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## **Wisconsin Disability Vote Coalition Policy Update** (rev 3/24/2021) **New State Bills Could Make It Harder for People with Disabilities and Older Adults to Vote**

Wisconsin legislators have introduced some voting bills that may make it harder for some people with disabilities and older adults to vote. The disability and aging communities want to work with policy makers to address barriers to voting, protect voter rights, and have secure elections.

If these issues are important to you, tell your legislators about your concerns.

- Let them know how the voting bills will impact you and will make it harder for many Wisconsinites with disabilities and older adults to vote.
- Share the barriers that you or other voters with disabilities or older adults may experience, such as transportation, no photo ID, etc.
- Ask them to work with the disability and aging communities to address barriers to voting and protect voter rights.

### **CONTACT INFORMATION FOR LEGISLATORS**

To find contact information for your legislators, you can call the Legislative Hotline at 1-800-362-9472 or use the "Who Are My Legislators?" on [Wisconsin State Legislature Home Page](#)

## Summary of Voting Bills

- **SB 206 / AB 180 (LRB 0428) - Status as an indefinitely confined voter for purposes of receiving absentee ballots automatically and providing a penalty:** Would limit voting rights of voters who certify as “indefinitely confined”. These voters would be required to provide statements under oath. Voters under 65 would need to have their statements signed by their doctors. A false statement would be a felony. Voters would need to renew their status every two years. Currently, these voters receive an absentee ballot for every election for as long as they need it.

**What is an Indefinitely Confined Voter?** If a voter has a hard time getting to the polls on Election Day due to age, illness, infirmity, or disability, he/she may request an absentee ballot for every election and certify he/she is “indefinitely confined because of age, illness, infirmity, or disability”. An indefinitely confined voter does not need to show a Photo ID when voting by absentee ballot.

- **SB 203 / AB 192 (LRB 1537) – The secure delivery of absentee ballots and providing a penalty:** Would limit options to obtain and return absentee ballots. For example, many voters with disabilities who vote absentee are nondrivers and ask someone else to deliver their absentee ballot. This bill would limit who can return the voter’s absentee ballot to the voter’s immediate family or legal guardian, with some very limited exceptions.

*“If the voter is unable to deliver the absentee ballot and has no legal guardian or immediate family residing in this state, the voter may designate, in writing, one person who is a registered voter in this state to deliver the ballot, except that the voter may not designate a candidate on the ballot nor compensate the person to deliver the ballot.”*

- **SB 204 (LRB 2032) - Absentee ballot applications, unsolicited mailing or transmission of absentee ballot applications and absentee ballots, canvassing absentee ballots, electronic voter registration, and providing a penalty:** This bill makes it more difficult to absentee vote. For example, it would require indefinitely confined voters to provide a photo ID with their absentee ballot request. The bill

eliminates the option for indefinitely confined voters to receive an absentee ballot automatically for any election. Clerks, the Election Commission, and other groups would no longer be allowed to mail absentee ballot applications to all eligible voters; this bill makes it a felony to mail absentee ballot applications to anyone who has not requested one.

- **SB 205 / AB 179 (LRB 1935) - Absentee voting in certain residential care facilities and retirement homes and providing a penalty:** Would limit voting rights of nursing home and group home residents. May conflict with federal law which requires that nursing homes support the right of residents to vote. If staff offered to provide a resident with assistance, this would be a felony. This bill would require the administrator of the facility to notify relatives of the residents as to when the special voting deputies will be coming to the facility to assist in the casting of absentee ballots.
- **SB 209 / AB 177(LRB 1585) - Returning Absentee Ballots/Ballot Drop Boxes:** Requires voters to either mail or drop off their absentee ballots at the permanent location of the clerk's office. It allows a municipal clerk to authorize the use of a drop box but limits it to a location that is attached to the municipal clerk's permanent office. It also sets out standards for the drop boxes, including that they be tamper resistant, moisture-proof, satisfy the accessibility requirements under the federal Americans with Disabilities Act, and be emptied once each day at 9 a.m. by the clerk or deputy clerk in public view.
- **SB 212 (LRB 2033) - Defects on Absentee Ballot Certificates:** Prohibits a municipal clerk from correcting a defect on the completed absentee ballot certificate envelope. If a certificate envelope has a defect, the clerk must post a notification of the defect on the elector's voter information page on the MyVote website. This is a concern because many voters are unable to use the online resources and would be unaware of any problem with their absentee ballot certificate – such as someone not also including an address when serving as a witness. This bill also adds to the list of what is considered election fraud from election officials to include intentionally assisting or causing the casting or counting of a vote or the receipt of a registration that is invalid as well as several other factors.

- **SB 214 (LRB-2284) - Early canvassing of absentee ballots, issuance of presidential ballots, combined polling places, timeline for sending or transmitting absentee ballots:** This bill allows municipal clerks to start canvassing the absentee ballots the day before the election. **This bill authorizes any city, village, or town with a population of less than 35,000 to enter into an agreement to share a polling place with an adjacent city, village, or town also having a population of less than 35,000.** Transportation is already a significant barrier for many voters, combining polling sites would only serve to magnify this challenge
- **LRB-1703 - Holding the presidential preference primary on the first Tuesday in March:** This bill would change the date of the spring Presidential primary in Wisconsin from April to the first Tuesday of March, which is Super Tuesday. This is expected to result in fewer voters casting a ballot in the Wisconsin April election which includes state races such as State Supreme Court. Currently those are held at the same time as the presidential primary. This would also add to the cost and complexity of election administration by holding two statewide elections within a short time period.