

## New State Bills Would Make It Harder for People with Disabilities and Older Adults to Vote

Wisconsin legislators are being asked to co-sponsor some voting bills that will make it harder for many people with disabilities and older adults to vote.

The disability and aging communities want to work with policy makers to address barriers to voting and protect voter rights.

### Summary of Voting Bills (13 proposed bills from 2/22/21 – 3/01/21)

*While all bills would impact voters with disabilities and older adults, the six bills with an asterisk (\*) are those that have specific impacts for voters with disabilities and older adults.*

- **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 also 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.

- **LRB 1264 - Private resources used for election administration, appointment of election officials, and providing a penalty:** This bill prohibits local clerks and election boards from receiving any private funds for election administration. It also prohibits anyone who is a member of a political organization or issue advocacy group from being a poll worker.
- **LRB 1537\* – Ballot Harvesting:** 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.
- **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.
- **LRB 1588 - Election Observers:** Requires local election officials to provide election observers uniform and nondiscriminatory access to all stages of the election process, including the certification of election technologies, absentee voting in person, canvassing, elector appeals, vote tabulation, and recounts. The bill also requires election observation areas to be located not less than 3 feet from where a voter states their name or the table from where they register to vote (current law says they can be stationed anywhere from 3 feet to 8 feet from these locations). It sets standards that require election observers to wear a name badge that includes the organization they are representing and prevents them from wearing any

campaign material. It also creates a \$500 fine for election observers who interfere with a voter casting a ballot or an election official conducting their job.

- **LRB-1612 – Applications for Absentee Ballots:** This bill requires that absentee ballot forms need to be separate from the certification envelope for ballots, and it requires specific certifications from voters.
- **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.
- **LRB-1841 - Publication of Elections Commission meeting minutes:** This bill would require the Wisconsin Elections Commission to post the minutes of its meetings within 24 hours. (This bill may have the support of some members of the Coalition.)
- **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, and 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. Care facility residents under 65 would need to reapply every two years to automatically receive absentee ballots. 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.
- **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. 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.
- **LRB 2033 - Defects on Absentee Ballots:** 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 Wisconsin website. It also adds to the list of what constitutes 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.
- **LRB-2193 - Actions for violations of elections laws:** This bill allows anyone who is suing over election law violations to sue in any county in Wisconsin, not just in the county where they live. The bill does not require a complaint to be filed with the Wisconsin Elections Commission first.
- **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.