

1 **AN ACT** *to create* 6.86 (1) (ac) of the statutes; **relating to:** requesting an absentee
2 ballot by electronic mail or facsimile transmission.

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

JOINT LEGISLATIVE COUNCIL PREFATORY NOTE: This draft was prepared for the joint legislative council's special committee on election law review.

Under current law, any elector who is unable or unwilling to appear at the polling place in his or her ward on election day may vote by absentee ballot. An elector seeking to vote by absentee ballot must generally make a written application to the municipal clerk. An application may be made by one of the following methods: (1) by mail; (2) in person at the office of the municipal clerk; (3) by signing a statement indicating the elector is indefinitely confined or disabled; (4) by agent when the elector is hospitalized; or (5) by delivering an application to a special voting deputy when the elector is an occupant of a nursing home and similar facilities.

This draft authorizes a registered elector, including a registered "overseas elector", or an elector who qualifies as a "military elector" who is unable or unwilling to appear at the polling place in his or her ward on election day to apply for an absentee ballot by making a written application to the municipal clerk by facsimile transmission (fax) or electronic mail (email).

This draft contains an effective date of January 1, 2006.

3 **SECTION 1.** 6.86 (1) (ac) of the statutes is created to read:
4 6.86 (1) (ac) Any registered elector, qualifying under ss. 6.20 and 6.85 as an absent
5 elector, or a military elector under s. 6.22, may make written application to the municipal clerk
6 for an official ballot by means of facsimile transmission or electronic mail.

NOTE: "Military elector" for purposes of this draft means any of the following:

1. Members of a uniformed service;

2. Members of the merchant marine of the United States.
3. Civilian employees of the United States and civilians officially attached to a uniformed service who are serving outside the United States.
4. Peace corps volunteers.
5. Spouses and dependents of those listed in the above categories residing with or accompanying them.

“Uniformed service” means the U.S. army, navy, air force, marine corps or coast guard, the commissioned corps of the federal public health service or the commissioned corps of the national oceanic and atmospheric administration.

1 **SECTION 2. Effective date.** This Act takes effect on January 1, 2006.

2 (END)