



2013 SENATE BILL 324

October 2, 2013 - Introduced by Senator GROTHMAN, cosponsored by Representatives STROEBEL, BIES, STRACHOTA, CRAIG, RIPP, LEMAHIEU, SPIROS, KLEEFISCH, SANFELIPPO, T. LARSON, WEATHERSTON, NASS and A. OTT. Referred to Elections and Urban Affairs.

1 **AN ACT to amend** 6.86 (1) (b); and **to create** 6.86 (1) (bb) of the statutes; **relating**
2 **to:** limiting the times for voting by absentee ballots in person.

Analysis by the Legislative Reference Bureau

Under current law, a person may apply to the municipal clerk in person to vote using an absentee ballot. In-person applications to vote using an absentee ballot may be made beginning on the third Monday preceding the election and ending on the later of 5 p.m. or the close of business on the Friday preceding the election.

Under this substitute amendment, in-person applications to vote using absentee ballots may only be received Monday to Friday between the hours of 7:30 a.m. and 6 p.m., except that an individual may make an appointment with the actual city, town, or village clerk, as appropriate, so that the clerk, not a member of the clerk's staff or a designated agent, may receive the individual's application made in person after 6 p.m. or anytime on Saturday or Sunday, not including the Saturday and Sunday after the Friday preceding the election.

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

3 **SECTION 1.** 6.86 (1) (b) of the statutes is amended to read:
4 6.86 (1) (b) Except as provided in this section, if application is made by mail,
5 the application shall be received no later than 5 p.m. on the 5th day immediately

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1 preceding the election. If Except as provided in par. (bb), if application is made in
2 person, the application shall be made no earlier than the opening of business on the
3 3rd Monday preceding the election and no later than ~~5 p.m. or the close of business,~~
4 ~~whichever is later,~~ 6 p.m. on the Friday preceding the election. Except as provided
5 in par. (c), if the elector is making written application for an absentee ballot at the
6 partisan primary, the general election, the presidential preference primary, or a
7 special election for national office, and the application indicates that the elector is
8 a military elector, as defined in s. 6.34 (1), the application shall be received by the
9 municipal clerk no later than 5 p.m. on election day. If the application indicates that
10 the reason for requesting an absentee ballot is that the elector is a sequestered juror,
11 the application shall be received no later than 5 p.m. on election day. If the
12 application is received after 5 p.m. on the Friday immediately preceding the election,
13 the municipal clerk or the clerk's agent shall immediately take the ballot to the court
14 in which the elector is serving as a juror and deposit it with the judge. The judge shall
15 recess court, as soon as convenient, and give the elector the ballot. The judge shall
16 then witness the voting procedure as provided in s. 6.87 and shall deliver the ballot
17 to the clerk or agent of the clerk who shall deliver it to the polling place or, in
18 municipalities where absentee ballots are canvassed under s. 7.52, to the municipal
19 clerk as required in s. 6.88. If application is made under sub. (2) or (2m), the
20 application may be received no later than 5 p.m. on the Friday immediately
21 preceding the election.

22 **SECTION 2.** 6.86 (1) (bb) of the statutes is created to read:

23 6.86 (1) (bb) An application made in person may only be received Monday to
24 Friday between the hours of 7:30 a.m. and 6 p.m, except that an individual may make
25 an appointment with the actual city, town, or village clerk, as appropriate, so that,

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1 notwithstanding s. 7.21 (1), the clerk, not a member of the clerk's staff or a designated
2 agent, may receive the individual's application made in person after 6 p.m. or
3 anytime on Saturday or Sunday, not including the Saturday and Sunday after the
4 Friday preceding the election.

5 **SECTION 3. Initial applicability.**

6 (1) This act first applies to elections held no earlier than 60 days after the
7 effective date of this subsection.

8 (END)