
Wisconsin Legislative Council

AMENDMENT MEMO



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2023 Assembly Bill 494

**Assembly
Amendment 1**

2023 ASSEMBLY BILL 494

2023 Assembly Bill 494 modifies the definition of a person who may receive absentee ballots as an “indefinitely confined” voter. Under the bill, a person may apply, on an application form that is separate from any other application form, for that status for the purpose of voting absentee if he or she is indefinitely confined and cannot travel independently without significant burden because of frailty, physical illness, or a disability that is expected to last longer than one year.

The bill additionally requires a person who applies for the status of an indefinitely confined voter to provide proof of identification, if he or she is able to do so, and offers various means of complying with this requirement. The bill specifies that municipal clerks must remove the indefinitely confined status from a person who votes in person in any election or who fails to vote in a spring or general election for which he or she has received a ballot. Additionally, the bill requires the Wisconsin Elections Commission to facilitate the removal of the indefinitely confined status of each voter who received that status between March 12, 2020, and November 3, 2020. Under the bill, a voter whose indefinitely confined status is so removed must submit a new application for indefinitely confined status in order to continue automatically receiving absentee ballots.

Under the bill, a person who makes a false statement for the purpose of qualifying as indefinitely confined may be fined not more than \$1,000, imprisoned for not more than six months, or both.

ASSEMBLY AMENDMENT 1

Assembly Amendment 1 requires the municipal clerk that serves any voter who received the status of indefinitely confined between March 12, 2020, and November 3, 2020, and whose status is removed, to notify the voter of such removal within five days after the action is taken, if possible.

BILL HISTORY

The Assembly Committee on Campaigns and Elections voted to recommend passage of the bill on November 6, 2023, by a vote of Ayes, 3; Noes, 2. On November 9, 2023, Assembly Amendment 1 was introduced by Representative Duchow and adopted by the Assembly.

For a full history of the bill, visit the Legislature’s [bill history page](#).

PJH:jal