

1       **AN ACT** *to amend* 6.29 (2) (a) of the statutes; **relating to:** late voter registration in the  
2       municipal clerk's office.

*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, registration for any election must close at 5 p.m. on the second Wednesday preceding the election. Registration may be accepted after this deadline if the municipal clerk determines that the registration list can be revised to incorporate the registration in time for the election.

A person may also register to vote after the official date for the close of registration. Generally, a person may register late by filing with the municipal clerk a registration form completed by the person and acceptable proof of residence or corroboration of residence by one other elector of the municipality. The registration form must be filed in person no later than 5 p.m. or the close of business, whichever is later, on the day before the election. Unless the clerk determines that the registration list can be updated in time for the election, the municipal clerk must issue to the late-registering person a certificate addressed to the inspectors of the proper ward directing that the elector be permitted to vote. The certificate must be presented by the person to the inspectors when he or she arrives at the polling place.

This draft modifies the deadline for late registration in the clerk's office. Under the draft, late, in-person registration must be completed by 5 p.m. or the close of business, whichever is later, on the Saturday before an election. If the clerk does not conduct office hours on such Saturday, the draft provides that the registration must be completed by 5 p.m. or the close of business, whichever is later, on the immediately preceding Friday.

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

3       **SECTION 1.** 6.29 (2) (a) of the statutes is amended to read:

6.29 (2) (a) Any qualified elector of a municipality who has not previously filed a registration form or whose name does not appear on the registration list of the municipality may register after the close of registration but not later than 5 p.m. or the close of business, whichever is later, on the day Saturday before an election at the office of the municipal clerk and at the office of the clerk's agent if the clerk delegates responsibility for electronic maintenance of the registration list to an agent under s. 6.33 (5) (b). If the municipal clerk or the clerk's agent does not conduct office hours on such Saturday, registration under this paragraph may be made no later than 5 p.m. or the close of business, whichever is later, on the immediately preceding Friday. The elector shall complete, in the manner provided under s. 6.33 (2), a registration form containing all information required under s. 6.33 (1). The elector shall also provide acceptable proof of residence under s. 6.55 (7). Alternatively, if the elector is unable to provide acceptable proof of residence under s. 6.55 (7), the information contained in the registration form shall be corroborated in a statement that is signed by any other elector of the municipality and that contains the current street address of the corroborating elector. The corroborating elector shall then provide acceptable proof of residence under s. 6.55 (7).

**NOTE:** Under current law, when the deadline for filing paperwork with a governmental entity falls on a Saturday and the entity does not maintain office hours on such day, the paperwork may be filed on the next succeeding day that is not a Sunday or legal holiday. This draft supercedes this requirement by providing that if the clerk does not conduct office hours on Saturday, in-office registration must be completed by 5 p.m. on the close of business on the immediately preceding Friday.

**COMMENT:** Will this create too much uncertainty or inconsistent processes in registration? Would a Friday deadline work better?

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

**(END)**