



State of Wisconsin
2023 - 2024 LEGISLATURE

LRB-5625/1
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2023 SENATE BILL 937

January 19, 2024 - Introduced by Senators SMITH, SPREITZER, AGARD, CARPENTER, L. JOHNSON, ROYS, TAYLOR and WIRCH, cosponsored by Representatives SNODGRASS, SHELTON, J. ANDERSON, BARE, CONLEY, CONSIDINE, EMERSON, JACOBSON, JOERS, MADISON, MOORE OMOKUNDE, NEUBAUER, OHNSTAD, ORTIZ-VELEZ, PALMERI, RATCLIFF, SINICKI, STUBBS, SUBECK, ANDRACA and DRAKE. Referred to Committee on Shared Revenue, Elections and Consumer Protection.

AUTHORS SUBJECT TO CHANGE

1 **AN ACT to amend** 6.86 (1) (b) of the statutes; **relating to:** expanding the period
2 for voting by in person absentee ballot.

Analysis by the Legislative Reference Bureau

Under current law, an individual voting at an election by absentee ballot may apply for an absentee ballot in person at the municipal clerk's office or at an alternate absentee ballot site. An absentee ballot application made in person may be made no earlier than 14 days preceding the election and no later than the Sunday preceding the election.

Under this bill, an absentee ballot application made in person may be made no later than the Sunday preceding the election.

For further information see the local fiscal estimate, which will be printed as an appendix to this bill.

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
6 preceding the election. If application is made in person, the application shall be

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1 made ~~no earlier than 14 days preceding the election~~ and no later than the Sunday
2 preceding the election. No application may be received on a legal holiday. A
3 municipality shall specify the hours in the notice under s. 10.01 (2) (e). The
4 municipal clerk or an election official shall witness the certificate for any in-person
5 absentee ballot cast. Except as provided in par. (c), if the elector is making written
6 application for an absentee ballot at the partisan primary, the general election, the
7 presidential preference primary, or a special election for national office, and the
8 application indicates that the elector is a military elector, as defined in s. 6.34 (1), the
9 application shall be received by the municipal clerk no later than 5 p.m. on election
10 day. If the application indicates that the reason for requesting an absentee ballot is
11 that the elector is a sequestered juror, the application shall be received no later than
12 5 p.m. on election day. If the application is received after 5 p.m. on the Friday
13 immediately preceding the election, the municipal clerk or the clerk's agent shall
14 immediately take the ballot to the court in which the elector is serving as a juror and
15 deposit it with the judge. The judge shall recess court, as soon as convenient, and
16 give the elector the ballot. The judge shall then witness the voting procedure as
17 provided in s. 6.87 and shall deliver the ballot to the clerk or agent of the clerk who
18 shall deliver it to the polling place or, in municipalities where absentee ballots are
19 canvassed under s. 7.52, to the municipal clerk as required in s. 6.88. If application
20 is made under sub. (2) or (2m), the application may be received no later than 5 p.m.
21 on the Friday immediately preceding the election.

22

(END)