

---

# Wisconsin Legislative Council

## AMENDMENT MEMO

---



**Memo published:** October 6, 2023

**Contact:** Katie Bender-Olson, Principal Attorney

**2023 Senate Bill 39**

**Senate Amendment 2**

### 2023 SENATE BILL 39

Senate Bill 39 allows individuals applying for an absentee ballot to submit a cell phone number with the application and receive text message notifications about the absentee ballot. Specifically, the bill requires that the electronic application system maintained by the Wisconsin Election Commission (WEC) automatically notify a voter by text message that his or her absentee ballot application has been received, and after the voter completes and returns the absentee ballot, notify the voter by text message that the ballot has been received. Under the bill, cell phone numbers provided with an absentee ballot application are confidential and not subject to release under the Public Records Law.

### SENATE AMENDMENT 2

Senate Amendment 2 replaces the original bill in its entirety, but similarly requires text message notifications for absentee voters who provide their cell phone numbers. The amendment requires the electronic application system maintained by WEC to automatically notify a voter by text message that his or her absentee application has been received, and after the voter returns his or her absentee ballot, that the ballot has been received. As under the original bill, cell phone numbers provided with an absentee ballot application are confidential and not subject to release under the Public Records Law.

Unlike the original bill, the amendment requires the WEC electronic application system to send text message notifications to any voter applying for an absentee ballot and providing a cell phone number, rather than only those applying electronically. Finally, unlike the original bill, the amendment requires Type E election notices to include information regarding text message notifications and requires the notices to be published on a municipality's website.

### BILL HISTORY

Senator Cabral-Guevara offered Senate Amendment 2 on August 24, 2023. On October 3, 2023, the Senate Committee on Shared Revenue, Elections and Consumer Protection voted unanimously to recommend adoption of the amendment and passage of the bill, as amended.

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

KBO:jal