



2013 SENATE BILL 91

March 20, 2013 - Introduced by Senators HARRIS, CARPENTER, C. LARSON, HANSEN, LEHMAN, L. TAYLOR, RISSER, SHILLING and T. CULLEN, cosponsored by Representatives PASCH, JOHNSON, SARGENT, GENRICH, DOYLE, HESSELBEIN, MASON, HEBL, RINGHAND, BERCEAU, WACHS, POPE, SHANKLAND, BEWLEY, C. TAYLOR, ZAMARRIPA, RIEMER, RICHARDS, BARNES, SMITH, GOYKE, KOLSTE, OHNSTAD, BILLINGS, WRIGHT, KAHL, HINTZ, JORGENSEN, ZEPNICK, CLARK, YOUNG and BARCA. Referred to Elections and Urban Affairs.

1 **AN ACT** *to amend* 6.855 (title), 6.855 (1), 6.855 (2), 7.15 (2m), 10.01 (2) (e) and
2 12.03 (1); and *to create* 6.86 (1) (ad) of the statutes; **relating to:** alternate sites
3 for absentee voting in person.

Analysis by the Legislative Reference Bureau

Currently, the governing body of a municipality may designate a single alternate site for absentee voting in person by electors of the municipality. If designated, this site serves in lieu of the office of the municipal clerk or board of election commissioners as the site where absentee voting is conducted for the election at which the designation is made.

This bill permits the governing body of a municipality to designate more than one alternate site for absentee voting in person by electors of the municipality. Under the bill, an alternate site may be used for absentee voting in addition to or in lieu of use of the office of the municipal clerk or board of election commissioners. The bill also directs a municipality that designates an alternate site for absentee voting at an election to notify the Government Accountability Board in writing of its designation.

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

4 **SECTION 1.** 6.855 (title) of the statutes is amended to read:

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1 **6.855** (title) **Alternate absentee ballot site sites.**

2 **SECTION 2.** 6.855 (1) of the statutes is amended to read:

3 6.855 (1) The governing body of a municipality may elect to designate ~~a site~~
4 one or more sites other than the office of the municipal clerk or board of election
5 commissioners as ~~the a~~ location from which electors of the municipality may request
6 and vote absentee ballots and to which voted absentee ballots shall may be returned
7 by electors for any election. ~~The designated site shall be located as near as~~
8 ~~practicable to the office of the municipal clerk or board of election commissioners and~~
9 ~~no~~ No alternate site may be designated that affords an advantage to any political
10 party. An election by a governing body to designate an alternate site under this
11 section shall be made no fewer than 14 days prior to the time that absentee ballots
12 are available for the primary under s. 7.15 (1) (cm), if a primary is scheduled to be
13 held, or ~~at least~~ no fewer than 14 days prior to the time that absentee ballots are
14 available for the election under s. 7.15 (1) (cm), if a primary is not scheduled to be
15 held, and shall remain in effect until at least the day after the election. ~~If the~~
16 ~~governing body of a municipality makes an election under this section, no function~~
17 ~~related to voting and return of absentee ballots that is to be conducted at the~~
18 ~~alternate site may be conducted in the office of the municipal clerk or board of~~
19 ~~election commissioners~~ An alternate site may be used for absentee voting in addition
20 to or in lieu of use of the office of the municipal clerk or board of election
21 commissioners. No later than the latest time specified in this subsection for
22 designation of an alternate site for absentee voting at an election, a municipality
23 designating an alternate site shall provide written notice to the board of the
24 designation of the site, the address of the site, and the election at which it will be in
25 operation.

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1 **SECTION 3.** 6.855 (2) of the statutes is amended to read:

2 6.855 (2) The municipal clerk or board of election commissioners shall
3 prominently display a notice of the designation of the each alternate site selected
4 under sub. (1) in the office of the municipal clerk or board of election commissioners
5 beginning on the date that the site is designated under sub. (1) and continuing
6 through the period that absentee ballots are available for the election and for any
7 primary under s. 7.15 (1) (cm). The notice shall specify the days and hours of
8 operation of each alternate site and the days and hours of operation of the office of
9 the municipal clerk or board of election commissioners. If the municipal clerk or
10 board of election commissioners maintains a Web site on the Internet, the clerk or
11 board of election commissioners shall post a notice of the designation of the each
12 alternate site selected under sub. (1) on the Web site during the same period that
13 notice is displayed in the office of the clerk or board of election commissioners.

14 **SECTION 4.** 6.86 (1) (ad) of the statutes is created to read:

15 6.86 (1) (ad) The board shall prescribe the form of applications for absentee
16 ballots by electors who vote in person at the office of the municipal clerk or an
17 alternate site designated under s. 6.855.

18 **SECTION 5.** 7.15 (2m) of the statutes is amended to read:

19 7.15 (2m) OPERATION OF ALTERNATE ABSENTEE BALLOT SITE. In a municipality in
20 which the governing body has elected to establish ~~an~~ one or more alternate absentee
21 ballot site sites under s. 6.855, the municipal clerk shall operate such site as though
22 it were his or her office for absentee ballot purposes and shall ensure that such site
23 is adequately staffed.

24 **SECTION 6.** 10.01 (2) (e) of the statutes is amended to read:

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SECTION 6

1 10.01 (2) (e) Type E — The type E notice shall state the qualifications for
2 absentee voting, the procedures for obtaining an absentee ballot in the case of
3 registered and unregistered voters, the places ~~and the deadlines for application and~~
4 ~~return of application~~ where electors may cast absentee ballots in person, including
5 any alternate site or sites designated under s. 6.855, the deadlines for making
6 application for and return of absentee ballots, and the office hours during which an
7 elector may cast an absentee ballot in the municipal clerk’s office or at ~~an~~ each
8 alternate site under s. 6.855. The municipal clerk shall publish a type E notice on
9 the 4th Tuesday preceding each spring primary and election, on the 4th Tuesday
10 preceding each partisan primary and general election, on the 4th Tuesday preceding
11 the primary for each special national, state, county or municipal election if any, on
12 the 4th Tuesday preceding a special county or municipal referendum, and on the 3rd
13 Tuesday preceding each special national, state, county or municipal election to fill
14 an office which is not held concurrently with the spring or general election. The clerk
15 of each special purpose district which calls a special election shall publish a type E
16 notice on the 4th Tuesday preceding the primary for the special election, if any, on
17 the 4th Tuesday preceding a special referendum, and on the 3rd Tuesday preceding
18 a special election for an office which is not held concurrently with the spring or
19 general election except as authorized in s. 8.55 (3).

20 **SECTION 7.** 12.03 (1) of the statutes is amended to read:

21 12.03 (1) No election official may engage in electioneering on election day. No
22 municipal clerk or employee of the clerk may engage in electioneering in the clerk’s
23 office or at the ~~the~~ an alternate site under s. 6.855 during the hours that ballots may be
24 cast at those locations.

25 **(END)**