



## Voter Information as Public Record

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In Wisconsin, material on which information is recorded or preserved by a state or local governmental body, including certain voter information, is considered a “public record.” Wisconsin’s [Public Records Law](#) gives members of the public a right to inspect such records, unless a provision in the law permits them to be kept confidential. Consistent with these requirements, certain voter information included in the Wisconsin Election Commission’s (WEC) official voter registration list must be available to members of the public. This issue brief discusses the laws related to the public’s right to access WEC’s voter registration list, and the confidentiality provisions that limit access to particular voter information.

### VOTER INFORMATION IN THE STATEWIDE REGISTRATION LIST

WEC is required by both state and federal law to compile and maintain an official voter registration list. Under state law, this list must contain relevant information about any person registered to vote in the state (an “elector”),<sup>1</sup> including all of the following:

- The name and address of each registered elector in the state.
- The elector’s date of birth.
- The ward and aldermanic district of the elector.
- The number of a valid operator’s license or the last four digits of the elector’s Social Security number.
- Any identification serial number issued to the elector by WEC.
- The date of any election in which the elector votes.
- Whether the elector is an overseas elector.
- Whether the elector has been convicted of a felony, and when his or her rights will be restored.
- An indication of the method by which the elector’s registration form was received.
- Whether the elector was required to provide proof of residence and the type of document provided.
- The date on which the elector applied to vote by in-person absentee ballot.
- The date on which the clerk mailed an absentee ballot and the date it was returned.
- The polling location associated with the elector’s address and ward.
- The mailing address for the municipal clerk associated with the elector’s polling location.<sup>2</sup>

### VOTER INFORMATION THAT MUST REMAIN CONFIDENTIAL

While the above-listed voter information must be included in the official voter registration list, WEC is required to keep certain elements of that information confidential. The following information may be viewed only by select government officials and may not be given out in response to a records request:

- An elector’s date of birth.
- An elector’s driver’s license number.
- An elector’s Social Security number.
- An elector’s need for voting accommodations.<sup>3</sup>

Additionally, information about the candidates or party an elector casts a vote for will always remain confidential pursuant to the Wisconsin Constitution's guarantee of a secret ballot.<sup>4</sup> WEC does not collect information about party preference, demographics, or how an elector actually voted.

## Confidential Listings

Certain individuals who have been the victim of domestic abuse, sexual assault, or stalking may apply for a confidential listing, which prevents the individual's name and address from being publicly released. To obtain a confidential listing, an individual must make a valid written request to the municipal clerk and provide any relevant documentation. Once obtained, confidential listings are valid until the date a protective order expires, a protected individual ceases to reside in a shelter, or a protected individual cancels his or her participation in the program.<sup>5</sup>

## PUBLIC ACCESS TO VOTER INFORMATION

The official registration list, known also as the [WisVote system](#), must be made open for public inspection, consistent with the Public Records Law. Specifically, this information must be made electronically accessible by name, as well as in alphabetical order of the electors' names for the entire state and for each county, municipality, ward, and combination of wards.<sup>6</sup>

To facilitate public access to voter information, WEC operates a website, [Badger Voters](#), to allow members of the public to easily create and submit requests for information, receive an estimated cost, make a payment, and download the requested information.

## Required Fees

WEC is required to establish, by administrative rule, the fee required to obtain a copy, or partial copy, of the official registration list. Accordingly, WEC currently requires payment of a fee ranging from \$25 to \$12,500, depending on the size of the file and the time required to complete the request. This fee compensates WEC for the necessary and direct costs of reproduction and maintenance of the list at the state and local level. The current fee for a copy of the full, statewide voter registration list is \$12,500.<sup>7</sup>

Under current law, only a limited set of government officials and employees may obtain a copy of the official registration list without paying the required fee. These officials include: Wisconsin election officials acting in their official capacity, law enforcement agencies obtaining the data for law enforcement purposes, subunits of the state government or of another state obtaining the data for official purposes, and the Electronic Registration Information Center (ERIC).<sup>8</sup>

## USE OF VOTER REGISTRATION INFORMATION

Once voter information has been legally obtained by a member of the public, Wisconsin law does not place any restrictions on the dissemination or publication of that information. Groups may use this information, including an elector's name, address, and record of the elections in which they recently voted, to contact individuals for any purpose.

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<sup>1</sup> Under Wisconsin law, any U.S. citizen age 18 or older who has resided in an election district or ward for 28 consecutive days before any election where the citizen offers to vote is an eligible elector. [[s. 6.02 \(1\), Stats.](#)]

<sup>2</sup> [s. 6.36 \(1\) \(a\), Stats.](#) For a more complete list of all voter information included in the official registration list, see WEC's official guidance, [WEC: Standard Data Elements in a Voter Data File Request](#), and WEC's [Voter Data Request Spreadsheet Example](#).

<sup>3</sup> [s. 6.36 \(1\) \(b\) 1. a., Stats.](#)

<sup>4</sup> [Wis. Const. art. III, s. 3.](#) For more information, see [WEC Badger Voters FAQs](#).

<sup>5</sup> [s. 6.47 \(2\) to \(5\), Stats.](#)

<sup>6</sup> [s. 19.31 to 19.39, Stats.](#), and [s. 6.36 \(1\) \(b\) 2., Stats.](#)

<sup>7</sup> [ss. 6.36 \(6\) and 19.35 \(3\) \(a\), Stats.](#), and [s. EL 3.50, Wis. Adm. Code](#). For more information about WEC's required fees, see [WEC Public Records Notice](#).

<sup>8</sup> [s. 6.36 \(1\) \(bm\) and \(bn\), Stats.](#) WEC is required by law to enter into a membership agreement with ERIC for the purpose of maintaining the official registration list [[s. 6.36 \(1\) \(ae\) 1., Stats.](#)] ERIC is an interstate consortium with the stated goals of improving the accuracy of state voter registration lists through data matching between states and with federal databases, and increasing access to voter registration for eligible citizens.