

# Overview of Absentee Voting Rules

## Indefinitely Confined Electors

### Definition

Voters indefinitely confined in their home or in a qualified facility [Community Based Residential Facility (CBRF), retirement home, residential care apartment complex, or adult family home] that is **NOT** served by special voting deputies. Elector must have applied for absentee ballots as an indefinitely-confined elector.

### Application Requirements

- Voter registrations that are postmarked after the 20<sup>th</sup> day before the election cannot be accepted.
- Absentee applications must be received no later than 5:00 p.m. on the Friday prior to the election.
- Voter must check box or otherwise indicate on the absentee application that they are indefinitely confined.

### Proof of Identification

- Proof of identification is not required with the application.
  - By signing the certificate envelope, the witness is certifying that they have verified the name and address of the voter. This satisfies the ID requirement for indefinitely confined electors.

### Duration of Requests

- Receive ballots automatically for as long as they return them (“permanent” status)
- If a ballot is not returned, send 30-day notice
  - Send 30-day notice after general elections only
  - If voter responds to notice, keep on permanent list
  - If voter does not respond to notice, cancel absentee application (remove from permanent list)

### Deadline for Ballot Return

Election Day in time for distribution to polling place

# Overview of Absentee Voting Rules

## Electors Served by Special Voting Deputies (SVDs)

### Definition

Voters residing at a nursing home or in a qualified facility [Community Based Residential Facility (CBRF), retirement home, residential care apartment complex, or adult family home] that is served by special voting deputies.

### Application Requirements

- If SVDs are conducting absentee voting at a facility prior to the 20<sup>th</sup> day before the election, the SVDs may register the individual to vote.
  - SVDs may register voters using their pre-nursing home address if the voter has an intent to return. These registrations must be forwarded to the respective municipal clerk.
- Absentee applications must be received by the respective deadline, 5:00 p.m. on Thursday for regular voters, 5:00 p.m. Friday for indefinitely confined voters.
  - Voter must check box or otherwise indicate on the absentee application that they are indefinitely confined.
  - SVDs may accept written absentee applications in-person from registered electors at the facility, if before the applicable deadline.

### Proof of Identification

- Proof of identification is not required with the application.
- One of the following is required:
  - A copy of photo ID submitted *either* with the application or with the returned ballot.
    - If photo ID is presented to the SVDs, the SVD makes a copy of it and encloses it with the ballot in the certificate envelope. *OR*
  - A statement signed by both SVDs that contains the voter's name and address and verifies the voter's name and address are correct. This can be found on the newly-revised certificate envelope (GAB-122).
- This requirement must be met each time the elector votes.

# Overview of Absentee Voting Rules

## Electors Served by Special Voting Deputies (SVDs), Continued

### Duration of Requests

- As specified in the request (specific elections, calendar year, or permanent if indefinitely confined).
- If an elector on the permanent list does not vote an absentee ballot, the SVDs should ask them to either:
  - Sign a separate statement indicating they still want to receive ballots, *OR*
  - Enclose a blank ballot in the certificate envelope and sign the certification.
  - If the elector does not do either of the above, send them a notice via mail that their absentee application will be canceled.
    - The elector has 30 days to respond
    - Send notice after general elections only
    - If the elector does not respond to the notice, cancel the absentee application.

### Time frame for conducting absentee voting in qualified facilities

- Between the 4<sup>th</sup> Monday before the election and the Monday before the election
  - Notice of date and time posted at facility no less than 24 hours before visit
  - Registered voters may request to vote absentee on the day the SVDs visit
    - Must use absentee application, not just certificate envelope.

### Special Procedures

- Only SVDs may witness the absentee certification.
- No person other than a SVD or a relative of the elector may assist that person in voting.
- Only if an absentee elector is not available to cast his or her ballot on two separate visits by the SVDs to the facility may the clerk mail the ballot to the elector.
  - Must transmit the ballot no later than 5:00 p.m. on the Friday preceding the election.
- See “Absentee Voting in Nursing Homes” Manual for details.

# Overview of Absentee Voting Rules

## Electors at Special Voting Deputy-Eligible Facilities

### Definition

Voters residing in a qualified facility [Community Based Residential Facility (CBRF), retirement home, residential care apartment complex, or adult family home] that is NOT served by special voting deputies. Also, does NOT include voters who are indefinitely confined.

- Use the indefinitely confined elector procedures for indefinitely confined electors who may reside at an SVD-eligible facility.

### Application Requirements

- Voter registrations that are postmarked after the 20<sup>th</sup> day before the election cannot be accepted.
- Absentee applications must be received by 5:00 p.m. on Thursday.

### Proof of Identification

- Proof of identification is not required with the application.
- One of the following is required:
  - A copy of photo ID submitted *either* with the application or with the returned ballot *OR*,
  - A statement signed by both the witness and an authorized agent of the facility that contains the voter's name and address and verifies the voter's name and address are correct and the voter lives at the facility. This can be found on the newly-revised certificate envelope (GAB-122).
- Proof of identification must be provided only once, either with the application or the ballot (unless the voter re-registers with a new name or address).

### Duration of Requests

As specified on absentee ballot application.

### Deadline for Ballot Return

Election Day, in time for distribution to polling place.

# Overview of Absentee Voting Rules

## Military Voters

### Definition

U.S. military service (at home or away), members of the merchant marine, civilian employees of the United States serving outside the U.S., peace corps volunteers, and their spouses or voting-age dependents.

### Application Requirements

- No voter registration form is required.
- Must have resided in municipality immediately before entering the military.
- Absentee application must be received no later than 5:00 p.m. on the Friday preceding the election. However, for the Partisan Primary and General Election, military electors have until 5:00 p.m. on Election Day.
- The Federal Post Card Application (FPCA) is a common alternative form that is used by military electors. It counts as both a voter registration and absentee ballot application.

### Proof of Identification

Exempt

### Duration of Request

- Indefinite, if not otherwise specified
  - Receive ballots for all offices
  - If no ballots returned for a period that includes 3 November elections, send notice that no more ballots will be sent.

### Deadline for Ballot Return

- Election Day, except:
  - Partisan Primary – 7 days after the primary
  - November General – 10 days after the election.
    - Must be postmarked by Election Day

### State Write-In Absentee Ballot (SWAB)

- For military voters with an absentee ballot request on file, send the SWAB at least 90 days before the election or as soon as the contests are known.
- For military voters who make an absentee ballot request between the 90<sup>th</sup> day before the election and the time that official ballots are ready, send the SWAB within 24 hours of receiving the request.
- Stop sending the SWAB when official ballots become available.
  - Send an official ballot to each military elector who was previously sent a SWAB.

# Overview of Absentee Voting Rules

## Military Voters, Continued

### Federal Write-In Absentee Ballot (FWAB)

- Available at military bases, embassies, and online at FVAP.gov. (This is not a ballot sent by the clerk.)
- Cannot be accepted unless there is an absentee application on file.

### Multiple Ballots - Priority

- Count whatever ballot you have received by Election Day
- If more than one ballot received by Election Day, all ballots are sent to the polling place for processing. Only one ballot is counted and the rest are rejected. The order of priority is:
  1. Official Ballot
  2. SWAB
  3. FWAB
- At the Partisan Primary or General Election, if ballots come in after Election Day, but before the deadline, and you have already counted a ballot on Election Day, do not count the late-arriving ballots.

### Special Procedures

- Requests are valid for up to 28 days after the date of discharge from military service.
- See the Military and Overseas Voting Manual and SVRS manual for further details on the administration and tracking of military ballots.

# Overview of Absentee Voting Rules

## Overseas Voters

### Definition

- An elector who is permanently outside of the U.S. with no intent to return to their residence.
  - A person outside the U.S. for a finite period of time (vacation, work, education) with an intent to return is NOT an overseas voter.
- May only vote for federal offices (President, U.S. Senate, U.S. Congress).

### Application Requirements

- Standard “by-mail” rules apply:
  - Voter registrations that are postmarked after the 20<sup>th</sup> day before the election cannot be accepted.
  - Absentee applications must be received by 5:00 p.m. on Thursday.
- Must have lived in the district immediately before moving overseas
  - Voting-age children of an overseas elector are eligible to vote as an overseas elector even if they have never lived in the district.
- Votes from last address in the district
  - Home may not be owned by them anymore or not exist anymore.

### Proof of Identification

Exempt

### Duration for Request

If not specified, a period to include to 2 November elections.

### Deadline for Ballot Return

Election Day

### State Write-In Absentee Ballot (SWAB) – Federal Offices Only

- For overseas voters with an absentee ballot request on file, send the SWAB at least 90 days before the election or as soon as the contests are known.
- For overseas voters who make an absentee ballot request between the 90<sup>th</sup> day before the election and the time that official ballots are ready, send the SWAB within 24 hours of receiving the request.
- Stop sending the SWAB when official ballots become available.
  - Send an official ballot (with federal offices only) to each overseas elector who was previously sent a SWAB.

# Overview of Absentee Voting Rules

## Overseas Voters, Continued

### Federal Write-In Absentee Ballot (FWAB)

- Available at military bases, embassies, and online at FVAP.gov. (This is not a ballot sent by the clerk.)
- Cannot be accepted unless we have an absentee application on file.

### Multiple Ballots - Priority

- Count whatever ballot you have received by Election Day
- If more than one ballot received by Election Day, all ballots are sent to the polling place for processing. Only one ballot is counted and the rest are rejected. The order of priority is:
  1. Official Ballot
  2. SWAB
  3. FWAB

### Special Procedures

See the Military and Overseas Voting Manual and SVRS manual for further details on the administration and tracking of overseas ballots.



# Overview of Absentee Voting Rules

## Regular Absentee Voters – By Mail

### Definition

Any otherwise qualified elector who for any reason is unable or unwilling to appear at the polling place.

### Application Requirements

- Voter registrations that are postmarked after the 20<sup>th</sup> day before the election cannot be accepted.
- Absentee applications must be received by 5:00 p.m. on Thursday.

### Proof of Identification

- If application received by mail, proof of identification must be received with the application in order for elector to receive a ballot.
- If application received by fax/email, proof of identification may be returned with the ballot.
- Proof of identification must be provided only once, either with the application or the ballot (unless the voter re-registers with a new name or address).
- If voter resides in a care facility not served by SVDs, please see Electors at Special Voting Deputy-Eligible Facilities section.

### Duration of Request

- As specified on application.
- For calendar year applications (1/1 – 12/31)
  - If a ballot is not returned, stop sending ballots.
  - Send notice within 5 days.
  - Voter can reactivate request by contacting you.

### Deadline for Return of Ballot

Election Day

# Overview of Absentee Voting Rules

## Fax/Email

### Definition

Any eligible elector may request their ballot be sent via fax or email. The clerk must honor the requested method of transmission.

### Application Requirements

- Voter registrations may not be faxed/mailed. Voter registrations that are postmarked after the 20<sup>th</sup> day before the election cannot be accepted.
- Absentee applications must be received by 5:00 p.m. on Thursday.

### Proof of Identification

- If application received by mail, proof of identification must be received with the application in order for elector to receive a ballot.
- If application received by fax/email, proof of identification may be returned with the ballot.
- Proof of identification must be provided only once, either with the application or the ballot (unless the voter re-registers with a new name or address).

### Special Notes

- All types of voters may request a ballot by fax/email, please see those specific instructions for more details.
- An original application with “wet” signature must be received.
  - If you are using the combination application/certification certificate envelopes, the signature on the envelope suffices as an original application with “wet” signature.
- Transmit the initialed ballot and face of the certificate envelope along with instructions for voting and returning the ballot.
- The voted ballot can NOT be returned by fax/email.
- On Election Day (if using optical scan systems), remake the ballot so it can be processed through the voting equipment.
  - See “Election Day Manual” for specific instructions on remaking ballot.

# Overview of Absentee Voting Rules

## In-Person Absentee Voting in Clerk's Office

### Definition

Any eligible elector may request to vote an absentee ballot in person at the office of the municipal clerk.

### Application Requirements

- Voter registration may occur in-person at the office of the municipal clerk up until 5:00 p.m. on the Friday preceding the election.
- In-person absentee voting begins on the 3<sup>rd</sup> Monday before Election Day and ends at 5:00 p.m. on the Friday preceding the election.
- If the voter only wishes to vote absentee at a single election, the combination application/certification certificate envelope will suffice as the absentee application.
- If the voter wishes to receive ballots for future elections, they must fill out the standard absentee ballot request.
- Ballots requested in-person may NOT be removed from the clerk's office by the voter.

### Proof of Identification

- All in-person absentee voters must show proof of identification.
  - The clerk should initial the certificate envelope to indicate that identification was shown.
- Showing ID with an in-person absentee request does not exempt a voter from providing ID in the future like a by-mail application would.
- Having provided identification with prior absentee applications does not exempt the voter from providing identification if voting in-person at the clerk's office.

# Overview of Absentee Voting Rules

## Provisional Ballots

**Definition**

If the absentee elector was required to provide proof of residence or proof of identification with their absentee ballot and does not, the election officials are to treat that absentee ballot as a provisional ballot.

**Procedure**

The clerk should attempt to contact the absentee voter as quickly as possible to inform them that their ballot was treated provisionally and advise them of how to provide the necessary information.

**Deadline for voter to supply missing information**

4:00 p.m. on the Friday after the election

**Special Notes**

- Make sure all appropriate canvassing boards (county and municipality) are informed if the elector provides the missing information.
- All provisional ballots must be recorded in SVRS on Election Night. See Appendix F in the SVRS Application Training Manual for directions.

# Overview of Absentee Voting Rules

## New & Former Residents – Presidential Only

### Definition

Any new resident of the state who would be an eligible elector except for the 28-day residency requirement, or any former resident of the state who is ineligible in their new home state to vote due to a residency requirement, may apply for a presidential-only absentee ballot.

### Application Requirements

- New resident:
  - Must apply and vote in-person, no earlier than 27 days before the election, and no later than 5:00 p.m. on the day before the election.
    - Note-This time frame is specific to a new resident voting for president only.
  - Voter may also apply and vote for 'President only' on Election Day at the polling place.
  - Must fill out a special absentee application/cancelation (GAB-141).
    - Note-Applicant does not complete GAB-131 and is *not* registered.
  - Must show proof of identification.
    - If the proof of identification is not also a valid form of proof of residence, the voter must show proof of residence as well.
- Former resident:
  - Must apply within 24 months of leaving Wisconsin.
  - By-mail application using a special absentee application (GAB-140).
    - This form must be notarized.
    - There is no specific deadline before the election to apply.
  - Must also include proof of identification.
  - Ballot must be returned by Election Day.
- See Appendix F in the SVRS Application Training Manual for directions on entering electors into SVRS.

### Proof of Identification

Both new and former residents must provide proof of identification unless otherwise exempt or eligible to provide an alternative document (military, indefinitely confined, etc.)

# Overview of Absentee Voting Rules

## Hospitalized Electors

### Definition

Any qualified elector may register and request an absentee ballot by agent if hospitalized.

### Application Requirements

- The absentee ballot application may not be filed earlier than 7 days before the election and no later than 5:00 p.m. on Election Day.
  - If not already registered to vote, the hospitalized elector may register to vote by agent up to 5:00 p.m. on Election Day. Must provide proof of residence.
- Must submit a signed absentee application (GAB-121) which indicates that the elector is hospitalized and provide proof of identification.

### Proof of Identification

Proof of identification is required with the application unless the elector is otherwise exempt or eligible to provide alternative documentation (military, indefinitely confined, etc.)

### Procedure

- Upon receiving a valid application, the clerk provides the agent with an initialed absentee ballot and certificate envelope.
- The agent delivers the ballot to the hospitalized elector.
- The hospitalized elector votes the ballot in the presence of the agent, seals it in the certificate envelope, and signs the certificate envelope.
- The agent signs the certificate envelope as the witness and returns it to the clerk.
- Fax/Email requests/transmissions may be used in combination with this procedure.

# Overview of Absentee Voting Rules

## Sequestered Jurors

### Definition

Any eligible registered elector who indicates that the reason they are requesting an absentee ballot is because they are a sequestered juror.

### Application Requirements

Must submit an absentee application to the clerk that indicates that the elector is a sequestered juror no later than 5:00 p.m. on Election Day.

### Proof of Identification

Proof of identification is required with the application.

### Procedure

- If the application is received before 5:00 p.m. on the Friday preceding the election:
  - The clerk may transmit the ballot as requested by mail/fax/email.
- If the application is received after 5:00 p.m. on the Friday preceding the election:
  - The municipal clerk shall immediately take the ballot to the court in which the elector is serving as a juror and deposit it with the judge.
  - The judge shall recess court, as soon as convenient, and give the elector the ballot.
  - The judge shall then serve as witness and shall deliver the ballot to the clerk who shall deliver it to the polling place.