



2013 ASSEMBLY BILL 141

April 15, 2013 - Introduced by Representatives HEBL, RICHARDS, PASCH, WACHS, ZEPNICK, MASON, BILLINGS, BERCEAU, C. TAYLOR, WRIGHT, OHNSTAD, BEWLEY and KAHL, cosponsored by Senators LEHMAN and L. TAYLOR. Referred to Committee on Campaigns and Elections.

- 1 **AN ACT to amend** 11.60 (3) and 11.61 (1) (c); and **to create** 11.245 of the statutes;
- 2 **relating to:** notice of certain political contributions made to a judge or justice.

Analysis by the Legislative Reference Bureau

This bill provides that whenever an interested contributor makes a political contribution to a court of appeals, circuit, or municipal judge or supreme court justice in a pending civil or criminal action or proceeding over which the judge or justice is presiding, or to the personal campaign or authorized support committee of a judge or justice, the contributor must, within five days of the date that the contribution is made, notify the judge or justice and every party other than the interested contributor to the action or proceeding, in writing, of the fact that the contribution has been made and the date and amount of the contribution. The bill defines an "interested contributor" as a party to a pending civil or criminal action or proceeding; an affiliate of such a party; a spouse, minor child, or minor stepchild of such a party; an attorney representing such a party; or the law firm, partner, or associate of such an attorney.

Currently, there is no similar requirement. However, the recipient of a political contribution, as well as any contributor that also accepts contributions, is subject to registration and periodic reporting requirements, with certain exceptions.

Violators of the reporting requirement created by the bill are subject to a forfeiture (civil penalty) of not more than \$500 for each violation.

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

ASSEMBLY BILL 141**SECTION 1**

1 **SECTION 1.** 11.245 of the statutes is created to read:

2 **11.245 Notice of contributions by certain interested contributors. (1)**

3 In this subsection:

4 (a) "Affiliate" means a person that controls, is controlled by, or is under common
5 control with another person.

6 (b) "Interested contributor" means all of the following:

7 1. A party to a pending civil or criminal action or proceeding.

8 2. An affiliate of a party.

9 3. A spouse, minor child, or minor stepchild of a party described under subd.

10 1.

11 4. An attorney representing a party described under subd. 1.

12 5. The law firm, partner, or associate of an attorney described under subd. 4.

13 (c) "Judge" means a court of appeals judge, a circuit court judge, or a municipal
14 judge.

15 (d) "Pending civil or criminal action or proceeding" means an ongoing civil or
16 criminal action or proceeding that has been commenced under chs. 800, 801, or 968.

17 **(2)** If a person makes a contribution to a judge or supreme court justice in a
18 pending civil or criminal action or proceeding in which the person is an interested
19 contributor and over which the judge or justice is presiding, or to the personal
20 campaign committee or support committee of a judge or justice authorized under s.
21 11.05 (3) (p), the contributor shall, within five days of the date that the contribution
22 is made, notify in writing the judge or justice and every party to the pending civil or
23 criminal action or proceeding, other than the interested contributor, of the fact that
24 the contribution has been made and the date and amount of the contribution.

25 **SECTION 2.** 11.60 (3) of the statutes is amended to read:

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1 11.60 **(3)** Notwithstanding sub. (1), any person, including any committee or
2 group, who makes any contribution in violation of this chapter may be required to
3 forfeit treble the amount of the contribution or portion thereof which is illegally
4 contributed. This subsection does not apply to a violation of s. 11.245.

5 **SECTION 3.** 11.61 (1) (c) of the statutes is amended to read:

6 11.61 **(1)** (c) Whoever intentionally violates any provision of this chapter other
7 than those provided in par. (a) and whoever intentionally violates any provision
8 under par. (b) where the intentional violation concerns a specific figure which does
9 not exceed \$100 in amount or value may be fined not more than \$1,000 or imprisoned
10 not more than 6 months or both. This paragraph does not apply to a violation of s.
11 11.245.

12 (END)