

1       **AN ACT** *to amend* 6.36 (2) (c) 2. of the statutes; **relating to:** identification required  
2           for certain voters who register by mail.

*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, effective January 1, 2006, a person, other than a military elector or an overseas elector, who registers to vote by mail and who has not previously voted in an election for national office in Wisconsin must provide identification before being allowed to vote at an election for national office. Acceptable identification is either: (1) a current and valid piece of identification containing a photograph of the elector; or (2) a copy of a utility bill, bank statement, paycheck, or a check or other document issued by a unit of government that shows the current name and address of the elector.

A person who is required to provide identification before voting but who fails to do so may cast a provisional ballot which may be counted if the person subsequently presents identification before 4 p.m. on the day after the election.

The draft applies the identification requirement to all elections, not just elections for national office.

The bill contains an effective date of January 1, 2006.

3       **SECTION 1.** 6.36 (2) (c) 2. of the statutes, as affected by 2003 Wisconsin Act 265, is  
4       amended to read:

5           6.36 (2) (c) 2. ~~If the registration list is prepared for use at an election for national office,~~  
6       the The list shall contain, next to the name of each elector, an indication of whether  
7       identification is required for the elector to be permitted to vote. Identification is required if  
8       the elector is not a military elector or an overseas elector and the elector registers by mail and  
9       has not previously voted in an election ~~for national office~~ in this state.

