



STATE OF WISCONSIN
DEPARTMENT OF JUSTICE

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March 4, 2025

SENT VIA EMAIL (angela.sharpe@wisconsin.gov ; elections@wi.gov)

Angela O'Brien Sharpe, Staff Attorney
Wisconsin Elections Commission
212 East Washington Avenue, 3rd floor
Post Office Box 7984
Madison, WI 53707-7984

Re: Explanatory statement for proposed constitutional amendment

Dear Attorney Sharpe:

Your office asked me to prepare the explanatory statement required by Wis. Stat. § 10.01(2)(c) regarding a referendum question that the legislature asks to be submitted to the people at the election on April 1, 2025. In response to your request, the question and corresponding explanatory statement are set forth below.

PROPOSED CONSTITUTIONAL AMENDMENT

QUESTION ON BALLOT: “*Photographic identification for voting*. Shall section 1m of article III of the constitution be created to require that voters present valid photographic identification verifying their identity in order to vote in any election, subject to exceptions which may be established by law?”

EXPLANATORY STATEMENT AS TO THE QUESTION

The Wisconsin Constitution provides that “[o]nly a United States citizen age 18 or older who is a resident of an election district in this state is a qualified elector of that district who may vote in an election for national, state, or local office or at a statewide or local referendum.” Wis. Const. art. III, § 2. The referendum question would add a new provision to Wis. Const. art. III to require that voters present valid photographic identification to exercise their rights as electors.

The proposed constitutional text would provide that acceptable photographic identification must be “issued by this state, the federal government, a federally recognized American Indian tribe or band in this state, or a college or university in

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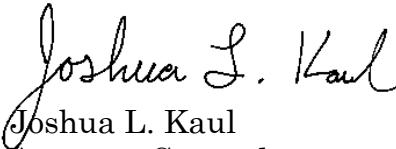
this state.” The proposal therefore would exclude identification such as out-of-state driver’s licenses and tribal identification issued by non-Wisconsin tribes.

The proposal would allow, but not require, the legislature to create exceptions to the identification requirement. Courts have held that some exceptions are required by the U.S. Constitution. The proposal would also prevent future legislatures from repealing statutory photographic identification requirements altogether.

A “yes” vote would vote to create a new article III, section 1m of the Wisconsin Constitution to require voters to present “valid photographic identification” in order to vote.

A “no” vote would vote not to create the new constitutional provision.

Sincerely,


Joshua L. Kaul
Attorney General

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