



STATE OF WISCONSIN

Legislative Audit Bureau

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TO: Senator Robert Cowles and
Representative Samantha Kerkman, Co-chairpersons
Joint Legislative Audit Committee

FROM: Joe Chrisman
State Auditor 

SUBJECT: Proposed Audit of Elections Administration—Background Information

At your request, we have gathered some background information that the Joint Legislative Audit Committee may find helpful in considering an audit of elections administration.

The Legislative Audit Bureau has previously completed audits of issues related to elections administration, including *Complaints Considered by the Government Accountability Board* (report 15-13), *Government Accountability Board* (report 14-14), *Compliance with Election Laws* (report 07-16), and *Voter Registration* (report 05-12).

The Wisconsin Elections Commission is responsible for ensuring compliance with state and federal elections laws, including by providing training and guidance to the state's 72 county clerks and 1,850 municipal clerks who administer elections. The Elections Commission includes six members who serve for five-year terms, including one member each appointed by the Senate Majority Leader, the Senate Minority Leader, the Speaker of the Assembly, and the Assembly Minority leader. The Governor nominates two members, with the advice and consent of the Senate, who formerly served as county or municipal clerks. The Governor nominates these individuals from lists provided by the two political parties that received the largest number of votes for President.

The Elections Commission administers WisVote, which is the state's voter registration system. WisVote contains information about each registered voter, including their identities, addresses, and voting histories. Wisconsin had 3.7 million active registered voters as of November 1, 2020. County and municipal clerks access WisVote to perform election-related duties.

Wisconsin Statutes require the Elections Commission to approve all electronic voting systems before they can be used in Wisconsin. Municipalities decide which system, if any, to use. As of February 2020, the Elections Commission indicated that 1,155 of Wisconsin's municipalities (62.1 percent) used electronic voting systems, but that 704 municipalities (37.8 percent) did not use such systems. After each General Election, Wisconsin Statutes require the Elections Commission to audit the performance of each voting system that was used and determine a system's error rate in counting ballots.

Following the recent General Election, which was held on November 3, 2020, questions have been raised about elections administration, including compliance with elections laws, the use of electronic voting systems, and complaints filed with the Elections Commission and clerks.

An audit of elections administration could examine issues pertaining to:

- efforts by the Elections Commission to comply with elections laws, including by working with clerks to ensure voter registration data include only eligible voters, and by providing training and guidance to clerks;
- efforts by clerks to comply with elections laws, including by administering elections, processing absentee ballots, and performing recount responsibilities, as well as the observations and concerns of clerks regarding elections administration;
- the use of electronic voting systems, including the methodology and results of the Elections Commission's most-recent statutorily required post-election audit and the actions taken as a result of this audit; and
- General Election-related complaints filed with the Elections Commission and clerks, as well as how those complaints were addressed.

I hope you find this information helpful. Please contact me with any questions.

JC/DS/km

cc: Senator Dale Kooyenga
Senator Howard Marklein
Senator Melissa Agard
Senator Tim Carpenter

Representative John Macco
Representative Mark Born
Representative Dianne Hesselbein
Representative Francesca Hong

Meagan Wolfe, Administrator
Wisconsin Elections Commission