

1 **AN ACT** *to create* 6.33 (1) (b) of the statutes; **relating to:** registration of homeless
2 individuals.

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, an individual registering to vote must provide his or her residence location. There is no specific provision for homeless individuals. This bill allows homeless individuals to provide a letter from a social services agency at registration. The letter must indicate that, to the best of the agency's knowledge, the individual lacks a permanent address. The address of the agency is then used as the residence of the individual.

The draft has an effective date of January 1, 2006.

3 **SECTION 1.** 6.33 (1) (b) of the statutes is created to read:

4 6.33 (1) (b) A homeless elector may register to vote by providing a letter from [a social
5 service agency] [any government agency] from which the individual [is receiving] [has
6 received] services. The letter must contain a statement that the individual [is receiving][has
7 received] services from the agency and that, to the best of the agency's knowledge, the
8 individual lacks a permanent residence address. For purposes of determining residence, the
9 address of the agency providing the letter shall be the address of the individual.

NOTE: This SECTION allows homeless individuals to register using the address of a social services agency. The individual must provide a letter that states that the individual, to the best of the agency's knowledge, lacks a permanent address.

COMMENT: 1. Could using the address of the agency prove problematic? What if the agency's address were different from the place that the individual lives and receives services? For example, what if an

agency has an office located downtown that coordinates the provision of services for a whole county?

2. Would letting a person use a letter from any agency allow the individual to chose the location he or she wanted to vote based on the location of the agency?

3. Should any government agency be allowed to provide this letter?

4. Does this present a problem for same-day registration? Specifically, s. 6.55 (2) (a) 1., stats., requires the registrant to certify that he or she has resided at a specific address. Does the individual put his or her actual residence, or the address of the agency?

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

2 (END)