

Election Administration Manual – Revised Pages 76-77

envelope. If the clerk is not a WisVote user, the clerk should write the name of the care facility on the first line of the address field on the certificate envelope.

Absentee Ballot Returns

Only the voter may lawfully return his or her completed absentee ballot, either by mail or in person to the office of the municipal clerk, subject to two exceptions. Wis. Stat. § 6.87(4)(b)(1); *Teigen v. Wis. Elections Comm’n*, 2022 WI 64, 59, 403 Wis. 2d 607, 976 N.W.2d 519.

First, pursuant to the Voting Rights Act, any Wisconsin voter who requires assistance with mailing or delivering their absentee ballot to the municipal clerk because of a disability must be permitted to receive such assistance by a person of the voter’s choice, other than the voter’s employer or agent of that employer or officer or agent of the voter’s union. *Carey v. Wis. Elections Comm’n*, 624 F. Supp. 3d 1020 (W.D. WI 2022).

Second, pursuant to section 6.86(3)(a)1., an agent may return a completed absentee ballot on behalf of a hospitalized voter by following the procedures required by that section.

When an election official is presented with an absentee ballot delivered in-person, the official may ask the following questions:

- Are you the voter? If not, then:
- Are you delivering the voter’s ballot because the voter has determined that they require assistance returning their ballot due to their disability? If yes, then:
 - Are you someone other than the voter’s employer, an agent of that employer, or an officer or agent of the voter’s union? If yes, then the ballot can be accepted.¹

Drop Boxes

¹ This guidance was approved by the Commission on September 6, 2022, and is available here: <https://elections.wi.gov/news/guidance-absentee-ballot-return-options>.

Election Administration Manual – Revised Pages 76-77

~~The use of drop boxes is not permitted unless the drop box is staffed by the clerk and located in the office of the clerk or a properly designated alternate absentee voting site. Wis. Stat. § 6.855; *Teigen v. Wis. Elections Comm’n*, 2022 WI 64, 403 Wis. 2d 607, 976 N.W.2d 519.~~

On July 5, 2024, the Wisconsin Supreme Court overruled its prior decision, in part, in *Teigen v. WEC*, and held that secure drop boxes were permitted under state law as a valid method of absentee ballot return. The decision is binding on all lower Wisconsin courts. The use of drop boxes is not mandatory and is at the discretion of the municipal clerk.

On July 11, 2024, the Wisconsin Elections Commission (“the Commission”) held a public meeting to review and issued the following guidance.²

1. Does the decision affect all municipal clerks?

Yes. The decision permits all municipal clerks to choose to use secure absentee ballot drop boxes in their jurisdiction if they wish, starting immediately.

2. What does the decision say?

The Wisconsin Supreme Court determined that the statute that permits voters to return their absentee ballots “to the municipal clerk issuing the ballot or ballots” refers to a person, not a location. The court asserted that this interpretation of state law is consistent with Wisconsin’s highly decentralized system whereby municipal clerks have broad statutory discretion to administer elections in their jurisdiction. Accordingly, since voters may return their absentee ballots to the municipal clerk, or his or her authorized representatives, they may do so via drop box, if that’s a method the municipal clerk chooses to utilize.

3. Does the decision change any established practice?

Yes. The decision reverses a prior Wisconsin Supreme Court decision, in part, and holds that secure drop boxes are a legal method of absentee ballot return under Wisconsin law.

² This guidance was published on the Commission’s website on July 11, 2024, and was distributed to all Wisconsin clerks. It is being incorporated into the manual in this section, but this section is not substantively different than the guidance provided by the Commission on July 11.

Election Administration Manual – Revised Pages 76-77

4. Do clerks have to use drop boxes?

No. The decision explicitly states that it does not require clerks to use drop boxes, it just says that the law permits clerks to utilize them if they choose. So if a municipal clerk decides not to use drop boxes in an exercise of clerk election administration discretion, they will not be violating the Priorities USA decision. Clerks should note, however, that choosing not to use drop boxes because of a belief that they are not legal is likely inconsistent with the reasoning of the decision, and raises the risk of a legal challenge.

5. Can a clerk be successfully sued if he or she chooses not to utilize drop boxes?

Likely not. If a clerk chooses not to use drop boxes in upcoming elections, it is very unlikely that a challenger would be successful in arguing that Priorities USA requires them to be used. 6. Are the Commission’s previous memos related to drop boxes prior to the Teigen decision back in effect? No. The Commission withdrew memoranda dated March 31 and August 19, 2020 relating to drop boxes as part of the Teigen litigation on February 16, 2022. The Priorities USA decision does not mean either of those memoranda are back in effect. This memorandum, dated July 11, 2024, is the Commission’s sole issued guidance document related to drop boxes as of this date.

7. Did the decision discuss where drop boxes may be located and who can set them up?

Yes. The decision stated that drop boxes are set up, maintained, secured, and emptied by the municipal clerk, which includes their authorized representatives. A single person need not set up, maintain, secure, and empty all drop boxes in a municipality. The drop boxes may be placed in a location other than the municipal clerk’s office, and may be placed in any location that the municipal clerk, within his or her statutory discretion, designates.

8. Do drop boxes need to be secure? What should clerks consider when examining drop box security?

Yes. The decision held that state law permits clerks to lawfully utilize secure drop boxes in an exercise of their statutorily conferred discretion. The decision did not provide guidance on what it means for a drop box to be “secure.” The Commission

Election Administration Manual – Revised Pages 76-77

recommends that clerks keep the following non-exhaustive security considerations in mind when planning to utilize drop boxes, which are consistent with guidance from the U.S. Election Assistance Commission (EAC) and the U.S. Cybersecurity and Infrastructure Security Agency (CISA). These considerations are merely a starting point—the Commission recommends that clerks thoroughly complete a security assessment for each intended drop box location prior to deployment. The Commission recommends the following best practices:

Best Practices: Physical Security of the Drop Box Itself

- The drop box be securely affixed to the ground or the side of the building, or secured such that the drop box cannot be removed or tampered with.
- If located outside, the drop box be sturdy enough to withstand the elements so the ballots inside will remain unspoiled.
- The drop box be secured against unlawful access or emptying.
- The slot of the drop box be appropriately sized so that only an absentee ballot can be deposited and not other objects or liquids.
- Any damage to or tampering with the drop box be documented and the drop box be inspected to ensure that it remains secure for the purpose of depositing absentee ballot envelopes.
- The drop box be clearly marked or labeled that the drop box is for the purpose of collecting absentee ballots in return envelopes.
- The time of final retrieval of ballot return envelopes be clearly marked on or near the drop box. After the time of final retrieval, the drop box be secured to prevent the submission of absentee ballot return envelopes.

Best Practices: Security of the Drop Box Surroundings

- The drop box be located in a safe location with adequate parking and safe access for pedestrians.
- The drop box be located in a well-lit area.

Election Administration Manual – Revised Pages 76-77

- The drop box be clearly visible, and the path to the drop box be accessible with clear and level ground space in front.

Best Practices: Security of Ballot Retrieval/Emptying

- The drop box be emptied often enough to avoid the box from being filled with ballots, and a record of the times and dates of retrieval, number of ballots retrieved and the person or persons participating in the retrieval be maintained.
- Ballots retrieved from a drop box be securely transported to the office of the clerk.
- The drop box be equipped with unique locks or seals to secure ballots.
- Absentee ballots that are returned via drop box be secured and transported in the same manner as all other absentee ballots received by clerks. Please refer to **page 104** of the Election Administration Manual for guidance on how to secure and transport voted absentee ballots.

The Commission recommends that clerks review the following resources from the EAC and CISA as a starting point for procedures on the secure administration of drop boxes:

- EAC Quick Start Guide on Drop Boxes (PDF)
 - https://www.eac.gov/sites/default/files/electionofficials/QuickStartGuides/Ballot_Drop_Boxes_EAC_Quick_Start_Guide_508.pdf • EAC Election Management Guidelines, Pages 53, 80, 100 (PDF) ○ https://www.eac.gov/sites/default/files/electionofficials/EMG/EAC_Election_Management_Guidelines_508.pdf
- EAC Sample FAQ Language for How Drop Boxes Work that Can be Adapted for Wisconsin
 - <https://www.eac.gov/how-do-drop-boxes-work> • CISA Drop Box Considerations ○ https://www.cisa.gov/sites/default/files/2023-07/Ballot_Drop_Box.pdf

9. Does the governing body of the municipality need to be the one to designate drop box locations?

Election Administration Manual – Revised Pages 76-77

No. The governing body of the municipality designates the location of alternate absentee voting sites under Wis. Stat. § 6.855. The Priorities USA decision clearly states that state law “...requires only that the ballot be delivered to a location the municipal clerk, within his or her discretion, designates.”³ The municipal clerk has the authority to designate drop box locations.

10. Who can return a ballot to a drop box?

A voter may return his or her own ballot. An individual may also return the ballot of anyone he or she is lawfully assisting, such as a voter with a disability or a hospitalized voter. An individual is permitted to provide assistance to more than one disabled or hospitalized absentee voter. These principles were issued in Commission guidance following the litigation in Carey v. WEC, and are unchanged by the Priorities USA decision.⁴ The decision does not say that drop boxes need to be staffed, nor does the decision require a clerk to ask any questions of a voter who is attempting to return a ballot to a drop box.

11. What steps should clerks take if they want to display their drop box locations on MyVote ahead of the August 13, 2024 election?

Once implemented, clerks will be able to add drop box locations and information to WisVote under Election Specific Absentee Options, which will make the drop box locations viewable to voters in their municipality on MyVote. Registered voters in these municipalities will be able to see the information under “Find My Local Absentee Options” button from the Vote Absentee section (<https://myvote.wi.gov/en-us/VoteAbsentee>). Clerks will receive detailed instructions when this functionality becomes available again. Clerks are encouraged to communicate to voters as to the dates, times, and locations of drop boxes, as well as final retrieval dates and times.

12. Does the decision require clerks to track which ballots are received by drop box?

No. Nothing in the decision requires clerks to track, mark, or otherwise separate or indicate which returned absentee ballots were received via secure drop box.

³ Priorities USA v. WEC, 2024 WI 32, P26. The Priorities USA decision also states that Wis. Stat. § 6.855 “...simply does not apply to drop boxes.” Id. at P29.

⁴ Available at: <https://elections.wi.gov/memo/guidance-absentee-ballot-return-options-under-federal-voting-rights-act>.

Election Administration Manual – Revised Pages 76-77

13. May a clerk place an insert informing voters of the availability of drop boxes?

Yes. Clerks may place an insert informing voters of the availability of drop boxes for the return of absentee ballot envelopes. Those inserts are recommended to include the locations of the drop boxes, dates and times of availability, and date and time of final retrieval of absentee ballot envelopes. Such an insert would be considered additional administrative or logistical instructions pursuant to administrative rule EL § 6.05(2).

14. Will there be additional training on drop boxes?

Yes. Commission staff intend to provide training to clerks in ElectEd that will be consistent with the Commission’s guidance.

15. Are private citizens permitted to watch drop boxes if they are located in public?

Yes, but not if the watching interferes with voting. Whoever “interrupt[s] or disturb[s] the voting...proceedings” may be fined not more than \$1,000, or imprisoned not more than 6 months or both.⁵ Additionally, anyone who “by abduction, duress, or any fraudulent device or contrivance, impede[s] or prevent[s] the free exercise of the franchise at an election” is guilty of a Class I felony.⁶ Clerks immediately contact law enforcement if anyone tampers with, defaces, destroys, unlawfully empties, or interrupts, impedes, or prevents the use of a drop box.

16. What should I do if I still have questions?

If you have additional questions, please email elections@wi.gov.

In Person Requests

1. In person absentee voting in the clerk’s office or another designated absentee voting location may not begin any earlier than 14 days before an election.
In-person absentee voting may not take place the Monday before an election.

⁵ See Wis. Stat. §§ 12.13(3)(x), 12.60(1)(b).

⁶ See Wis. Stat. §§ 12.09(2), 12.60(1)(a).

Election Administration Manual – Revised Pages 76-77

The clerk must specify in the Type E Notice the hours during which they will be available to receive in person absentee requests. Wis. Stat. § 6.855(2).

2. Proof of identification must be presented. The clerk must initial the absentee certificate envelope indicating that the clerk has viewed acceptable proof of identification. Proof of identification must be presented by an elector each time they vote in person absentee in the clerk's office.

Wis. Stat. § 6.86(1)(ar).

1. The applicant does not need to fill out a separate written request if they only wish to vote absentee for the current election. The absentee certificate envelope doubles as an absentee request and certification when completed in person in the clerk's office.
2. Before issuing the ballot, the clerk must review the Ineligible Voter List to confirm that the elector is eligible to vote on the day of the election.
 - a. If the name of the elector appears on the list, the clerk shall inform the elector that the elector is ineligible to vote per Department of Corrections.
 - b. If the elector agrees that they are ineligible, the absentee application should be rejected and the voter registration inactivated.
 - c. If the elector maintains that they are eligible to vote in the election, the clerk shall make a reasonable effort to contact the WEC to verify the elector's felony status.
 - i. If WEC confirms the elector is eligible to vote, the clerk should document on the Absentee Ballot Log (EL-124) that they

Election Administration Manual – Revised Pages 86-88

- a. The Absentee Ballot Log (EL-124) is sent to the polling place with the absentee ballots on Election Day.
1. An absentee ballot is marked by an absent voter, and sealed in an Absentee Ballot Certificate Envelope (EL-122). The Absentee Ballot Certificate Envelope (EL-122) is then completed and signed by the absentee voter, witnessed by an adult U.S. Citizen, and mailed or delivered in person to the office of the municipal clerk. Wis. Stat. § 6.87(4)(b); *Teigen v. Wis. Elections Comm’n*, 2022 WI 64, 403 Wis. 2d 607, 976 N.W.2d 519. Note: The witness for absentee ballots completed by Military, Permanent and Temporary Overseas voters, must be an adult, but does not have to be a U.S. Citizen.
 - a. The witness must include their address. Note: The WEC may issue and distribute its guidance regarding the definition of ‘address.’ *White v. WEC*, (2022CV001008). The WEC’s guidance on witness address has been further revised consistent with decisions in *Rise v. WEC* (2024AP000165), and *League of Women Voters of Wisconsin v. WEC* (2022CV002472). See “Voter Correction of Incomplete Absentee Certificate Envelopes” on page 88.
 - b. The witness must include their printed name If an absentee certificate is missing the witness’s printed name, the clerk should decide how to proceed. If a clerk receives an absentee ballot with an improperly completed certificate, § 6.87(9) states that they may return the ballot to the elector whenever time permits the elector to correct the defect. A ballot may also be set aside for rejection under § 6.88(3)(b) if the “certification is insufficient.” Statute directs that the absentee ballot certificate language appear in “substantially” the form listed in § 6.87(2), which includes a field for a witness’s printed name, in addition to their signature. A clerk should determine whether a missing witness printed name renders the certification “insufficient” when determining if they should take action under § 6.88(3)(b). See also “Voter Correction of Incomplete Absentee Certificate Envelopes on page 88.”
 - a. **Litigation Note:** On July 20, 2023, a complaint was filed in the matter of *Priorities USA et al v. Wis. Elections Comm’n* (2023CV001900) in Dane County. The complaint seeks declaratory judgment that the witness requirement for absentee voting is invalid. ~~As of December 2023, no~~

Election Administration Manual – Revised Pages 86-88

~~judgement or order has been entered on the merits of this litigation.~~ The Priorities USA matter is still being litigated, and this section of the manual will be updated and/or supplemented consistent with further updates in that case, if any.

Caselaw Update: Return of Voted Absentee Ballots

Subject to two exceptions, only the voter may lawfully return his or her completed absentee ballot, either by mail or in person to the ~~office of the~~ municipal clerk, which can include a secure drop box. Wis. Stat. § 6.87(4)(b)(1); *Teigen v. Wis. Elections Comm'n*, 2022 WI 64, 59, 403 Wis. 2d 607, 976 N.W.2d 519, overruled in part by *Priorities USA v. WEC*, 2024 WI 32. ⁷

Exceptions

First, pursuant to the Voting Rights Act, any Wisconsin voter who requires assistance with mailing or delivering their absentee ballot to the municipal clerk because of a disability must be permitted to receive such assistance by a person of the voter's choice, other than the voter's employer or agent of that employer or officer or agent of the voter's union. *Carey v. Wis. Elections Comm'n*, 624 F. Supp. 3d 1020 (W.D. WI 2022).

Second, pursuant to section 6.86(3)(a)1., an agent may return a completed absentee ballot on behalf of a disabled voter by following the procedures required by that section.

When an election official is presented with an absentee ballot delivered in-person, the official may ask the following questions:

- Are you the voter? If not, then:
- Are you delivering the voter's ballot because the voter has determined that they require assistance returning their ballot due to their disability? If yes, then:
- Are you someone other than the voter's employer, an agent of that employer, or an officer or agent of the voter's union? If yes, then the ballot can be accepted.¹

¹ This guidance was approved by the Commission on September 6, 2022, and is available here: <https://elections.wi.gov/news/guidance-absentee-ballot-return-options>.

Election Administration Manual – Revised Pages 86-88

~~The use of drop boxes is not permitted unless the drop box is staffed by the clerk and located in the office of the clerk or a properly designated alternate absentee voting site. Wis. Stat. § 6.855; Tiegen v. Wis. Elections Comm’n, 2022 WI 64, 403 Wis. 2d 607, 976 N.W.2d 519. The office of the municipal clerk means any physical area that is controlled by the municipal clerk in order to carry out their statutory duties.~~

Absentee ballots may also be returned via secure drop box, if the municipal clerk chooses to utilize drop boxes. See page “XX” for Commission guidance on drop boxes in the wake of Priorities USA v. WEC.

elector...whenever time permits the elector to correct the defect and return the ballot” so that the municipal clerk can cause the completed ballot to be delivered to the proper polling place by 8 p.m. on Election Day. Wis. Stat. § 6.87(9). Sec. 6.87(9) does not limit how a municipal clerk should “return the ballot” to the elector. A clerk should contact a voter directly (phone, email, or otherwise) to notify the voter that there is a defect with their certificate envelope so that the voter may take steps to correct the defect. Whenever time permits, a clerk may choose to return the ballot to the voter under § 6.87(9) by returning it by mail, or by returning it to the voter in person in the clerk’s office or at the polling place on Election Day.

It is incumbent upon the voter to “correct the defect.”

If necessary, a clerk may include a new certificate envelope to the voter when returning a ballot for a voter to correct pursuant to § 6.87(9).

If the ballot has been returned to the voter under § 6.87(9), the voter must ensure the corrected ballot is returned so it is delivered to the polling place no later than 8 p.m. on Election Day. If a municipal clerk returns a ballot to a voter pursuant to § 6.87(9) and the voter chooses not to return it with the defect corrected, the voter may still vote in person at the polls on Election Day, or vote in person absentee pursuant to § 6.86(1)(a)2.

Defect in Voter Information Section

If the voter is correcting the original certificate envelope (to fill in a missing required field, for example), the original witness does not need to be present to witness the voter correcting the defect under § 6.87(9).

Defect in Witness Information Section

If the witness address or witness signature is missing, the voter and their original witness may go together to the clerk’s office or polling place for the witness to correct the defect.¹ If the voter consents and communicates

¹ **Litigation Note:** Litigation Note: The definition of “witness address” is the subject of ongoing litigation. In two cases, Rise Inc., et al v. Wis. Elections Comm’n et al (2022CV002446); League of Women Voters v. Wis. Elections Comm’n et al (2022CV002472), the Dane County Circuit Court issued decisions on January 2, 2024, and permanent injunctions on January 30, 2024. ~~Both cases are on appeal as of February 2024. Refer to clerk communications “Permanent Injunction on WEC concerning Absentee Voter Witness Address Information in Rise, Inc., et al. v.~~

that consent to the clerk, the witness may go to the clerk’s office or polling place for the witness to correct the defect in the witness information section. The clerk may not issue a new certificate envelope to the witness only—if a new certificate envelope is issued to allow a witness to correct a defect, the voter must also be present.

Issuing a New Certificate Envelope

A new certificate envelope may be necessary if the voter or witness are unable to correct the defect on the existing envelope.

If the voter or witness corrects the certificate envelope in the clerk’s office, the clerk may issue a new certificate envelope to the voter. Wis. Stat. § 6.87(9). An election inspector at the polls may issue a new envelope, if necessary, pursuant to the clerk’s authority under § 6.87(9). If a new certificate envelope is issued and completed, the original defective certificate envelope must be destroyed, but still set aside to be accounted for later in the event of a recount.

If the municipal clerk has provided the voter with a new envelope, the voter must request that their original witness re-complete the witness portion of the absentee envelope. The original witness must be used in this case because they were the one who witnessed the voter marking, folding, and depositing the ballot into the envelope. A new witness cannot be used because there is no way for a new witness to witness the elector marking their ballot if an elector is attempting to correct a defect under § 6.87(9).

If the voter is correcting a defect and the clerk has issued a new certificate envelope, **the voter** should take the following steps:

- Open the original certificate envelope

~~WEC et al. (2022 CV 002446)” and “Permanent Injunction on WEC concerning Absentee Voter Witness Address Information in League of Women Voters of Wisconsin v. WEC, et al. (2022 CV 002472)” for further information on how the decisions and permanent injunctions provide explanation and definition of when a ballot may be rejected due to a defect in the witness address field. The manual will be updated to be consistent with the final appellate decisions in either or both cases. On July 11, 2024, the Court of Appeals, District IV, issued a decision in *Rise* that modified the decision of the circuit court, in part, to hold that the “reasonable person in the community” standard is now only applied to the municipal clerk. For further detail on current injunctions and decisions regarding the definition of witness address, see “Witness Address Requirements” on page **XX** of the manual. The manual will be updated to be consistent with further decisions, if any, in these cases.~~

ELECTION ADMINISTRATION MANUAL – REVISED PAGES 89-90

- Verify their ballot
- The voter may NOT remove the ballot from the polling place or the clerk’s office.

Witness Address Requirements

Since 2022, litigation in three separate cases has resulted in decisions regarding what constitutes a witness address.—[Rise, Inc., et al. v. WEC et al., \(2022-CV-002446\)](#), [overruled in part by Rise, Inc. et al v. WEC et al. \(2024AP000165\)](#), [League of Women Voters of Wisconsin v. WEC, et al., \(2022-CV-002472\)](#), and [White et al. v. Wisconsin Elections Commission, \(2022-CV-001008\)](#).

The following guidance was issued by the Commission on February 9, 2024², and has been slightly modified following the appellate court decision in [Rise v. WEC](#) on July 11, 2024:

Question 1: Can an election official modify or add information to absentee ballot witness certifications?

Answer 1: No. Election officials cannot modify or add information to absentee ballot witness certifications.

Question 2: What does “address” mean as used in Wis. Stat. § 6.87(2) and (6d)?

Answer 2: It means “a place where the witness may be communicated with.”

Question 3: What information is required for a sufficient witness address?

Answer 3: No particular components or information are required, but an absentee ballot cannot be rejected or returned to a voter for correction under Wis. Stat. § 6.87(9) as long as the face of the certificate contains sufficient information to allow the municipal clerk to identify a location where the witness may be communicated with. “The standard for applying the definition of “address” must be viewed from the perspective of the municipal clerk, rather

² Available at: <https://elections.wi.gov/memo/wec-clerk-communications-relating-absentee-ballot-certificate-witness-addresses>

than from a “reasonable person in the community.”³ This does not prevent returning an absentee ballot to a voter or rejecting an absentee ballot after 8 p.m. on Election Day if this standard cannot be met or if there is a separate issue, such as a missing witness signature or missing voter signature.

Question 4: What information is enough for the municipal clerk to reasonably identify a location where the witness can be communicated with?

Answer 4: ~~The Commission cannot provide a complete answer to this question since, by definition, it is community specific. However, it can state that in~~ The appeals court in the Rise decision affirmed that the purpose of the witness address requirement is so that the witness may be contacted if needed.⁴ As long as the address information provided by the witness is sufficient to enable communication with the witness, the purpose of the address requirement is fulfilled.⁵ Given the municipal clerk’s role in the absentee voting process, “it follows that the correct standard for properly defining ‘address’ in § 6.87 involves the perspective of each local, municipal clerk performing their duties in a reasonable manner, rather than from the perspective of a reasonable person in the community.”⁶ The municipal clerk may reasonably rely upon his or her “own knowledge of community places, building names, and local addresses.”⁷

Important: This witness address standard should be based on the face of the certificate, not just the information on the “address” line.⁸ This aspect of the circuit court decision in Rise was unchanged by the appellate court.

In the four scenarios below, the witness address must be considered sufficient. A witness address is sufficient if:

- a. The witness’s street number, street name, and municipality are present, but there is neither a state name nor a ZIP code provided;
- b. The witness’s street number, street name, and ZIP code are present, but there is neither a municipality nor a state name provided;

³ See Rise, Inc. et al v. WEC et al, (2024AP000165), page 3.

⁴ Id. at page 34.

⁵ Id.

⁶ Id. at 37.

⁷ Id. at 38.

⁸ Id. at 39.

ELECTION ADMINISTRATION MANUAL – REVISED PAGES 89-90

c. The witness’s street number and street name are present and match the street number and street name of the voter, but no other address information is provided; or

d. The witness certification indicates that the witness address is the same as the voter’s address with any or any combination of the following words: “same,” “same address,” “same as voter,” “same as above,” “see above,” “ditto,” or by using quotation marks and/or an arrow or line pointing to or from the voter address.

Question 5: If one of these four scenarios is not present, should the absentee ballot be rejected?

Answer 5: Not on that basis. If an election official determines that one of the four scenarios above is present, the witness address is sufficient, and no further determination is needed. If one of these scenarios is not present, an election official must apply the standard in Answer 3, which is to look to the face of the certificate for information that would allow a reasonable person in the community the municipal clerk to reasonably identify a location where the witness may be communicated with. If the information can be found on the face of the certificate, it is sufficient.

ELECTION DAY MANUAL – REVISED PAGE 90

one or more of the following errors: no voter signature, no witness signature, no witness address, no witness printed name, both special voting deputies failed to sign, or no certification language. Wis. Stat. § 6.88(3)(b). Set these aside and process them after 8 p.m. on Election Day See also “Voter Correction of Incomplete Absentee Certificate Envelopes” on page **XX** for further information. Absentee ballots may not be counted until after the polls close.

Processed absentee ballots are placed in the ballot box or optical scan equipment and are counted when all the other ballots are counted. Ballots are considered counted once the polls have closed and all ballots are tabulated, either by equipment or by a hand tally. Election inspectors do not need to stand in the voter line to process absentee ballots.

If the election inspectors have reliable proof that an elector has died before Election Day, the absentee ballot must be rejected.

Absentee Ballot Certificate Envelopes (EL-122, EL-122M, EL-122SVD, EL-122SP)

There are four variations of the Absentee Ballot Certificate Envelope:

1. EL-122 Standard Absentee Certificate Envelope, used in most situations.
2. EL-122M Absentee Certificate Envelope, used for military and permanent overseas voters.
3. EL-122SVD, used for absentee voting conducted by Special Voting Deputies in residential care facilities and retirement homes.
4. EL-122SP, used for voters in SVD-eligible facilities that are not served by SVDs.

ELECTION DAY MANUAL – REVISED PAGE 92

Step 3: The witness must complete this section by signing and printing their name and providing their address (~~street number, street name, municipality~~). For more detailed Commission guidance on what constitutes a witness address, see “Witness Address Requirements” on page XX.

STEP 3 WITNESS must complete this part

I the undersigned witness, subject to the penalties for false statements of Wis. Stat. § 12.60(1)(b), certify that:

- I am an adult U.S. citizen
- The above statements are true and the voting procedure was executed as stated
- I am not a candidate for any office on the enclosed ballot (except in the case of an incumbent municipal clerk).
- I did not solicit or advise the elector to vote for or against any candidate or measure

WITNESS REQUIRED

X

Witness Signature

Witness Printed Name

Witness Address (Number, Street Name, City)

Absentee Certificate Envelope for Other Categories of Absentee Voters

EL-122M for Military and Permanent Overseas Voters. In step 2 of this envelope, voters must include their date of birth. The witness is required to be an adult but does not have to be a U.S. citizen.

STEP 2

VOTER must complete this part

I certify, subject to the penalties for false statements of Wis. Stat. § 12.60(1)(b), that:

- I am a resident of the ward or of the aldermanic district of the municipality in the county of the state of Wisconsin indicated hereon **OR** I am entitled to vote in the ward or aldermanic district at the election indicated hereon
- I am not voting at any other location in this election
- I am unable or unwilling to appear at the polling place in the ward on Election Day, or I have changed my residence within the state from one ward to another less than 28 days before the election
- I displayed the ballot unmarked to the witness and in the presence of no other person marked the ballot and enclosed and sealed it in this envelope in a manner that no one but myself and an assistant under s. 6.87 (5), if I requested assistance, could know how I voted
- I requested this ballot and this is the original or a copy of that request

X

Voter Signature

Date of Birth / /
(mm/dd/yyyy)

Certification of Assistant (If applicable)

I certify that the voter is unable to sign their name due to a disability and that I signed the voter's name at the direction and request of the voter

Assistant signature

DRAFT

ELECTION DAY MANUAL – REVISED PAGE 93

EL-122SVD for use by Special Voting Deputies conducting absentee voting in residential care facilities and retirement homes. In step 3 of this envelope, the signatures and addresses of both SVDs are required in the witness section. [For Commission guidance on what constitutes a witness address, see “Witness Address Requirements” on page XX.](#)

STEP 3 SVD must complete this part	
<p>I the undersigned witness, subject to the penalties for false statements of Wis. Stat. § 12.60(1)(b), certify that:</p>	
<ul style="list-style-type: none"> • I am an adult U.S. citizen • I am not a candidate for any office on the enclosed ballot (except in the case of an incumbent municipal clerk). 	<ul style="list-style-type: none"> • I did not solicit or advise the elector to vote for or against any candidate or measure. • I further certify that the name and address of the voter is correct as shown
X	X
Deputy #1 Signature	Deputy #2 Signature
Deputy #1 Printed Name	Deputy #2 Printed Name
Deputy #1 Address (Number, Street Name, City)	Deputy #2 Address (Number, Street Name, City)

EL-122SP for use by voters residing in SVD-eligible care facilities and retirement homes not served by SVDs. In step 4 of this envelope, the authorized representative of the care facility signs this section or the voter includes photo ID. The care facility representative may also serve as the witness.

STEP 4

CARE FACILITY REP. must complete this part

I certify I am an authorized representative of the facility listed. I further certify that this facility is registered or certified as required by law, that the above voter is a resident, and I verify that the name and address of the voter described above are correct.

X

Care Facility Authorized Representative Signature

Name of Facility

DRAFT

ELECTION DAY MANUAL – REVISED PAGE 95

- a. be an adult, but does not need to be a U.S. citizen). The witness must include their address and it can be an address outside of the United States. Wis. Stat. § 6.87(4)(b). For Commission guidance on what constitutes a witness address, see “Witness Address Requirements” on page XX.

Note: If the envelope has been opened or resealed, the signature of either the elector or the witness is missing or the witness’ printed name or address is missing, the absentee ballot certificate envelope is insufficient, and the absentee ballot must be rejected. If the witness address appears to be incomplete, refer to “Witness Address Requirements” on page XX to determine whether the address provided is insufficient enough to be rejected. If there are no clerk initials on the envelope do not reject the ballot but note the omission on the EL-104 and process normally.

2. If the Absentee Certificate Envelope (EL-122) is found to be **insufficient**:
 - a. Do not open the envelope.
 - b. Do not issue a voter number.
 - c. Mark the envelope “Rejected ballot #_” (beginning with the number 1). Write the reason for rejection on the envelope.
 - d. List the elector’s name, identifying serial number of the rejected ballot (see “c.” above), and the reason for rejection on the Inspectors’ Statement (EL-104).
 - e. Record the reason for rejection next to the elector’s name on the Absentee Ballot Log.
 - f. Record the ballot as not counted on the Absentee Ballot Log (EL-124).
 - g. Place the unopened certificate envelope in the Certificate of Rejected Absentee Ballots (EL-102) brown carrier envelope.

Wis. Stat. § 6.88(3)(b).

3. If the Absentee Certificate Envelope indicates that proof of identification or the Certification of Authorized Care Facility Representative is required, it is the responsibility of the election inspector to ensure that the elector included proof of identification along with the absentee ballot or completed the appropriate certification section before the ballot may be counted. In these cases, the certificate envelope will be an EL-122SP, which contains the Authorized Care Facility Representative section. Follow these procedures:

DRAFT

ELECTION DAY MANUAL – REVISED PAGE 101

- c. Check the ballot contains the initials of the issuing clerk.
 - i. If the ballot does not contain the initials of the clerk or deputy clerk, do NOT reject the ballot solely for that reason.
 1. Issue a voter number and record the voter number on the voter list. Document that this was an absentee ballot (red “A” next to voter number). Also, record on the Absentee Ballot Log that the ballot was counted.
 2. Place the ballot in the ballot box.
 3. Place the used certificate envelope in the Used Certificate Envelopes of Absentee Electors (EL-103) white carrier envelope.
 4. Record on the Inspectors’ Statement (EL-104) that clerk’s initials were missing.
 5. Record as counted on the Absentee Ballot Log (EL-124).

NOTE: Elections inspectors do not need to stand in line and go through the motions of a voter in order to process absentee ballots.

9. If the Absentee Certificate Envelope (EL-122) is determined “to be rejected,” because the signature of elector or witness is missing, the witness address is missing or if the envelope is open or appears to have been resealed, see “Voter Correction of Incomplete Absentee Certificate Envelopes” on page XX. If the witness address appears to be incomplete, refer to “Witness Address Requirements” on page XX to determine whether the address provided is insufficient enough to be rejected.

Voter Correction of Incomplete Absentee Certificate Envelopes

Disclaimer: This section of the manual covers a clerk’s ability to return absentee ballots to voters under § 6.87(9), or to reject absentee ballots under §

6.88(3)(b) when there are defects on the certificate envelope. For information on a municipal clerk’s ability to return absentee ballots to electors under § 6.86(5) when the ballot is spoiled or damaged, see “Spoiling and Replacement Ballots” on page XX. **Be advised that these two sections of the manual are not interchangeable.**

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necessary, pursuant to the clerk's authority under § 6.87(9). If a new certificate envelope is issued and completed, the original defective certificate envelope must be destroyed, but still set aside to be accounted for later in the event of a recount.

If the municipal clerk has provided the voter with a new envelope, the voter must request that their original witness re-complete the witness portion of the absentee envelope. The original witness must be used in this case because they were the one who witnessed the voter marking, folding, and depositing the ballot into the envelope. A new witness cannot be used because there is no way for a new witness to witness the elector marking their ballot if an elector is attempting to correct a defect under § 6.87(9).

If the voter is correcting a defect and the clerk has issued a new certificate envelope, **the voter** should take the following steps:

- Open the original certificate envelope
- Verify their ballot
- The voter may NOT remove the ballot from the polling place or the clerk's office.
- Seal the ballot in the new certificate envelope and complete the certifications with their original witness.

If the voter corrects a defect of the certificate envelope, they may only correct the defect—they may not vote a new ballot.

The clerk or election inspector should document that a correction was made (and if the ballot was accepted on Election Day) on the Absentee Ballot Log (EL-124).

If any of the following occur, the defect will not be corrected by the voter, and the clerk should proceed to section (2) below:

- 1) There is not time for a clerk to attempt to return the ballot to the voter pursuant to § 6.87(9).
- 2) The clerk chooses not to attempt to return the ballot to the voter pursuant to § 6.87(9).
- 3) The clerk has attempted to return the ballot to the voter under § 6.87(9), but the voter has failed to correct the defect by 8 p.m. on Election Day.
- 4) The clerk has notified the voter of the defect in the certificate and the voter has not remedied the defect by 8 p.m. on Election Day.

(2) Setting Aside the Ballot for Rejection – Wis. Stat. § 6.88(3)(b)

If a clerk, or election inspector, finds that a certificate is insufficient, they shall not count the ballot. Wis. Stat. § 6.88(3)(b).

If exercising authority under § 6.88(3), the clerk should label missing and no certificate envelope ballots as “To Be Rejected,” and keep them separate from the rest of the absentee ballots when delivering to the polling place. These ballots should be kept separate to allow the voter to correct any defects prior to 8 p.m. on Election Day.

After 8 p.m. on Election Day, if a ballot is rejected, an inspector must write “rejected, insufficient certificate” on the back of the ballot. Wis. Stat. § 6.88(3)(b). The rejected ballot should then be reinserted into the certificate envelope in which it was delivered, and securely seal both in an envelope marked for rejected absentee ballots. Wis. Stat. § 6.88(3)(b). All other procedures specified by § 6.88(3)(b) should always be followed when rejecting absentee ballots for any reason.

Witness Address Requirements

Since 2022, litigation in three separate cases has resulted in decisions regarding what constitutes a witness address.—Rise, Inc., et al. v. WEC et al., (2022- CV-002446), overruled in part by Rise, Inc. et al v. WEC et al. (2024AP000165), League of Women Voters of Wisconsin v. WEC, et al., (2022-CV-002472), and White et al. v. Wisconsin Elections Commission, (2022-CV-001008).

The following guidance was issued by the Commission on February 9, 2024¹, and has been slightly modified following the appellate court decision in Rise v. WEC on July 11, 2024:

Question 1: Can an election official modify or add information to absentee ballot witness certifications?

Answer 1: No. Election officials cannot modify or add information to absentee ballot witness certifications.

Question 2: What does “address” mean as used in Wis. Stat. § 6.87(2) and (6d)?

¹ Available at: <https://elections.wi.gov/memo/wec-clerk-communications-relating-absentee-ballot-certificate-witness-addresses>

Answer 2: It means “a place where the witness may be communicated with.”

Question 3: What information is required for a sufficient witness address?

Answer 3: No particular components or information are required, but an absentee ballot cannot be rejected or returned to a voter for correction under Wis. Stat. § 6.87(9) as long as the face of the certificate contains sufficient information to allow the municipal clerk to identify a location where the witness may be communicated with. “The standard for applying the definition of “address” must be viewed from the perspective of the municipal clerk, rather than from a “reasonable person in the community.””² This does not prevent returning an absentee ballot to a voter or rejecting an absentee ballot after 8 p.m. on Election Day if this standard cannot be met or if there is a separate issue, such as a missing witness signature or missing voter signature.

Question 4: What information is enough for the municipal clerk to reasonably identify a location where the witness can be communicated with?

Answer 4: The Commission cannot provide a complete answer to this question since, by definition, it is community specific. However, it can state that in The appeals court in the Rise decision affirmed that the purpose of the witness address requirement is so that the witness may be contacted if needed.³ As long as the address information provided by the witness is sufficient to enable communication with the witness, the purpose of the address requirement is fulfilled.⁴ Given the municipal clerk’s role in the absentee voting process, “it follows that the correct standard for properly defining ‘address’ in § 6.87 involves the perspective of each local, municipal clerk performing their duties in a reasonable manner, rather than from the perspective of a reasonable person in the community.”⁵ The municipal clerk may reasonably rely upon his or her “own knowledge of community places, building names, and local addresses.”⁶

Important: This witness address standard should be based on the face of the certificate, not just the information on the “address” line.⁷ This aspect of the circuit court decision in Rise was unchanged by the appellate court.

² See Rise, Inc. et al v. WEC et al, (2024AP000165), page 3.

³ Id. at page 34.

⁴ Id.

⁵ Id. at 37.

⁶ Id. at 38.

⁷ Id. at 39.

In the four scenarios below, the witness address must be considered sufficient. A witness address is sufficient if:

- a. The witness's street number, street name, and municipality are present, but there is neither a state name nor a ZIP code provided;
- b. The witness's street number, street name, and ZIP code are present, but there is neither a municipality nor a state name provided;
- c. The witness's street number and street name are present and match the street number and street name of the voter, but no other address information is provided; or
- d. The witness certification indicates that the witness address is the same as the voter's address with any or any combination of the following words: "same," "same address," "same as voter," "same as above," "see above," "ditto," or by using quotation marks and/or an arrow or line pointing to or from the voter address.

Question 5: If one of these four scenarios is not present, should the absentee ballot be rejected?

Answer 5: Not on that basis. If an election official determines that one of the four scenarios above is present, the witness address is sufficient, and no further determination is needed. If one of these scenarios is not present, an election official must apply the standard in Answer 3, which is to look to the face of the certificate for information that would allow a reasonable person in the community the municipal clerk to reasonably identify a location where the witness may be communicated with. If the information can be found on the face of the certificate, it is sufficient.

Drop Boxes

On July 5, 2024, the Wisconsin Supreme Court overruled its prior decision, in part, in Teigen v. WEC, and held that secure drop boxes were permitted under state law as a valid method of absentee ballot return. The decision is binding on all lower Wisconsin courts. The use of drop boxes is not mandatory and is at the discretion of the municipal clerk.

On July 11, 2024, the Wisconsin Elections Commission (“the Commission”) held a public meeting to review and issued the following guidance.⁸

1. Does the decision affect all municipal clerks?

Yes. The decision permits all municipal clerks to choose to use secure absentee ballot drop boxes in their jurisdiction if they wish, starting immediately.

2. What does the decision say?

The Wisconsin Supreme Court determined that the statute that permits voters to return their absentee ballots “to the municipal clerk issuing the ballot or ballots” refers to a person, not a location. The court asserted that this interpretation of state law is consistent with Wisconsin’s highly decentralized system whereby municipal clerks have broad statutory discretion to administer elections in their jurisdiction. Accordingly, since voters may return their absentee ballots to the municipal clerk, or his or her authorized representatives, they may do so via drop box, if that’s a method the municipal clerk chooses to utilize.

3. Does the decision change any established practice?

Yes. The decision reverses a prior Wisconsin Supreme Court decision, in part, and holds that secure drop boxes are a legal method of absentee ballot return under Wisconsin law.

4. Do clerks have to use drop boxes?

No. The decision explicitly states that it does not require clerks to use drop boxes, it just says that the law permits clerks to utilize them if they choose. So if a municipal clerk decides not to use drop boxes in an exercise of clerk election administration discretion, they will not be violating the Priorities USA decision. Clerks should note, however, that choosing not to use drop boxes because of a belief that they are not legal is likely inconsistent with the reasoning of the decision, and raises the risk of a legal challenge.

5. Can a clerk be successfully sued if he or she chooses not to utilize drop boxes?

⁸ This guidance was published on the Commission’s website on July 11, 2024, and was distributed to all Wisconsin clerks. It is being incorporated into the manual in this section, but this section is not substantively different than the guidance provided by the Commission on July 11.

Likely not. If a clerk chooses not to use drop boxes in upcoming elections, it is very unlikely that a challenger would be successful in arguing that Priorities USA requires them to be used. 6. Are the Commission’s previous memos related to drop boxes prior to the Teigen decision back in effect? No. The Commission withdrew memoranda dated March 31 and August 19, 2020 relating to drop boxes as part of the Teigen litigation on February 16, 2022. The Priorities USA decision does not mean either of those memoranda are back in effect. This memorandum, dated July 11, 2024, is the Commission’s sole issued guidance document related to drop boxes as of this date.

7. Did the decision discuss where drop boxes may be located and who can set them up?

Yes. The decision stated that drop boxes are set up, maintained, secured, and emptied by the municipal clerk, which includes their authorized representatives. A single person need not set up, maintain, secure, and empty all drop boxes in a municipality. The drop boxes may be placed in a location other than the municipal clerk’s office, and may be placed in any location that the municipal clerk, within his or her statutory discretion, designates.

8. Do drop boxes need to be secure? What should clerks consider when examining drop box security?

Yes. The decision held that state law permits clerks to lawfully utilize secure drop boxes in an exercise of their statutorily conferred discretion. The decision did not provide guidance on what it means for a drop box to be “secure.” The Commission recommends that clerks keep the following non-exhaustive security considerations in mind when planning to utilize drop boxes, which are consistent with guidance from the U.S. Election Assistance Commission (EAC) and the U.S. Cybersecurity and Infrastructure Security Agency (CISA). These considerations are merely a starting point—the Commission recommends that clerks thoroughly complete a security assessment for each intended drop box location prior to deployment. The Commission recommends the following best practices:

Best Practices: Physical Security of the Drop Box Itself

- The drop box be securely affixed to the ground or the side of the building, or secured such that the drop box cannot be removed or tampered with.

- If located outside, the drop box be sturdy enough to withstand the elements so the ballots inside will remain unspoiled.
- The drop box be secured against unlawful access or emptying.
- The slot of the drop box be appropriately sized so that only an absentee ballot can be deposited and not other objects or liquids.
- Any damage to or tampering with the drop box be documented and the drop box be inspected to ensure that it remains secure for the purpose of depositing absentee ballot envelopes.
- The drop box be clearly marked or labeled that the drop box is for the purpose of collecting absentee ballots in return envelopes.
- The time of final retrieval of ballot return envelopes be clearly marked on or near the drop box. After the time of final retrieval, the drop box be secured to prevent the submission of absentee ballot return envelopes.

Best Practices: Security of the Drop Box Surroundings

- The drop box be located in a safe location with adequate parking and safe access for pedestrians.
- The drop box be located in a well-lit area.
- The drop box be clearly visible, and the path to the drop box be accessible with clear and level ground space in front.

Best Practices: Security of Ballot Retrieval/Emptying

- The drop box be emptied often enough to avoid the box from being filled with ballots, and a record of the times and dates of retrieval, number of ballots retrieved and the person or persons participating in the retrieval be maintained.
- Ballots retrieved from a drop box be securely transported to the office of the clerk.

- The drop box be equipped with unique locks or seals to secure ballots.
- Absentee ballots that are returned via drop box be secured and transported in the same manner as all other absentee ballots received by clerks. Please refer to **page 104** of the Election Administration Manual for guidance on how to secure and transport voted absentee ballots.

The Commission recommends that clerks review the following resources from the EAC and CISA as a starting point for procedures on the secure administration of drop boxes:

- EAC Quick Start Guide on Drop Boxes (PDF)
 - https://www.eac.gov/sites/default/files/electionofficials/QuickStartGuides/Ballot_Drop_Boxes_EAC_Quick_Start_Guide_508.pdf • EAC Election Management Guidelines, Pages 53, 80, 100 (PDF) ○ https://www.eac.gov/sites/default/files/electionofficials/EMG/EAC_Election_Management_Guidelines_508.pdf
- EAC Sample FAQ Language for How Drop Boxes Work that Can be Adapted for Wisconsin
 - <https://www.eac.gov/how-do-drop-boxes-work> • CISA Drop Box Considerations ○ https://www.cisa.gov/sites/default/files/2023-07/Ballot_Drop_Box.pdf

9. Does the governing body of the municipality need to be the one to designate drop box locations?

No. The governing body of the municipality designates the location of alternate absentee voting sites under Wis. Stat. § 6.855. The Priorities USA decision clearly states that state law “...requires only that the ballot be delivered to a location the municipal clerk, within his or her discretion, designates.”⁹ The municipal clerk has the authority to designate drop box locations.

10. Who can return a ballot to a drop box?

A voter may return his or her own ballot. An individual may also return the ballot of anyone he or she is lawfully assisting, such as a voter with a disability or a hospitalized voter. An individual is permitted to provide assistance to more than one disabled or hospitalized absentee voter. These principles were issued in Commission guidance following the litigation in Carey v. WEC, and are

⁹ Priorities USA v. WEC, 2024 WI 32, P26. The Priorities USA decision also states that Wis. Stat. § 6.855 “...simply does not apply to drop boxes.” Id. at P29.

unchanged by the Priorities USA decision.¹⁰ The decision does not say that drop boxes need to be staffed, nor does the decision require a clerk to ask any questions of a voter who is attempting to return a ballot to a drop box.

11. What steps should clerks take if they want to display their drop box locations on MyVote ahead of the August 13, 2024 election?

Once implemented, clerks will be able to add drop box locations and information to WisVote under Election Specific Absentee Options, which will make the drop box locations viewable to voters in their municipality on MyVote. Registered voters in these municipalities will be able to see the information under “Find My Local Absentee Options” button from the Vote Absentee section (<https://myvote.wi.gov/en-us/VoteAbsentee>). Clerks will receive detailed instructions when this functionality becomes available again. Clerks are encouraged to communicate to voters as to the dates, times, and locations of drop boxes, as well as final retrieval dates and times.

12. Does the decision require clerks to track which ballots are received by drop box?

No. Nothing in the decision requires clerks to track, mark, or otherwise separate or indicate which returned absentee ballots were received via secure drop box.

13. May a clerk place an insert informing voters of the availability of drop boxes?

Yes. Clerks may place an insert informing voters of the availability of drop boxes for the return of absentee ballot envelopes. Those inserts are recommended to include the locations of the drop boxes, dates and times of availability, and date and time of final retrieval of absentee ballot envelopes. Such an insert would be considered additional administrative or logistical instructions pursuant to administrative rule EL § 6.05(2).

14. Will there be additional training on drop boxes?

Yes. Commission staff intend to provide training to clerks in ElectEd that will be consistent with the Commission’s guidance.

¹⁰ Available at: <https://elections.wi.gov/memo/guidance-absentee-ballot-return-options-under-federal-voting-rights-act>.

15. Are private citizens permitted to watch drop boxes if they are located in public?

Yes, but not if the watching interferes with voting. Whoever “interrupt[s] or disturb[s] the voting...proceedings” may be fined not more than \$1,000, or imprisoned not more than 6 months or both.¹¹ Additionally, anyone who “by abduction, duress, or any fraudulent device or contrivance, impede[s] or prevent[s] the free exercise of the franchise at an election” is guilty of a Class I felony.¹² Clerks immediately contact law enforcement if anyone tampers with, defaces, destroys, unlawfully empties, or interrupts, impedes, or prevents the use of a drop box.

16. What should I do if I still have questions?

If you have additional questions, please email elections@wi.gov.

Absentee Voters at the Polling Place

Election inspectors should follow these procedures if a voter with an absentee designation in the poll book comes to the polling place to vote on Election Day, in addition to the procedures outlined in the Electors section.

Municipalities must track absentee ballots on the pre-printed poll list. The clerk shall also provide each polling place an Absentee Ballot Log (EL-124).

The absentee notation on the pre-printed poll list indicates that an absentee ballot was issued to the voter. The notations may or may not indicate that the ballot was returned.

1. If an individual noted as “absentee” appears at the polling place, the inspectors should check the Absentee Ballot Log (EL-124) to determine if the ballot has been returned.
 - a. If the absentee ballot has been returned and there are no errors that would cause the ballot to be rejected, the voter may not vote at the polling place.

¹¹ See Wis. Stat. §§ 12.13(3)(x), 12.60(1)(b).

¹² See Wis. Stat. §§ 12.09(2), 12.60(1)(a).