

Senate approves overhaul of absentee ballot procedures, ban on use of private money for election costs

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Wisconsin would overhaul its policies for absentee ballots, indefinitely confined voters and the use of drop boxes under bills that cleared the state Senate today.

The Senate also voted to ban the use of private money to cover the costs of an election.

Many of the provisions in the four bills that cleared the Senate stem from the issues former President Trump raised as he unsuccessfully sought to overturn Wisconsin's election results.

That includes SB 204, which included changes to absentee ballots and indefinitely confined voters. The bill was substantially expanded on the floor to include provisions from two other election bills that were on today's agenda; the Senate tabled the other bills.

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SB 204 cleared 18-14 with GOP Sens. Kathy Bernier, of Chippewa Falls, and Rob Cowles, of Green Bay, joining Dems in opposition. Neither offered a comment about the bill on the floor.

Dems complained Republicans were moving the combined bill with no public notice and little time to dive into the details. Sen. Tim Carpenter, D-Milwaukee, accused Republicans of rushing a "piece of garbage" through the Legislature even though the next election isn't until February. He said Republicans were trying to finish their

work on the bill before their state convention the last weekend of June so they could bad mouth Gov. Tony Evers for vetoing it.

But Sen. Alberta Darling, R-River Hills, said talk of the “big lie” is driven by Dems and the media. Darling referenced former state Supreme Court Justice Pat Roggensack’s assertion that there were irregularities in the November election. She argued Republicans weren’t trying to overturn the election results, but to address the irregularities that Roggensack raised.

Roggensack made the assertion in her dissenting opinion as the state Supreme Court rejected former President Trump’s attempt to overturn the November election results.

“Our goal is to get consistent, equal protection and uniform approaches to our election issues,” Darling said.

Sen. Jon Erpenbach, D-Middleton, accused his GOP colleagues of fueling the disinformation about the election by pushing bills that feed into the paranoia of those who falsely believe the election was stolen from Trump. He referenced the conspiracy theory that Trump will be reinstated as president in late summer as he argued Wisconsinites were still at odds over the November election because Republicans refuse to move past their loss.

“The lie isn’t coming from the Democratic side. It’s coming from the head of the Republican Party, the guy who’s supposed to be back in office by August,” he said.

The chamber recessed briefly for a caucus so Dems could be briefed on the changes in the amended bill, which would:

*bar clerks from using ballots for absentee ballots cast in person during early voting that double as the written application required to receive a ballot under state law. It also would make it a felony for clerks to provide an absentee ballot without the required written application. Trump unsuccessfully challenged ballots in Dane and Milwaukee counties because the envelope used for absentee ballots during early, in-person voting doubled as the written application.

*require voters fill out a statement with a municipal clerk to be granted indefinitely confined status. That includes a declaration they are confined due to age, physical illness or infirmity. Those who have the status would have to separately apply for a

clerk to automatically send them a ballot for every election in the calendar year in which their application is filed. Now, someone who signs a statement declaring they are indefinitely confined is automatically sent an absentee ballot every election.

*prohibit election officials from sending absentee ballot applications or ballots unless voters ask for them.

The Senate also approved SB 205 20-12. It would add changes to the procedures for those voting in an assisted care facility with the use of special voting deputies. Among other things, it would make it a felony for an employee of the assisted care facility to influence residents' vote choices or intention to cast a ballot.

Bernier opposed the bill in committee, but a different version was brought up on the Senate floor. That includes dropping language that sought to require clerks to audit 10 percent of the ballots that come from any assisted living facility to make sure the residents intended to cast the votes.

The Senate also signed off on SB 209, which would place new restrictions on the use of drop boxes. The bill, which cleared by voice vote, would restrict most communities to one dropbox that must be on the same premises as the municipal clerk's office. Communities with populations of 70,000 or more would be able to use up to three more drop boxes on city property other than a public park. Those boxes would have to be under continuous video surveillance. Also, all drop boxes would also have to meet standards such as being tamper-resistant and have a slot large enough only to insert a return envelope.

Darling said current law doesn't clearly allow drop boxes, and the bill is meant to put them into statute.

But Sen. Janis Ringhand, D-Evansville, raised concerns that requiring the drop boxes to be on the same municipal property as the clerk's office would be problematic for small communities where clerks work out of their homes. Dems tried unsuccessfully to amend the bill to allow the drop boxes to be at police stations or firehouses.

Bernier and Cowles both joined Dems again in voting against AB 173, which would ban the use of private funds to cover the costs of an election.

Republicans complained about the grants the state's largest cities received from the Center for Tech and Civic Life, arguing it allowed those Dem communities to

boost turnout in the November election.

A lawsuit that sought to prevent the communities from using the money was rejected by a federal judge last fall, though he raised concerns about the appearance of using private money for election costs.

Some 200 communities received grants from the CTCL, which was funded largely through donations from Facebook founder Mark Zuckerberg.