municipal clerk or board of election commissioners at any polling place or other registration location whenever the clerk or board of election commissioners determines that the registration process provided for in that subsection will be facilitated thereby.~~ The municipal clerk, however, may not carry out the registration duties of the inspectors under sub. (2) if the municipal clerk is a candidate on the ballot for that election day. ~~The deputies shall be specially appointed by the clerk or board of election commissioners for one election only to conduct elector registration only.~~

**SECTION 72.** 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 poll list manually or electronically. If the lists are maintained clerk elects to maintain the list 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 an election official at each election ward shall be in charge of and shall maintain the poll list. The system employed to maintain the list electronically is subject to the approval of the board. If the clerk elects to maintain the information manually, 2 election officials at each election ward shall be in charge of and shall maintain 2 separate poll lists.~~

**SECTION 73.** 6.79 (1m) of the statutes, as affected by 2015 Wisconsin Act .... (this act), is repealed and recreated to read:

6.79 (1m) SEPARATE POLL LISTS. The municipal clerk may elect to maintain the information on the poll list manually or electronically. If the clerk elects to maintain the list electronically, an election official at each election ward shall be in charge of and shall maintain the poll list. The system employed to maintain the list electronically is subject to the approval of the commission. If the clerk elects to maintain the information manually, 2 election officials at each election ward shall be in charge of and shall maintain 2 separate poll lists.

**SECTION 74.** 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 proof of identification 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 enter both the type of identifying document submitted as proof of residence and the name of the entity or institution that issued the identifying document in the space provided on the poll list and shall verify that the name and address on the identifying document 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 75.** 6.86 (3) (b) of the statutes is amended to read:

6.86 (3) (b) When each properly executed form and statement required under par. (a) is presented to the municipal clerk, if the elector who proposes to vote is qualified, an absentee ballot shall be issued and the name of such hospitalized elector shall be recorded by the clerk or ~~special registration deputy~~. An agent who is issued an absentee ballot under this section shall present documentation of his or her identity, provide his or her name and address, and attest to a statement that the ballot is received solely for the benefit of a named elector who is hospitalized, and the agent will promptly transmit the ballot to such person.

**SECTION 76.** 6.87 (4) (b) 1. of the statutes is 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 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~~ Except as provided in s. 6.34 (2m), proof of residence is required if the elector is not a military elector or an overseas elector and the elector registered by mail or by electronic application 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 77.** 6.87 (6) of the statutes is amended to read:

6.87 (6) ~~Except as provided in s. 7.515 (3), the~~ The ballot shall be returned so it is ~~received by the municipal clerk~~ delivered to the polling place 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. 7.515 (3), any~~ 8 p.m. Any ballot not mailed or delivered as provided in this subsection may not be counted.

**SECTION 78.** 6.87 (6d) of the statutes is created to read:

6.87 (6d) If a certificate is missing the address of a witness, the ballot may not be counted.

**SECTION 79.** 7.03 (1) (d) of the statutes is amended to read:

7.03 (1) (d) Except as otherwise provided in par. (a), ~~special registration deputies appointed under s. 6.55 (6),~~ special voting deputies appointed under s. 6.875 (4) and other officials and trainees who attend training sessions under s. 7.15 (1) (e) or 7.25 (5) may also be compensated by the municipality where they serve at the option of the municipality.

**SECTION 80.** 7.08 (1) (c) of the statutes is amended to read:

7.08 (1) (c) Prescribe forms required by ss. 6.24 (3) and (4), 6.30 (4) and (5), 6.33 (1), ~~6.40 (1) (a)~~, 6.47 (1) (am) 2. and (3), 6.55 (2), and 6.86 (2) to (3). All such forms shall contain a statement of the penalty applicable to false or fraudulent registration or voting through use of the form. Forms are not required to be furnished by the board.

**SECTION 81.** 7.08 (1) (c) of the statutes, as affected by 2015 Wisconsin Act .... (this act), is repealed and recreated to read:

7.08 (1) (c) Prescribe forms required by ss. 6.24 (3) and (4), 6.30 (4) and (5), 6.33 (1), 6.47 (1) (am) 2. and (3), 6.55 (2), and 6.86 (2) to (3). All such forms shall contain a statement of the penalty applicable to false or fraudulent registration or voting through use of the form. Forms are not required to be furnished by the commission.

**SECTION 82.** 7.30 (2) (a) of the statutes is amended to read:

7.30 (2) (a) Only election officials appointed under this section or s. 6.875 may conduct an election. Except as otherwise provided in this paragraph and in ss. 7.15 (1) (k) and 7.52 (1) (b), each election official shall be a qualified elector of a county in which the municipality where the official serves is located, and each chief inspector shall be a qualified elector of the municipality in which the chief inspector serves. If no qualified candidate for chief inspector is available or if the chief inspector is appointed to fill a vacancy under par. (b), the person so appointed need not be a qualified elector of the municipality. If a municipal clerk or deputy clerk ~~serves as a reg-~~

istration deputy or is appointed to fill a vacancy under par. (b), the clerk or deputy clerk need not be a resident of the county, but shall be a resident of the state. No more than 2 individuals holding the office of clerk or deputy clerk may serve without regard to county residency in any municipality at any election. ~~Special registration deputies who are appointed under s. 6.55 (6) may be appointed to serve more than one polling place.~~ All officials appointed under this section shall be able to read and write the English language, be capable, and be of good understanding, and may not be a candidate for any office to be voted for at an election at which they serve. In 1st class cities, they may hold no public office other than notary public. Except as authorized under subs. (1) (b) and (4) (c), all inspectors shall be affiliated with one of the 2 recognized political parties which received the largest number of votes for president, or governor in nonpresidential general election years, in the ward or combination of wards served by the polling place at the last election. Excluding the inspector who may be appointed under sub. (1) (b), the party which received the largest number of votes is entitled to one more inspector than the party receiving the next largest number of votes at each polling place. Whenever 2 or more inspectors are required to perform a function within a polling place and both parties that are entitled to submit nominees have done so, the chief inspector shall assign, insofar as practicable, an equal number of inspectors from the nominees of each party.

**SECTION 83.** 7.31 (1) of the statutes is amended to read:

7.31 (1) The board shall, ~~by rule, prescribe~~ establish requirements for certification of individuals to serve as chief inspectors. The requirements shall include a requirement to attend at least one training session held under sub. (5) before beginning service. ~~The requirements shall not include taking an examination.~~

**SECTION 84.** 7.31 (1) of the statutes, as affected by 2015 Wisconsin Act .... (this act), is repealed and recreated to read:

7.31 (1) The commission shall establish requirements for certification of individuals to serve as chief inspectors. The requirements shall include a requirement to attend at least one training session held under sub. (5) before beginning service.

**SECTION 85.** 7.315 (1) (a) of the statutes is amended to read:

7.315 (1) (a) The board shall, by rule, prescribe the contents of the training that municipal clerks must provide to inspectors, other than chief inspectors, and to special voting deputies appointed under s. 6.875, ~~and to special registration deputies appointed under ss. 6.26 and 6.55 (6).~~

**SECTION 86.** 7.315 (1) (a) of the statutes, as affected by 2015 Wisconsin Act .... (this act), is repealed and recreated to read:

7.315 (1) (a) The commission shall, by rule, prescribe the contents of the training that municipal clerks must provide to inspectors, other than chief inspectors, and to special voting deputies appointed under s. 6.875.

**SECTION 87.** 7.315 (1) (b) 1. of the statutes is amended to read:

7.315 (1) (b) 1. Each inspector other than a chief inspector and each special voting deputy appointed under s. 6.875 ~~and special registration deputy appointed under s. 6.26 or 6.55 (6)~~ shall view or attend at least one training program every 2 years. Except as provided in subd. 2., no individual may serve as an inspector, other than a chief inspector, or as a special voting deputy under s. 6.875, ~~or as a special registration deputy under s. 6.26 or 6.55 (6)~~ at any election unless the individual has completed training for that election provided by the municipal clerk pursuant to rules promulgated under par. (a) within 2 years of the date of the election.

**SECTION 88.** 7.315 (1) (b) 2. of the statutes is amended to read:

7.315 (1) (b) 2. Only when an individual who has received training under subd. 1. is unavailable to perform his or her election duties due to sickness, injury, or other unforeseen occurrence may an individual who has not received training under subd. 1. be appointed to serve as an inspector, other than chief inspector, or a special voting deputy ~~or special registration deputy~~. The appointment of an individual to serve under this subdivision shall be for a specific election and no individual may be appointed under this subdivision more than one time in a 2-year period.

**SECTION 89.** 7.315 (3) of the statutes is amended to read:

7.315 (3) The board may produce and periodically reissue as necessary a video program for the purpose of training election officials, including special voting deputies and special registration deputies election registration officials. The board shall make any such program available for viewing electronically through an Internet-based system.

**SECTION 90.** 7.315 (3) of the statutes, as affected by 2015 Wisconsin Act .... (this act), is repealed and recreated to read:

7.315 (3) The commission may produce and periodically reissue as necessary a video program for the purpose of training election officials, including special voting deputies and election registration officials. The commission shall make any such program available for viewing electronically through an Internet-based system.

**SECTION 91.** 7.315 (4) of the statutes is created to read:

7.315 (4) Election registration officials shall receive the training as provided under this section for inspectors, other than chief inspectors.

**SECTION 92.** 7.37 (13) of the statutes is amended to read:

7.37 (13) CLOSING OF POLLS. For each polling place, the municipal clerk shall designate an official of the municipality who shall position himself or herself at the end of the line of individuals waiting to vote, if any, at the time that the polls officially close. The official may be an appointed inspector or ~~special registration deputy appointed under s. 6.55 (6)~~ who serves at that polling place, an employee of the municipal clerk or a police officer. Only individuals in line ahead of the official shall be permitted to vote under s. 6.78 (4).

**SECTION 93.** 7.51 (4) (c) of the statutes is created to read:

7.51 (4) (c) On election night the municipalities shall report the returns, by ward or reporting unit, to the county clerk no later than 2 hours after the votes are tabulated.

**SECTION 94.** 7.51 (5) (b) of the statutes is amended to read:

7.51 (5) (b) The municipal clerk shall deliver all ballots, statements, tally sheets, lists, and envelopes relating to a school district election to the school district clerk, ~~excluding any absentee ballots that are received after the closing hour on election night and~~ any provisional ballots, by 4 p.m. on the day following each such election and shall deliver to the school district clerk any amended statements, tally sheets, and lists for additional provisional ~~and absentee~~ ballots canvassed under s. 6.97 (4) ~~or 7.515 (6) (b)~~ no later than 4 p.m. on the Monday after the election. The municipal clerk shall deliver to the county clerk the ballots, statements, tally sheets, lists, and envelopes for his or her municipality relating to any county, technical college district, state, or national election no later than 4 p.m. on the day following each such election or, in municipalities where absentee ballots are canvassed under s. 7.52, by 4 p.m. on the 2nd day following each such election, and shall deliver to the county clerk any additional provisional ~~and absentee~~ ballots canvassed under s. 6.97 (4) ~~or 7.515 (6) (b)~~ together with amended statements, tally sheets, lists, and envelopes no later than 4 p.m. on the Monday after the election. The person delivering the returns shall be paid out of the municipal treasury. Each clerk shall retain ballots, statements, tally sheets, or envelopes received by the clerk until destruction is authorized under s. 7.23 (1).

**SECTION 95.** 7.515 of the statutes is repealed.

**SECTION 96.** 7.53 (1) (a) of the statutes, as affected by 2015 Wisconsin Act 37, is amended to read:

7.53 (1) (a) Where the municipality constitutes one ward or combines all wards to utilize a single polling place under s. 5.15 (6) (b), the canvass of the votes cast at the polling place shall be conducted publicly under s. 7.51 and the inspectors, other than any inspector appointed under s. 7.30 (1) (b), shall act as the municipal board of canvassers. The inspectors shall then complete the return statement for all votes cast at the polling place.

If there are no provisional ballots that are eligible to be counted under s. 6.97 ~~and the municipal clerk has not mailed or transmitted absentee ballots to any electors of the municipality that have not been returned by election night,~~ and no absentee ballots are being canvassed under s. 7.52, the inspectors may complete and sign the canvass statement and determination on election night. In municipalities where absentee ballots are canvassed under s. 7.52, after the canvass of the absentee ballots is completed under s. 7.52, the board of absentee ballot canvassers shall reconcile the poll list of the electors who vote by absentee ballot with the corresponding poll list of the electors who vote in person to ensure that no elector is allowed to cast more than one ballot. If an elector who votes in person has submitted an absentee ballot, the absentee ballot is void. Except as authorized in par. (b), if one or more electors of the municipality have cast provisional ballots that are eligible to be counted under s. 6.97 ~~or if the municipal clerk receives one or more absentee ballots by 4 p.m. on the Friday after the election that are eligible to be counted under s. 7.515 (6) (b),~~ the inspectors, acting as the board of canvassers, shall reconvene no later than 9 a.m. on the Monday after the election to count the valid provisional ~~and absentee~~ ballots and shall adjust the returns accordingly. The inspectors, acting as the board of canvassers, need not reconvene if the municipal clerk certifies that he or she has received no provisional ~~or absentee~~ ballots from the time that the board of canvassers completed the initial canvass and 4 p.m. on the Friday after the election. Upon completion of the canvass under this paragraph and any canvass that is conducted under s. 7.52 and ascertainment of the results by the inspectors or, in municipalities where absentee ballots are canvassed under s. 7.52, by the inspectors and the board of absentee ballot canvassers, the municipal clerk shall publicly read to the inspectors or the board of absentee ballot canvassers the names of the persons voted for and the number of votes for each person for each municipal office, the names of the persons declared by the inspectors or board of absentee ballot canvassers to have won nomination or election to each municipal office, and the number of votes cast for and against each municipal referendum question.

**SECTION 97.** 7.53 (3) (a) of the statutes is amended to read:

7.53 (3) (a) In a common, union high or unified school district, the school district clerk shall appoint 2 qualified electors of the school district prior to the date of the election being canvassed who shall, with the school district clerk, constitute the school district board of canvassers. If the school district clerk is a candidate at the election being canvassed, the other 2 members of the board of canvassers shall designate a 3rd member to serve in lieu of the clerk for that election. The school district clerk shall appoint a member to fill any other temporary vacancy on the board of canvassers. The canvass shall

begin no later than 9 a.m. on the Tuesday after the election, and shall continue, without adjournment, until completed. The board of canvassers may return defective returns to the municipal board of canvassers in the manner provided in s. 7.60 (3). If the board of canvassers meets before 4 p.m. on the Monday after the election and thereafter receives amended statements, tally sheets, and lists from a municipal clerk for provisional or absentee ballots that are eligible to be counted under s. 6.97 (4) or 7.515 (6) (b), the board of canvassers shall reconvene no later than 9 a.m. on the Tuesday after the election and shall adjust the returns accordingly. No later than 4 p.m. on the Tuesday after the election, the board of canvassers shall complete the canvass and shall prepare a written statement showing the numbers of votes cast for each person for each office and for and against each question and shall prepare a determination showing the names of the persons who are elected to the school board and the results of any school district referendum. Following each primary election, the board of canvassers shall prepare a statement certifying the names of the persons who have won nomination to the school board. Each statement and determination shall be attested by each of the canvassers. The board of canvassers shall file each statement and determination in the school district office. The school district clerk shall certify nominations after each primary and issue certificates of election to persons who are elected to the school board after each election in the manner provided in sub. (4).

**SECTION 98.** 7.60 (1) of the statutes is amended to read:

7.60 (1) **KEEP OFFICE OPEN.** On election night the county clerk shall keep the clerk's office open to receive reports from the ward inspectors and shall post all returns. On election night the clerk shall post all returns, by ward or reporting unit, on an Internet site maintained by the county no later than 2 hours after receiving the returns.

**SECTION 99.** 9.01 (1) (a) 1. of the statutes is amended to read:

9.01 (1) (a) 1. Any candidate voted for at any election or any elector who voted upon any referendum question at any election may petition for a recount. The petitioner shall file a verified petition or petitions with the proper clerk or body under par. (ar) not earlier than the time of completion of the canvass following canvassing of any valid provisional and absentee ballots under ss. 6.97 (4) and 7.515 (6) and, except as provided in this subdivision, not later than 5 p.m. on the 3rd business day following the last meeting day of the municipal or county board of canvassers determining the election for that office or on that referendum question following canvassing of all valid provisional and absentee ballots or, if more than one board of canvassers makes the determination, not later than 5 p.m. on the 3rd business day following the last meeting day of the last board of canvassers which makes

a determination following canvassing of all valid provisional and absentee ballots. If the chairperson of the board or chairperson's designee makes the determination for the office or the referendum question, the petitioner shall file the petition not earlier than the last meeting day of the last county board of canvassers to make a statement in the election or referendum following canvassing of all valid provisional and absentee ballots and not later than 5 p.m. on the 3rd business day following the day on which the government accountability board receives the last statement from a county board of canvassers for the election or referendum following canvassing of all valid provisional and absentee ballots.

**SECTION 100.** 9.01 (1) (a) 1. of the statutes, as affected by 2015 Wisconsin Acts 118 and .... (this act), is repealed and recreated to read:

9.01 (1) (a) 1. Any candidate voted for at any election or any elector who voted upon any referendum question at any election may petition for a recount. The petitioner shall file a verified petition or petitions with the proper clerk or body under par. (ar) not earlier than the time of completion of the canvass following canvassing of any valid provisional ballots under s. 6.97 (4) and, except as provided in this subdivision, not later than 5 p.m. on the 3rd business day following the last meeting day of the municipal or county board of canvassers determining the election for that office or on that referendum question following canvassing of all valid provisional ballots or, if more than one board of canvassers makes the determination, not later than 5 p.m. on the 3rd business day following the last meeting day of the last board of canvassers which makes a determination following canvassing of all valid provisional ballots. If the commission chairperson or chairperson's designee makes the determination for the office or the referendum question, the petitioner shall file the petition not earlier than the last meeting day of the last county board of canvassers to make a statement in the election or referendum following canvassing of all valid provisional ballots and not later than 5 p.m. on the 3rd business day following the day on which the commission receives the last statement from a county board of canvassers for the election or referendum following canvassing of all valid provisional ballots.

**SECTION 100m.** 11.1101 (4) of the statutes is created to read:

11.1101 (4) **OTHER PERSONS.** A person, other than a person subject to sub. (1), (2), or (3) or s. 11.1112, may contribute to a candidate committee no more than the following amounts specified for the candidate whose nomination or election the committee supports:

- (a) Candidates for governor, \$86,000.
- (b) Candidates for lieutenant governor, \$26,000.
- (c) Candidates for attorney general, \$44,000.
- (d) Candidates for secretary of state, state treasurer, state superintendent, or justice, \$18,000.
- (e) Candidates for state senator, \$2,000.

(f) Candidates for representative to the assembly, \$1,000.

(g) Candidates for court of appeals judge in districts that contain a county having a population of more than 500,000, \$6,000.

(h) Candidates for court of appeals judge in other districts, \$5,000.

(i) Candidates for circuit judge in circuits having a population of more than 300,000, or candidates for district attorney in prosecutorial units having a population of more than 300,000, \$6,000.

(j) Candidates for circuit judge in other circuits or candidates for district attorney in other prosecutorial units, \$2,000.

(k) Candidates for local offices, an amount equal to the greater of the following:

1. Four hundred dollars.

2. Two cents times the number of inhabitants of the jurisdiction or district, according to the latest federal census or the census information on which the district is based, as certified by the appropriate filing officer, but not more than \$5,000.

**SECTION 100n.** 11.1104 (3) (b) of the statutes, as affected by [2015 Wisconsin Act 117](#), is amended to read:

11.1104 (3) (b) A political action committee or a person subject to the limits under s. 11.1101 (4) may contribute no more than \$12,000 in any calendar year to a legislative campaign committee.

**SECTION 100p.** 11.1104 (4) (b) of the statutes, as affected by [2015 Wisconsin Act 117](#), is amended to read:

11.1104 (4) (b) A political action committee or a person subject to the limits under s. 11.1101 (4) may contribute no more than \$12,000 in any calendar year to a political party.

**SECTION 101.** 11.1104 (6) of the statutes, as affected by [2015 Wisconsin Act 117](#), is amended to read:

11.1104 (6) Contributions paid to a segregated fund established and administered by a political party or legislative campaign committee for purposes other than making contributions to a candidate committee or making disbursements for express advocacy, except that a political action committee or a person subject to s. 11.1101 (4) may contribute no more than \$12,000 in any calendar year to such a fund.

**SECTION 102.** 17.29 of the statutes is amended to read:

**17.29 Effect of chapter.** The provisions of this chapter supersede all contrary provisions in either the general law or in special acts, except ss. ~~6.26 (2) (b)~~, 6.55 (6), 6.875, and 7.30 relating to appointed election officials and ch. 321 relating to the military staff of the governor and to officers of the Wisconsin national guard or state defense force; and shall govern all offices whether created by general law or special act, unless otherwise specially provided.

**SECTION 103.** 19.42 (10) (ab) of the statutes is created to read:

19.42 (10) (ab) A member or employee of the ethics commission.

**SECTION 104.** 19.42 (13) (p) of the statutes is created to read:

19.42 (13) (p) All members of the elections commission and all members of the ethics commission.

**SECTION 105.** 85.61 (1) of the statutes is amended to read:

85.61 (1) The secretary of transportation and the administrator of the elections division of the government accountability board shall enter into an agreement to match personally identifiable information on the official registration list maintained by the government accountability board under s. 6.36 (1) and the information specified in s. 6.34 (2m) with personally identifiable information in the operating record file database under ch. 343 and vehicle registration records under ch. 341 to the extent required to enable the secretary of transportation and the administrator of the elections division of the government accountability board to verify the accuracy of the information provided for the purpose of voter registration.

**SECTION 106.** 85.61 (1) of the statutes, as affected by [2015 Wisconsin Acts 118](#) and .... (this act), is repealed and recreated to read:

85.61 (1) The secretary of transportation and the administrator of the elections commission shall enter into an agreement to match personally identifiable information on the official registration list maintained by the commission under s. 6.36 (1) and the information specified in s. 6.34 (2m) with personally identifiable information in the operating record file database under ch. 343 and vehicle registration records under ch. 341 to the extent required to enable the secretary of transportation and the administrator of the elections commission to verify the accuracy of the information provided for the purpose of voter registration.

**SECTION 107.** 343.027 of the statutes is amended to read:

**343.027 Confidentiality of signatures.** Any signature collected under this chapter may be maintained by the department and shall be kept confidential, except that the department shall release a signature or a facsimile of a signature to the department of revenue for the purposes of administering state taxes and collecting debt, to the government accountability board, in electronic or digital format, for the purposes specified in s. 6.30 (5), to the person to whom the signature relates, to a court, district attorney, county corporation counsel, city, village, or town attorney, law enforcement agency, or to the driver licensing agency of another jurisdiction.

**SECTION 108.** 343.027 of the statutes, as affected by 2015 Wisconsin Act ... (this act), is repealed and recreated to read:

**343.027 Confidentiality of signatures.** Any signature collected under this chapter may be maintained by the department and shall be kept confidential, except that the department shall release a signature or a facsimile of a signature to the department of revenue for the purposes of administering state taxes and collecting debt, to the elections commission, in electronic or digital format, for the purposes specified in s. 6.30 (5), to the person to whom the signature relates, to a court, district attorney, county corporation counsel, city, village, or town attorney, law enforcement agency, or to the driver licensing agency of another jurisdiction.

**SECTION 109. Nonstatutory provisions.**

(1) No later than the 20th day following the end of each calendar quarter, the government accountability board, or the elections commission, and the department of transportation shall each report to the appropriate standing committees of the legislature in the manner provided in section 13.172 (3) of the statutes concerning its progress in implementing an electronic voter registration system. The board or commission and the department shall continue to file reports under this subsection until the board or commission determines that implementation is complete and the performance of the system is satisfactory. The board or commission and the department shall

ensure that the implementation is complete and the performance of the system is satisfactory before the spring primary in 2017. The board or commission shall notify the legislative reference bureau of the date on which the implementation is complete and the performance satisfactory.

**SECTION 110. Initial applicability.**

(1) The treatment of sections 6.22 (5), 6.25 (1) (a) and (b), 6.87 (6) and (6d), 7.51 (5) (b), 7.515, 7.53 (1) (a) and (3) (a), and 9.01 (1) (a) 1. (by SECTION 99) of the statutes first applies to elections held no earlier than 6 months after the effective date of this subsection.

(2) The treatment of section 6.34 (3) (a) 12. of the statutes first applies to registration applications filed on the effective date of this subsection.

**SECTION 111. Effective dates.** This act takes effect on the day after publication, except as follows:

(1) The repeal and recreation of sections 5.05 (14) (b) and (c) and (18), 5.056, 5.91 (intro.), 6.24 (3), 6.30 (4) and (5), 6.32, 6.33 (1) and (5) (a), 6.34 (2m) and (4), 6.35 (2), 6.36 (1) (a) (intro.), 4., and 9., (am), (b) 1. a. and (6), 6.55 (2) (cs), 6.79 (1m), 7.08 (1) (c), 7.31 (1), 7.315 (1) (a) and (3), 9.01 (1) (a) 1., 85.61 (1), and 343.027 of the statutes and the creation of section 19.42 (10) (ab) and (13) (p) of the statutes take effect on June 30, 2016.

(2) The repeal of section 6.26 of the statutes takes effect on the day on which the legislative reference bureau receives notice under SECTION 109 of this act.

# WISCONSIN ELECTIONS COMMISSION

212 EAST WASHINGTON AVENUE, 3RD FLOOR  
POST OFFICE BOX 7984  
MADISON, WI 53707-7984  
(608) 261-2028  
ELECTIONS@WI.GOV  
ELECTIONS.WI.GOV



COMMISSIONERS

BEVERLY R. GILL  
JULIE M. GLANCEY  
ANN S. JACOBS  
STEVE KING  
DON MILLIS

ADMINISTRATOR MICHAEL HAAS

MARK L. THOMSEN, CHAIR

---

**DATE:** December 30, 2016

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

**FROM:** Michael Haas  
Interim Administrator

Meagan McCord Wolfe  
Elections Specialist

**SUBJECT:** Online Voter Registration and the Elimination of Special Registration Deputies

The Wisconsin Elections Commission is excited to announce that the State's Online Voter Registration system (OVR) will launch for public use on January 9, 2017. The transition to OVR will streamline voter registration and create efficiencies for both clerks and voters. This communication will lay out the background of online voter registration in Wisconsin, outline what the new OVR system will look like, describe how the change to OVR will impact clerks, voters, and Special Registration Deputies, as well as identify the OVR training resources available.

## **Overview and Background of Online Voter Registration (OVR)**

The WEC will be implementing OVR in accordance with Wis. Stat. § 6.30(5) as required by 2015 Wisconsin Act 261. State law now provides that eligible voters who hold a valid State of Wisconsin Driver License or State ID Card (WI DL/ID) that has their current name and address on file with the Wisconsin Department of Motor Vehicles (WI DMV) can register to vote online. The WEC's OVR system will be added as a feature to the existing "Register to Vote" functionalities of the My Vote Wisconsin website (MyVote.wi.gov).

When a voter uses the OVR system, their name, date of birth, WI DL/ID number, and zip code will be compared with the voter's information on file with the WI DMV. If the information the voter enters on MyVote matches the information on file with WI DMV, the voter will be able to register to vote online, and will not need to print, mail, or sign their registration form or provide proof of residence (POR). The system's confirmation that the individual holds a valid Wisconsin Driver License or State ID Card satisfies the POR requirement. If they are unable to make a match with WI DMV, then they will still have the option to print, sign, and deliver their registration form to their clerk along with POR.

As part of the law, the WEC must implement the OVR system in time for the February 21, 2017 Spring Primary. The date of January 9, 2017 was chosen as the OVR launch date as it will give voters about 3 weeks to utilize the OVR system during the open registration period before the February Primary. Voters will only be able to register online during open registration which occurs

in the 20 days or more prior to an election. For the February 21, 2017 Primary, online voter registration will close on February 1, 2017. If a voter chooses to register using MyVote after that date, their online registration will either be valid for future elections or they can continue with the process to complete their form and then print and deliver it along with POR to their clerk's office or the polling place.

### **Clerks and OVR- Impact and Resources**

The OVR system should benefit clerks by reducing work and saving time. One of the largest advantages of an OVR system is that OVR records are entered directly into WisVote for voters who successfully register online. This will save clerks time and resources that were previously needed to enter voter registration applications into WisVote. The clerk will not need to update or change the voters' record or insert proof of residence information when a voter successfully submits an OVR.

Wisconsin State Statute §6.30(5) also states that once an OVR system is implemented in the State of Wisconsin, the role of Special Registration Deputy (SRD) is eliminated. Beginning on January 9, 2017 SRD's will no longer be able to verify proof of residence and submit voter registration forms on behalf of voters. If a municipal clerk receives a voter registration application where the POR has been verified by an SRD that is received or postmarked on or after January 9, 2017, the clerk may not accept the form as a valid registration. Former SRD's and voter advocacy groups may still conduct voter registration drives, but their role in voter registration process will change. More information on the impact OVR will have on SRD's and resources available to former SRD groups is available below.

Clerks will receive an email notification from MyVote when a voter completes an OVR. The email will be sent to the "notification email" address(es) listed in the municipal record within WisVote. OVR notifications will be sent to the same email address currently used to receive MyVote absentee ballot applications. If you wish to update where MyVote notifications are sent, please email [elections@wi.gov](mailto:elections@wi.gov).

MyVote OVR notifications are only an acknowledgement that a voter has registered; no immediate action is required on the clerk's part. Municipalities who are WisVote self-providers may choose to ignore the OVR notifications and rely on the voter records in WisVote. Municipalities who do not use WisVote ("relied" clerks) may wish to print this notification for their records, although this is not required. WisVote relied clerks will want to pay particular attention to the OVR notifications, especially to ensure that absentee ballot requests from voters who registered online are properly processed. Receiving an OVR notification means that the voter is now registered to vote and can request an absentee ballot. A sample of the email notification that will be sent to clerks is attached to this communication. As voters may complete an OVR only during open registration, the voter will appear on the poll book that is printed for Election Day.

Municipalities who are WisVote self-providers or providers will need to pay close attention to reports in WisVote that flag new OVR records so that they can merge new voter records with existing voter records. WEC staff will be posting WisVote tutorials as well as updating the WisVote manual to reflect OVR changes. As the WEC continues to develop and improve the OVR system and its relationship to the WisVote system, improvements on voter matching and merging will be made throughout 2017. The WEC hopes that in the future WisVote and MyVote can be enhanced to automatically merge existing and new voter records based on reliable indicators. While the automatic merging of WisVote OVR records will not be part of the January 9 launch, the OVR system that launches on January 9 will include multiple checks to minimize duplicate voter records. One

safeguard against duplicate voter records is that MyVote will submit the voter's WI DL/ID number to WisVote to see if there is already an OVR voter in the system with the same WI DL/ID number. If the WI DL/ID number has already been used to create an OVR record, MyVote will not allow the user to create another record using that WI DL/ID for 10 days. This will prevent voters from intentionally, or unintentionally, creating multiple OVR voter records in WisVote.

In addition to the updated WisVote tutorials and WisVote manuals, WEC is also creating a number of resources that clerks can use to familiarize themselves with the OVR system. A pre-recorded webinar to give clerks an overview of OVR system will be posted on January 6, 2016. WEC will also be posting an updated version of the MyVote Manual, to include an OVR chapter. There will also be a follow up live OVR webinar that will be held after the February Primary in which WEC staff can address any issues discovered during the launch and discuss future OVR enhancements.

### **Voters and OVR- Impact and Resources**

Voters who have utilized the MyVote.wi.gov website in the past will notice very little change to the website. Voters will still click on "Register to Vote" or "Update My Name or Address" from the homepage to initiate the registration process. During the registration process, the voter will have the option to register completely online, without needing to print or deliver their form, if they are able to match their information with WI DMV. Voters who do not have a current WI DL/ID will still be able to complete their voter registration form on MyVote and will then be given instructions on how to print, sign and deliver their form to their clerk or polling place along with proof of residence.

When a voter enters their name, date of birth, and WI DL/ID number into MyVote the voter must type this information exactly as it appears on their WI DL/ID card. If a voter needs to update their name with WI DMV, the MyVote site will inform them that their name does not match what is on file with WI DMV and they will need to appear in person at the DOT office to change their name before proceeding. However, many voters' address information on their DOT product may be outdated because many people update their address with WI DMV but they do not receive a new WI DL/ID showing their new address. In this instance, the voter will need to enter the last address they have on file with the WI DMV in order to proceed with OVR.

The MyVote OVR system is designed to show voters an error message when their information does not match WI DMV's data. If the voter's zip code does not match what is on file with WI DMV, the voter will be given a link to update their address online through WI DMV's website. Once the voter has updated their address with WI DMV, the voter will be able to start a new OVR application upon returning to the MyVote website. The error message then allows the voter to either correct the information they have typed on the screen, contact the DMV, or proceed to register to vote manually by printing and delivering their form along with POR to their clerk.

When a voter successfully completes an OVR using MyVote, they will have the option to print, save or receive by email a "Certificate of Registration." The certificate of registration is a record the voter can keep as proof they registered to vote online. The Certificate contains much of the same information and serves a similar purpose as the EL-133 form given to a voter who registers to vote in the clerk's office during closed registration. Voters might present their OVR Certificate of Registration at the polls or when voting by absentee ballot but are not required to do so; clerks and election inspectors should continue to validate registrations using current procedures before issuing an absentee ballot or Election Day ballot.

## **Special Registration Deputies ( SRDs)- Impact and Resources**

With the launch of the OVR system on January 9 the role of SRDs is eliminated. Many groups that have historically worked as SRDs may now be wondering what role they can play in registering voters. Beginning on January 9, 2017 former SRDs may no longer sign voter registration applications verifying proof of residence. However, these individuals may still be interested in facilitating voter registration and holding voter registration drives.

After January 8, 2017 former SRDs may choose to help WI DL/ID holders register to vote online through MyVote, help voters complete a registration form on MyVote that will need to be delivered to the clerk along with proof of residence, or they can help a voter complete a paper registration form that will then need to be delivered to the voter's municipal clerk along with proof of residence. Additional guidance for former SRD groups, including a video of how to assist voters with the new OVR system, will be posted to clerk communications prior to January 9. Because each municipality maintains a list of certified SRDs, WEC asks that municipal clerks reach out to SRDs in their municipality to inform them of the elimination of the SRD role and to point them to the OVR training resources once they are available. A template letter to use to contact former SRDs can be found as an attachment to this communication.

## **Summary of OVR**

The WEC thanks all municipal clerks for their attention and patience as the new OVR application is implemented. As with the launch of any new application, there will be opportunities to improve the process. WEC looks forward to hearing feedback from both clerks and voters. The ultimate goal of the OVR project is to make registering to vote easier and more efficient for both clerks and voters. Please contact WEC at [elections@wi.gov](mailto:elections@wi.gov) or at (608) 261-2028 with any questions, concerns or comments about the OVR process.

# WISCONSIN ELECTIONS COMMISSION

212 EAST WASHINGTON AVENUE, 3RD FLOOR  
POST OFFICE BOX 7984  
MADISON, WI 53707-7984  
(608) 261-2028  
ELECTIONS@WI.GOV  
ELECTIONS.WI.GOV



COMMISSIONERS

BEVERLY R. GILL  
JULIE M. GLANCEY  
ANN S. JACOBS  
STEVE KING  
DON MILLIS

ADMINISTRATOR MICHAEL HAAS

MARK L. THOMSEN, CHAIR

**DATE:** January 9, 2017

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

**FROM:** Michael Haas  
Interim Administrator

Allison Coakley  
Training Coordinator

**SUBJECT:** Elimination of SRDs and the Appointment of Election Registration Officials

As required by 2015 Wisconsin Act 295, today's launch of the MyVote Online Voter Registration system eliminates the role of Special Registration Deputies in registering voters in Wisconsin. As we communicated earlier, starting today SRDs may no longer sign voter registration applications verifying proof of residence.

Municipal clerks may appoint Election Registration Officials (EROs) to register voters in three locations: at the polling place on Election Day, in the clerk's office during in-person absentee voting (ending at 5:00 p.m. the Friday before the election) and at residential care facilities and retirement homes during open registration.

Clerks who wish to use an existing SRD to register voters in one of the above locations must appoint the SRD as an Election Registration Official. EROs must receive training and take an oath of office. The current term for EROs is 2015-2017. They are not assigned numbers as were SRDs and do not have to fill out additional documentation. A training presentation has been attached to this communication on our website for clerks to use to train EROs and election inspectors to register voters.

If you have questions, please contact Allison Coakley: [allison.coakley@wi.gov](mailto:allison.coakley@wi.gov) or (608) 261-2033. Thank you.

# WISCONSIN ELECTIONS COMMISSION

212 EAST WASHINGTON AVENUE, 3RD FLOOR  
POST OFFICE BOX 7984  
MADISON, WI 53707-7984  
(608) 261-2028  
ELECTIONS@WI.GOV  
ELECTIONS.WI.GOV



COMMISSIONERS

BEVERLY R. GILL  
JULIE M. GLANCEY  
ANN S. JACOBS  
STEVE KING  
DON MILLIS

MARK L. THOMSEN, CHAIR

ADMINISTRATOR MICHAEL HAAS

Sent via email: [LRB.Legal@legis.wisconsin.gov](mailto:LRB.Legal@legis.wisconsin.gov)

January 12, 2017

Wisconsin Legislative Reference Bureau  
1 East Main Street, Ste. 200  
Madison, WI 53703

**Re: Notice to Wisconsin Legislative Reference Bureau Pursuant to 2015 Wisconsin Act 261**

Dear Wisconsin Legislative Reference Bureau:

Among the statutory changes included in 2015 Wisconsin Act 261 ("Act 261") was the requirement that the Wisconsin Elections Commission implement an "electronic voter registration system" prior to the 2017 Spring Primary. The nonstatutory provisions of Act 261 (Section 109) states that the Wisconsin Elections Commission ("Commission") "shall notify the legislative reference bureau of the date on which the implementation is complete and the performance satisfactory." This communication is intended to provide the Legislative Reference Bureau with the required notice that the Commission's electronic voter registration system successfully "went live" on Monday, January 9, 2017. See the Commission's announcement of the launch addressed to local election officials here: <http://elections.wi.gov/node/4879>

Based on testing the performance of the new system in a test environment prior to launch, and in the live production environment over the past several days, Elections Commission staff is now prepared to communicate to the Legislative Reference Bureau that the new system's performance is satisfactory. The Bureau's receipt of this notice also determines the date that the office of special registration deputy is eliminated pursuant to Section 111(2) of Act 261.

If you have any questions regarding this notice, please contact me.

Sincerely,

**Michael Haas**  
Interim Administrator  
Wisconsin Elections Commission