510-ELECTIONS COMMISSION

Dept # /510/ Department Name **ELECTIONS COMMISSION**

RDA #	RDA Title	Retention	Disposition	PII
00009000.	**ORIGINAL COUNTY CANVASSES ELECTION RETURNS FOR PRESIDENTIAL, S**	**CR+10**	**SHSW**	**N**

This records series contains:

1. Governors' Orders for Special Elections.

2. Original county canvasses election returns for presidential, statewide, legislative and judicial candidates, and referenda. Canvasses contain vote totals of presidential, statewide, legislative and judicial, races and referenda. They are received from each of Wisconsin's 72 counties. Each county canvass contains the vote totals of each of that county's municipalities. Canvassing of ballots is conducted at the local level, with each municipality entering election totals for each candidate and referendum. Canvasses are filed chronologically by date of primary.

3. State canvasses which include the votes cast by county for each statewide, legislative and judicial candidates, and statewide referenda.

4. Certificates containing the name and offices of individuals elected in Wisconsin.

These records are not covered by Wis. Stat. § 7.23, destruction of election materials, or any of the General Records Schedules. Any records that were transferred to the Wisconsin Elections Commission by the former Government Accountability Board and the former State Elections Board are included.

RETENTION: EVENT (Creation) + 10 years and transfer to State Archives (WHS)

00023000.	**RECALL PETITIONS**	**EVT+3**	**SHSW**	**Y**

This records series contains paper and electronic records of recall petitions, correspondence, and related records for recalls of state, congressional, legislative and judicial offices pursuant to Wis. Stat. § 9.10(3) received and created by the Wisconsin Elections Commission and its predecessor agencies, the Government Accountability Board and the State Elections Board. This record series excludes Board and Commission meeting records which include any challenge records and are retained pursuant to GRS ADM 00025.

The official record may be retained on paper or electronically for the full retention period. To comply with Wis. Stat. §§ 16.61(7) and 137.20 for authenticity, accuracy and accessibility, if the official record is transferred from paper to electronic format and maintained electronically, the original input documents will be imaged or reformatted and subject to review, to ensure the images of these applications are electronically stored and the quality of these images is acceptable. Upon verification of the quality and retention of the electronic images, the input records will be destroyed confidentially.

RETENTION: EVENT (Determination regarding sufficiency) + 3 years and transfer to State Archives (WHS)

00025000.	**ELECTION DATA REPORTS**	**EVT+20**	**SHSW**	**N**

This records series includes certain election-related data reports from Wisconsin local election officials to the Wisconsin Elections Commission and its predecessor agencies, the Government Accountability Board and the State Elections Board. These records are not covered by Wis. Stat. § 7.23, destruction of election materials, or any of the General Records Schedules. Local officials include municipal and county clerks and the City of Milwaukee Election Commission and the Milwaukee County Election Commission. Specific records include:

- Election Administration and Voting Statistics reports collected on form EL-190F and EL-190NF (formerly GAB-190)
- Election Cost Reports collected on forms EL-191 and EL-192
- Various clerk data surveys on forms EB-190, EB-191 and EB-192
- Other data reports subsequently created by the WEC.

Starting in 2008, records in this series are collected in electronic form. Prior to 2008, these records were collected exclusively on paper, and were not entered into a database. The Commission wishes to preserve these paper records and needs to create an RDA for them so they can be archived at the State Records Center.

RETENTION: EVENT (Date received) + 20 years and transfer to State Archives (WHS)

00026000.	**REPORTS AND SURVEYS RECEIVED FROM LOCAL ELECTION OFFICIALS**	**EVT+3**	**DEST**	**N**

This records series includes certain election-related reports, surveys, forms and data from Wisconsin local election officials to the Wisconsin Elections Commission (WEC) and its predecessor agencies, the Government Accountability Board and the State Elections Board. The WEC is creating this RDA because these records are not covered by Wis. Stat. § 7.23, destruction of election materials, or any of the General Records Schedules. Local officials include municipal and county clerks and the City of Milwaukee Election Commission and the Milwaukee County Election Commission. Specific records include:
- Clerk Contact Information updates collected on form EL-362 (received at any time) and used to update clerk directories and the WisVote election management system
- Polling Place Accessibility forms submitted by local election officials before elections for new polling places
- Training reports for municipal clerks and chief inspectors (received at any time) indicating when they have attended training courses required for certification

- Applications and related materials from Special Registration Deputies (which office was eliminated by 2015 Wisconsin Act 295)
- Results of agency surveys taken by local election officials to solicit feedback on election administration and training issues.

In the past, some of these records were collected exclusively on paper. Currently, records in this series are primarily collected in electronic form; if submitted on paper or by fax, they are soon converted to electronic records and do not need to be retained.

RETENTION: EVENT (Date received) + 3 years and destroy

00027000. VOTING EQUIPMENT TESTING MATERIALS EVT+2 DEST N

This records series includes certain materials used to test and certify electronic voting equipment under Wis. Stat. § 5.91, requisites for approval of ballots, devices and equipment, by Wisconsin Elections Commission (WEC) and its predecessor agencies, the Government Accountability Board and the State Elections Board. WEC is creating this RDA because these records are not covered by Wis. Stat. § 7.23, destruction of election materials, or any of the General Records Schedules. Specific records include:
- Applications for Approval of Electronic Voting System and supplementary materials submitted by vendors
- Testing plans
- Test ballots
- Voting equipment tapes and results reports

WEC seeks to retain these records for 2 years after the voting equipment has been decommissioned so they will be available for a reasonable period of time beyond the life of the equipment should questions arise about its accuracy, testing and certification.

RETENTION: EVENT (Date equipment decommissioned) + 2 years and destroy

00028000. COMPLAINTS AND INVESTIGATIONS EVT+6 DEST Y

Agency review of records and potential for receipt and creation of records requires the agency to implement this RDA. Records of the same type originating with the predecessor agencies of the State Elections Board and the Government Accountability Board are retained and disposed of according to this RDA. This record series contains:

1. Records related to informal complaints filed with the agency related to the subject matter jurisdiction of the agency or to a matter outside of the agency's jurisdiction and to the disposition of such complaints.
2. Records related to formal complaints filed with the agency alleging a violation of or failure to comply with election laws by a state or local election official, including those filed pursuant to Wis. Stats. §§ 5.05(2m), 5.06 and 5.061, and to the disposition of such complaints.
3. Records related to investigations conducted by the agency pertaining to alleged civil or criminal violations of the laws under its jurisdiction, pursuant to Wis. Stat. § 5.05(2m), and to the resolution of such investigations.

The official record may be retained on paper or electronically for the full retention period. To comply with Wis. Stat. §§ 16.61(7) and 137.20 for authenticity, accuracy and accessibility, if the official record is transferred from paper to electronic format and maintained electronically, the original input documents will be imaged or reformatted and subject to review, to ensure the images of these applications are electronically stored and the quality of these images is acceptable. Upon verification of the quality and retention of the electronic images, the input records will be destroyed confidentially.

Records related to agency complaints and investigations may contain confidential information pursuant to Wis. Stat. §§ 5.05(5s) and 12.13(5).

RETENTION: EVENT (Complaint or investigation resolution) + 6 years and destroy confidential

00029000. ADVISORY OPINIONS EVT+6 DEST N

Agency review of records and potential for receipt and creation of records per statute requires the agency to implement this RDA. Records of the same type originating with the predecessor agencies of the State Elections Board and the Government Accountability Board are retained and disposed of according to this RDA.

This record series contains: Records of formal and informal advisory opinion requests, including requests to review or modify an opinion made to the agency pursuant to Wis. Stat. § 5.05(6a), records of formal and informal advisory opinions, including modified opinions issued by the agency pursuant to Wis. Stat. § 5.05(6a), internal and external correspondence, documentation and research associated with formal and informal advisory opinions under Wis. Stat. § 5.05(6a).

This records series does not contain records of deliberations and actions, including public or private hearings conducted by the agency related to formal and informal advisory opinions pursuant to Wis. Stat. § 5.05(6a) which are retained pursuant to GRS ADM 00025.

The official record may be retained on paper or electronically for the full retention period. To comply with Wis. Stat. §§ 16.61(7) and 137.20 for authenticity, accuracy and accessibility, if the official record is transferred from paper to electronic format and maintained electronically, the original input documents will be imaged or reformatted and subject to review, to ensure the images of these applications are electronically stored and the quality of these images is acceptable. Upon verification of the quality and retention of the electronic images, the input records will be destroyed confidentially.

RETENTION: EVENT (Date Opinion Issued) + 6 years and destroy

00030000. LITIGATION EVT+10 DEST Y

Agency review of records and potential receipt and creation of records requires the agency to implement this RDA. Records of the

same type originating with the predecessor agencies of the State Elections Board and the Government Accountability Board are retained and disposed of according to this RDA.

This record series contains agency litigation case files generated by agency attorneys and other staff which are not maintained by the Wisconsin Department of Justice. These case files include but are not limited to: legal documents (ie. interrogatories, pleadings, motions, orders, original complaints and other filings leading to litigation), findings, legal research, correspondence, reports, briefs, exhibits and transcripts.

The official record may be retained on paper or electronically for the full retention period. To comply with Wis. Stat. §§ 16.61(7) and 137.20 for authenticity, accuracy and accessibility, if the official record is transferred from paper to electronic format and maintained electronically, the original input documents will be imaged or reformatted and subject to review, to ensure the images of these applications are electronically stored and the quality of these images is acceptable. Upon verification of the quality and retention of the electronic images, the input records will be destroyed confidentially.

Agency litigation case files may contain confidential complaint or investigation information subject to Wis. Stat. §§ 5.05(5s) and 12.13(5). Agency litigation case files may contain confidential material that is covered by the attorney-client privilege, Wis. Stat. § 905.03, the attorney work product doctrine (See Wis. Stat. § 804.01(2)(c)), and/or laws that mandate confidentiality of information such as Wis. Stat. §§ 6.36(1)(b)l or 6.47.

RETENTION: EVENT (Case Closure) + 10 years and destroy confidential

00031000. ELECTION-SPECIFIC RECORDS EVT+2 DEST N

Agency review of records and potential for receipt and creation of records requires the agency to implement this RDA. Records of the same type originating with the predecessor agencies of the State Elections Board and the Government Accountability Board are retained and disposed of according to this RDA.

This record series contains records related to specific election events as outlined in Wis. Stat. § 7.23, including applications for absentee ballots, completed and unused ballots, detachable recording units, election notices, poll lists and nomination papers. Except for nomination papers of state and federal candidates and election notices created by the agency, most of the documents in the records
series are created and retained by local election officials but the agency may receive copies of the documents periodically during the course of its work. This record series does not include election-specific documents retained pursuant to other agency RDAs, such as original county canvass returns and election data reports.

The official record may be retained on paper or electronically for the full retention period. To comply with Wis. Stat. §§ 16.61(7) and 137.20 for authenticity, accuracy and accessibility, if the official record is transferred from paper to electronic format and maintained electronically, the original input documents will be imaged or reformatted and subject to review, to ensure the images of these applications are electronically stored and the quality of these images is acceptable. Upon verification of the quality and retention of the electronic images, the input records will be destroyed confidentially.

RETENTION: EVENT (Date of Election) + 2 years and destroy

00032000. NATIONAL VOTER REGISTRATION ACT AND SIMILAR REGISTRATION RECOI EVT+2 DEST Y

Confidential pursuant to Wis. Stat. § 6.36(1)(b)1.a.

The series encompasses National Voter Registration Act (NVRA) and similar registration forms or documents, including NVRA Voter Registration Applications, NVRA or other return letters issued by the Commission, other insufficiently filed or improper voter registration materials, or similar records. This series also includes similar non-Commission voter registration forms, requests, and materials received by the Commission from the public. Any undeliverable materials returned from staff mailings to the potential registrants will also be included in this series.

RETENTION: EVENT (Date of Receipt or Distribution) + 2 yeras and destroy

00033000. POLLING PLACE ACCESSIBILITY RECORDS EVT+2 DEST N

The series encompasses records pertaining to the accessibility and compliance of the municipal polling place facilities (e.g. accessibility self-assessments polling place accessibility reports from reviewers, plan of action documents for bringing facilities into compliance, and similar programmatic records relating to accessibility efforts).

This RDA is created to ensure all legal, audit, archival and other State or Federal legal requirements are fulfilled prior to disposal of these records.

RETENTION: EVENT (Polling Place Decomissioning) + 4 years and destroy

00034000. VOTER FELON, FEDERAL FELON, AND FELON AUDIT RELATED RECORDS EVT+6 DEST Y

The series encompasses records that are sent to the agency from federal and state partner agencies. From these, staff perform the voter felon audit related activities and present the findings to the Commission. The federal felon notifications, Wisconsin Department of Corrections data, and other audit-related records would also fall under this RDA.

This RDA is created to ensure all legal, audit, archival and other State or Federal legal requirements are fulfilled prior to disposal of

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these records.

RETENTION: EVENT (Final disposition of investigation) + 6 years and destroy confidential

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00035000.	**VOTER REGISTRATION CANCELLATION FORMS AND NOTICES OF REGISTR**	**EVT+4**	**DEST**	**Y**

Confidential pursuant to Wis. Stat. § 6.36(1)(b)1.a.

Records include, but are not limited to: requests to cancel voter registration in this state; third-party notices that a voter registered in another state; documentation of the verification and inactivation processes for each voter's registration; and related correspondence.

RETENTION: EVENT (date of inactivation) + 4 years and destroy confidential