



State of Wisconsin  
2019 - 2020 LEGISLATURE

LRB-3429/1  
JK:cjs

## 2019 SENATE BILL 307

June 28, 2019 - Introduced by Senators RISSER, L. TAYLOR, SMITH, CARPENTER and LARSON, cosponsored by Representatives C. TAYLOR, SARGENT, NEUBAUER, EMERSON, ANDERSON, VINING, BILLINGS, OHNSTAD, POPE, CONSIDINE, HESSELBEIN, SINICKI, SUBECK, BOWEN, HEBL and L. MYERS. Referred to Committee on Government Operations, Technology and Consumer Protection.

\*\*\*AUTHORS SUBJECT TO CHANGE\*\*\*

1     **AN ACT** *to amend* 5.02 (12n), 6.02 (1), 6.02 (2), 6.05, 6.22 (6), 6.24 (1), 6.94 and  
2             7.52 (5) (b) of the statutes; **relating to:** extending voting rights to certain  
3             17-year-old individuals and requiring a referendum.

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***Analysis by the Legislative Reference Bureau***

Currently, in addition to other qualifications, an individual must be at least 18 years of age to vote at an election in this state. This bill allows an individual who is 17 years of age to vote at a primary if the individual will be 18 years of age on the date on which the election following the primary is held.

Because the bill extends the right to vote to a class of individuals beyond the class currently entitled to vote under the Wisconsin Constitution, the bill cannot become law unless, following enactment, it is approved by the majority of the votes cast at a statewide referendum to be held at the November 2020 general election.

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

4             **SECTION 1.** 5.02 (12n) of the statutes is amended to read:  
5             **5.02 (12n)** "Overseas elector" means a U.S. citizen who is residing outside of  
6             the United States, who is not disqualified from voting under s. 6.03, who ~~has attained~~

**SENATE BILL 307****SECTION 1**

1 ~~or will attain the age of~~ will be at least 18 by years of age on the date of an election  
2 at which the citizen proposes to vote ~~or, if voting in a primary, will be 18 years of age~~  
3 on the date of the election following the primary, who was last domiciled in this state  
4 or whose parent was last domiciled in this state immediately prior to the parent's  
5 departure from the United States, and who is not registered to vote or voting in any  
6 other state, territory, or possession.

7 **SECTION 2.** 6.02 (1) of the statutes is amended to read:

8 6.02 (1) Every U.S. citizen age 18 or older, or age 17 on the date of a primary  
9 for an election to be held on a date on which the citizen will be age 18, who has resided  
10 in an election district or ward for 28 consecutive days before any election where the  
11 citizen offers to vote is an eligible elector.

12 **SECTION 3.** 6.02 (2) of the statutes is amended to read:

13 6.02 (2) Any U.S. citizen age 18 or older, or age 17 on the date of a primary for  
14 an election to be held on a date on which the citizen will be age 18, who moves within  
15 this state later than 28 days before an election shall vote at his or her previous ward  
16 or election district if the person is otherwise qualified. If the elector can comply with  
17 the 28-day residence requirement at the new address and is otherwise qualified, he  
18 or she may vote in the new ward or election district.

19 **SECTION 4.** 6.05 of the statutes is amended to read:

20 **6.05 Election day age determines elector's voting rights.** Any person  
21 who will be at least 18 years old of age on or before election day is entitled to vote at  
22 an election if the person is otherwise qualified to vote and the person complies with  
23 this chapter. Any person who is 17 years of age on the date of a primary for an election  
24 to be held on a date on which the person will be 18 years of age is entitled to vote at

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1 the primary if the person is otherwise qualified to vote and the person complies with  
2 this chapter.

3 **SECTION 5.** 6.22 (6) of the statutes is amended to read:

4 6.22 (6) MILITARY ELECTOR LIST. Each municipal clerk shall keep an up-to-date  
5 list of all eligible military electors who reside in the municipality in the format  
6 prescribed by the commission. The list shall contain the name, latest-known  
7 military residence and military mailing address of each military elector. The list  
8 shall indicate whether each elector whose name appears on the list is a military  
9 elector, as defined in s. 6.34 (1), and has so certified under s. 6.865 (3m). All persons  
10 over who are at least 18 years of age or who will be 18 years old prior to of age on the  
11 date of an election or, if voting in a primary, will be 18 years of age on the date of the  
12 election following the primary shall be listed and remain on the list for the duration  
13 of their tour of duty. The list shall be kept current through all possible means. Each  
14 clerk shall exercise reasonable care to avoid duplication of names or listing anyone  
15 who is not eligible to vote. Each clerk shall distribute one copy of the list to the each  
16 polling place in the municipality for use on election day.

17 **SECTION 6.** 6.24 (1) of the statutes is amended to read:

18 6.24 (1) DEFINITION. In this section, except as otherwise provided, “overseas  
19 elector” means a U.S. citizen who is not disqualified from voting under s. 6.03, who  
20 ~~has attained or will attain the age of 18 by~~ will be at least 18 years of age on the date  
21 of an election at which the citizen proposes to vote or, if voting in a primary, will be  
22 18 years of age on the date of the election following the primary, and who does not  
23 qualify as a resident of this state under s. 6.10, but who was last domiciled in this  
24 state or whose parent was last domiciled in this state immediately prior to the

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1 parent's departure from the United States, and who is not registered to vote or voting  
2 in any other state, territory or possession.

3 **SECTION 7.** 6.94 of the statutes is amended to read:

4 **6.94 Challenged elector oath.** If the person challenged refuses to answer  
5 fully any relevant questions put to him or her by the inspector under s. 6.92, the  
6 inspectors shall reject the elector's vote. If the challenge is not withdrawn after the  
7 person offering to vote has answered the questions, one of the inspectors shall  
8 administer to the person the following oath or affirmation: "You do solemnly swear  
9 (or affirm) that: you are at least 18 years of age or, if voting in a primary, will be 18  
10 years of age on the date of the election following the primary; you are a citizen of the  
11 United States; you are now and for 28 consecutive days have been a resident of this  
12 ward except under s. 6.02 (2); you have not voted at this election; you have not made  
13 any bet or wager or become directly or indirectly interested in any bet or wager  
14 depending upon the result of this election; you are not on any other ground  
15 disqualified to vote at this election". If the person challenged refuses to take the oath  
16 or affirmation, the person's vote shall be rejected. If the person challenged answers  
17 fully all relevant questions put to the elector by the inspector under s. 6.92, takes the  
18 oath or affirmation, and fulfills the applicable registration requirements, and if the  
19 answers to the questions given by the person indicate that the person meets the  
20 voting qualification requirements, the person's vote shall be received.

21 **SECTION 8.** 7.52 (5) (b) of the statutes is amended to read:

22 **7.52 (5) (b)** For the purpose of deciding upon ballots that are challenged for any  
23 reason, the board of absentee ballot canvassers may call before it any person whose  
24 absentee ballot is challenged if the person is available to be called. If the person  
25 challenged refuses to answer fully any relevant questions put to him or her by the

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1 board of absentee ballot canvassers under s. 6.92, the board of absentee ballot  
2 canvassers shall reject the person's vote. If the challenge is not withdrawn after the  
3 person offering to vote has answered the questions, one of the members of the board  
4 of absentee ballot canvassers shall administer to the person the following oath or  
5 affirmation: "You do solemnly swear (or affirm) that: you are at least 18 years of age  
6 or, if voting in a primary, will be 18 years of age on the date of the election following  
7 the primary; you are a citizen of the United States; you are now and for 28  
8 consecutive days have been a resident of this ward except under s. 6.02 (2), stats.; you  
9 have not voted at this election; you have not made any bet or wager or become directly  
10 or indirectly interested in any bet or wager depending upon the result of this election;  
11 you are not on any other ground disqualified to vote at this election." If the person  
12 challenged refuses to take the oath or affirmation, the person's vote shall be rejected.  
13 If the person challenged answers fully all relevant questions put to the elector by the  
14 board of absentee ballot canvassers under s. 6.92, takes the oath or affirmation, and  
15 fulfills the applicable registration requirements, and if the answers to the questions  
16 given by the person indicate that the person meets the voting qualification  
17 requirements, the person's vote shall be received.

**SECTION 9. Nonstatutory provisions.**

18  
19 (1) The following question shall be submitted to the vote of the electors at the  
20 general election to be held in November 2020: "Shall 2019 Wisconsin Act .... (this act),  
21 which extends the right to vote in a primary to an individual who is 17 years of age  
22 if the individual will be 18 years of age on the date on which the election following  
23 the primary is held, become effective on January 1, 2021?" If the question is approved  
24 by the majority of all votes cast on the question at the election, this act shall become  
25 law; otherwise, this act shall not take effect.

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## SECTION 10

1           **SECTION 10. Effective date.**

2           (1) This act takes effect on January 1, 2021, if the condition set forth in SECTION  
3           9 of this act is satisfied.

4 (END)