

# Wisconsin Elections Commission: Action regarding corrections on absentee ballot envelopes

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MADISON, Wis. – In response to a recent temporary injunction from the Waukesha County Circuit Court in *White v. WEC*, members of the Wisconsin Elections Commission met Tuesday, September 13, and voted to withdraw two memos regarding clerk corrections on absentee certificate envelopes that are missing a witness address or have an insufficient witness address.

On Wednesday, September 14, the WEC sent a communication to municipal and county clerks alerting them of the Commission's action and of the injunction. The communication can be found at this link: <https://elections.wi.gov/memo/temporary-injunction-wec-guidance-re-missing-absentee-witness-address-white-v-wisconsin>.

The injunction prohibited the WEC from providing any advice or guidance that municipal clerks or other local election officials have the duty or ability to modify or add information to absentee ballot certifications.

The court further prohibited the agency from giving any advice or guidance contrary to Wis. Stat. § 6.87, which states that “if a municipal clerk receives an absentee ballot with an improperly completed certificate or with no certificate, the clerk may return the ballot to the elector, inside the sealed envelope when an envelope is received, together with a new envelope if necessary, whenever time permits the elector to correct the defect and return the ballot by the applicable deadline.”

In a hearing on September 13, 2022, the Court clarified that it had not ruled on what constitutes a witness address or a missing witness address, and it had not

overturned the existing WEC definition of address contained in the now invalidated memoranda—namely, street number, street name, and name of municipality.