



1999 ASSEMBLY BILL 217

March 16, 1999 - Introduced by Representatives CARPENTER, FREESE, BOCK, HANDRICK, BOYLE, RYBA, POWERS and SERATTI. Referred to Committee on Campaigns and Elections.

1 **AN ACT to create** 11.25 (4) of the statutes; **relating to:** independent
2 disbursements by former personal campaign committees.

Analysis by the Legislative Reference Bureau

Currently, a personal campaign committee may make contributions to candidates other than the candidate whom it is organized to support, subject to applicable contribution limitations. If a candidate dies or ceases to be a candidate, the personal campaign committee remains subject to the same limitations. However, if the committee thereafter files a statement affirming under oath its independence from any candidate, the committee may, in addition to making contributions, make disbursements (expenditures) in an unlimited amount to advocate the election or defeat of a candidate.

This bill provides that, if a candidate dies or ceases to be a candidate, and the candidate's personal campaign committee thereafter files a statement affirming under oath its independence of any candidate, the committee may not make any disbursement to advocate the election or defeat of a clearly identified candidate that is derived in whole or in part from contributions received by the committee prior to filing the statement in an amount or value exceeding the maximum contribution that the committee is permitted to make to that candidate under contribution limitations currently prescribed by law. Violators are subject to a forfeiture (civil penalty) of not more than \$500 for each violation. Intentional violators may be fined not more than \$10,000 or imprisoned for not more than three years, or both, unless the amount or

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value of the violation does not exceed \$100, in which case they may be fined not more than \$1,000 or imprisoned for not more than six months, or both.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

1 **SECTION 1.** 11.25 (4) of the statutes is created to read:
2 11.25 (4) If a candidate dies or ceases to be a candidate, and the candidate’s
3 personal campaign committee thereafter files a statement under s. 11.06 (7)
4 indicating its intent to operate as an independent committee, the committee may not
5 make any disbursement to advocate the election or defeat of a clearly identified
6 candidate in an election that is derived in whole or in part from contributions
7 received by the committee prior to the date on which the committee files the
8 statement under s. 11.06 (7) in an amount or value exceeding the maximum
9 contribution that the committee is permitted to make to that candidate in any
10 campaign under s. 11.26 (2).

11 **(END)**