



2021 SENATE BILL 526

August 26, 2021 - Introduced by Senators LARSON, AGARD, CARPENTER and JOHNSON, cosponsored by Representatives SINICKI, SUBECK, BROSTOFF, ANDERSON, SHANKLAND, OHNSTAD, BALDEH, HESSELBEIN, NEUBAUER, SNODGRASS, CABRERA, MILROY, CONSIDINE, POPE, CONLEY, SHELTON, ANDRACA and HEBL. Referred to Committee on Elections, Election Process Reform and Ethics.

1 **AN ACT to amend** 11.1101 (figure), 11.1101 (1) (intro.), 11.1101 (1) (a), 11.1101
2 (2) (intro.), 11.1101 (2) (a), 11.1101 (3), 11.1101 (4), 11.1103, 11.1112 and 11.1113
3 (3) (b); **to repeal and recreate** 11.1104; and **to create** 11.1101 (5) and 11.1204
4 (4) of the statutes; **relating to:** campaign contribution limits.

Analysis by the Legislative Reference Bureau

Current law allows unlimited campaign contributions to certain entities, such as political action committees, legislative campaign committees, and political parties, but prohibits a political action committee from contributing more than \$12,000 in any calendar year to a political party or legislative campaign committee. This bill limits the contributions that an individual may make to a political party or legislative campaign committee to the amounts that an individual may make to a candidate committee, as provided under the bill. The bill also limits the contributions that a political party or legislative campaign committee may make to a candidate committee to the amounts that an individual may make to a candidate committee, as provided under the bill. In addition, the bill limits the contributions that a candidate committee may make to a political party or legislative campaign committee to the amounts that the candidate committee may make under current law to another candidate committee but retains the unlimited contributions under current law for contributions that a candidate makes to his or her candidate committee from the candidate's personal funds.

The bill also decreases the individual and candidate committee contribution limit from \$20,000 to \$10,000 for contributions made to candidates for governor,

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lieutenant governor, secretary of state, state treasurer, attorney general, state superintendent, or justice of the supreme court and reduces by half the limits that apply to political action committee contributions to candidates. The limits under the bill are the same, generally, as those that applied to political action committee contributions prior to 2016.

Finally, current law allows a political party or legislative campaign committee to establish a segregated fund to use for general purposes but not for making contributions to a candidate committee or for making disbursements for express advocacy. Persons other than a political action committee, corporation, cooperative, labor organization, or American Indian tribe may make unlimited contributions to the segregated fund. A political action committee, corporation, cooperative, labor organization, or American Indian tribe may make a contribution to the fund in amounts not to exceed \$12,000 in the aggregate in a calendar year. The bill eliminates the provision allowing a political party or legislative campaign committee to establish such a fund.

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

1 **SECTION 1.** 11.1101 (figure) of the statutes is amended to read:

2 Figure 11.1101:

	INDIVIDUAL CONTRIBUTORS	CANDIDATE COMMITTEE CONTRIBUTORS	POLITICAL ACTION COMMITTEE CONTRIBUTORS
GOVERNOR	\$20,000 <u>\$10,000</u>	\$20,000 <u>\$10,000</u>	\$86,000 <u>\$43,000</u>
LT. GOVERNOR	\$20,000 <u>\$10,000</u>	\$20,000 <u>\$10,000</u>	\$26,000 <u>\$13,000</u>
SECRETARY OF STATE	\$20,000 <u>\$10,000</u>	\$20,000 <u>\$10,000</u>	\$18,000 <u>\$9,000</u>
STATE TREASURER	\$20,000 <u>\$10,000</u>	\$20,000 <u>\$10,000</u>	\$18,000 <u>\$9,000</u>
ATTORNEY GENERAL	\$20,000 <u>\$10,000</u>	\$20,000 <u>\$10,000</u>	\$44,000 <u>\$22,000</u>
STATE SUPERINTENDENT	\$20,000 <u>\$10,000</u>	\$20,000 <u>\$10,000</u>	\$18,000 <u>\$9,000</u>
JUSTICE	\$20,000 <u>\$10,000</u>	\$20,000 <u>\$10,000</u>	\$18,000 <u>\$9,000</u>
STATE SENATOR	\$2,000	\$2,000	\$2,000 <u>\$1,000</u>
ASSEMBLY REPRESENTATIVE	\$1,000	\$1,000	\$1,000 <u>\$500</u>
APPEALS JUDGE – POPULOUS DISTRICTS	\$6,000	\$6,000	\$6,000 <u>\$3,000</u>
APPEALS JUDGE – OTHER DISTRICTS	\$5,000	\$5,000	\$5,000 <u>\$2,500</u>
CIRCUIT JUDGE – POPULOUS AREA	\$6,000	\$6,000	\$6,000 <u>\$3,000</u>
DISTRICT ATTORNEY – POPULOUS AREA	\$6,000	\$6,000	\$6,000 <u>\$3,000</u>
CIRCUIT JUDGE – OTHER AREA	\$2,000	\$2,000	\$2,000 <u>\$1,000</u>

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DISTRICT ATTORNEY – OTHER AREA	\$2,000	\$2,000	\$2,000 <u>\$1,000</u>
LOCAL OFFICES	GREATER OF \$500 OR 2 CENTS TIMES THE POPULATION, BUT NOT MORE THAN \$6,000	GREATER OF \$500 OR 2 CENTS TIMES THE POPULATION, BUT NOT MORE THAN \$6,000	GREATER OF \$400 <u>\$200</u> OR 2 CENTS <u>ONE CENT</u> TIMES THE POPULATION, BUT NOT MORE THAN \$5,000 <u>\$2,500</u>

1 **SECTION 2.** 11.1101 (1) (intro.) of the statutes is amended to read:

2 11.1101 (1) INDIVIDUAL LIMITS. (intro.) An individual may contribute to a
3 candidate committee, political party, or legislative campaign committee no more
4 than the following amounts specified for ~~the a~~ candidate whose nomination or
5 election the individual committee supports [See Figure 11.1101 following]:

6 **SECTION 3.** 11.1101 (1) (a) of the statutes is amended to read:

7 11.1101 (1) (a) Candidates for governor, lieutenant governor, secretary of state,
8 state treasurer, attorney general, state superintendent, or justice, ~~\$20,000~~ \$10,000.

9 **SECTION 4.** 11.1101 (2) (intro.) of the statutes is amended to read:

10 11.1101 (2) CANDIDATE COMMITTEES. (intro.) A candidate committee may
11 contribute to another candidate committee, a political party, or a legislative
12 campaign committee no more than the following amounts specified for ~~the a~~
13 candidate whose nomination or election the other candidate committee, political
14 party, or legislative campaign committee supports [See Figure 11.1101 following]:

15 **SECTION 5.** 11.1101 (2) (a) of the statutes is amended to read:

16 11.1101 (2) (a) Candidates for governor, lieutenant governor, secretary of state,
17 state treasurer, attorney general, state superintendent, or justice, ~~\$20,000~~ \$10,000.

18 **SECTION 6.** 11.1101 (3) of the statutes is amended to read:

19 11.1101 (3) POLITICAL ACTION COMMITTEES. A political action committee may
20 contribute to a political party or legislative campaign committee no more than
21 \$12,000 in any calendar year, and to a candidate committee no more than the

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1 following amounts specified for the candidate whose nomination or election the
2 committee supports [See Figure 11.1101 following]:

3 (a) Candidates for governor, ~~\$86,000~~ \$43,000.

4 (b) Candidates for lieutenant governor, ~~\$26,000~~ \$13,000.

5 (c) Candidates for attorney general, ~~\$44,000~~ \$22,000.

6 (d) Candidates for secretary of state, state treasurer, state superintendent, or
7 justice, ~~\$18,000~~ \$9,000.

8 (e) Candidates for state senator, ~~\$2,000~~ \$1,000.

9 (f) Candidates for representative to the assembly, ~~\$1,000~~ \$500.

10 (g) Candidates for court of appeals judge in districts which contain a county
11 having a population of more than 750,000, ~~\$6,000~~ \$3,000.

12 (h) Candidates for court of appeals judge in other districts, ~~\$5,000~~ \$2,500.

13 (i) Candidates for circuit judge in circuits having a population of more than
14 300,000, or candidates for district attorney in prosecutorial units having a
15 population of more than 300,000, ~~\$6,000~~ \$3,000.

16 (j) Candidates for circuit judge in other circuits or candidates for district
17 attorney in other prosecutorial units, ~~\$2,000~~ \$1,000.

18 (k) Candidates for local offices, an amount equal to the greater of the following:

19 1. ~~Four~~ Two hundred dollars.

20 2. ~~Two cents~~ One cent times the number of inhabitants of the jurisdiction or
21 district, according to the latest federal census or the census information on which the
22 district is based, as certified by the appropriate filing officer, but not more than
23 ~~\$5,000~~ \$2,500.

24 **SECTION 7.** 11.1101 (4) of the statutes is amended to read:

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1 11.1101 (4) OTHER PERSONS. A person, other than a person subject to sub. (1),
2 (2), or (3) or s. 11.1112, may contribute to a political party or legislative campaign
3 committee no more than \$12,000 in any calendar year, and to a candidate committee
4 no more than the following amounts specified for the candidate whose nomination
5 or election the committee supports:

6 (a) Candidates for governor, ~~\$86,000~~ \$43,000.

7 (b) Candidates for lieutenant governor, ~~\$26,000~~ \$13,000.

8 (c) Candidates for attorney general, ~~\$44,000~~ \$22,000.

9 (d) Candidates for secretary of state, state treasurer, state superintendent, or
10 justice, ~~\$18,000~~ \$9,000.

11 (e) Candidates for state senator, ~~\$2,000~~ \$1,000.

12 (f) Candidates for representative to the assembly, ~~\$1,000~~ \$500.

13 (g) Candidates for court of appeals judge in districts that contain a county
14 having a population of more than 750,000, ~~\$6,000~~ \$3,000.

15 (h) Candidates for court of appeals judge in other districts, ~~\$5,000~~ \$2,500.

16 (i) Candidates for circuit judge in circuits having a population of more than
17 300,000, or candidates for district attorney in prosecutorial units having a
18 population of more than 300,000, ~~\$6,000~~ \$3,000.

19 (j) Candidates for circuit judge in other circuits or candidates for district
20 attorney in other prosecutorial units, ~~\$2,000~~ \$1,000.

21 (k) Candidates for local offices, an amount equal to the greater of the following:

22 1. ~~Four~~ Two hundred dollars.

23 2. ~~Two cents~~ One cent times the number of inhabitants of the jurisdiction or
24 district, according to the latest federal census or the census information on which the

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1 district is based, as certified by the appropriate filing officer, but not more than
2 ~~\$5,000~~ \$2,500.

3 **SECTION 8.** 11.1101 (5) of the statutes is created to read:

4 11.1101 (5) POLITICAL PARTIES AND LEGISLATIVE CAMPAIGN COMMITTEES. A political
5 party or legislative campaign committee may contribute to a candidate committee
6 no more than the following amounts specified for the candidate whose nomination
7 or election the candidate committee supports:

8 (a) Candidates for governor, lieutenant governor, secretary of state, state
9 treasurer, attorney general, state superintendent, or justice, \$10,000.

10 (b) Candidates for state senator, \$1,000.

11 (c) Candidates for representative to the assembly, \$1,000.

12 (d) Candidates for court of appeals judge in districts which contain a county
13 having a population of more than 750,000, \$3,000.

14 (e) Candidates for court of appeals judge in other districts, \$2,500.

15 (f) Candidates for circuit judge in circuits having a population of more than
16 300,000, or candidates for district attorney in prosecutorial units having a
17 population of more than 300,000, \$3,000.

18 (g) Candidates for circuit judge in other circuits or candidates for district
19 attorney in other prosecutorial units, \$1,000.

20 (h) Candidates for local offices, an amount equal to the greater of the following:

21 1. Two hundred dollars.

22 2. One cent times the number of inhabitants of the jurisdiction or district,
23 according to the latest federal census or the census information on which the district
24 is based, as certified by the appropriate filing officer, but not more than \$2,500.

25 **SECTION 9.** 11.1103 of the statutes is amended to read:

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1 **11.1103 Applicable periods.** (1) For an individual who is a candidate for an
2 office that the individual holds, the limits under s. 11.1101 (1) to ~~(3)~~ (5) apply during
3 the term of that office.

4 **(2)** For an individual who is a candidate for an office that the individual does
5 not hold, the limits under s. 11.1101 (1) to ~~(3)~~ (5) apply during the period beginning
6 on the date on which the individual becomes a candidate under s. 11.0101 (1) (a) and
7 ending on the day before the term of office begins for the office sought by the
8 candidate.

9 **SECTION 10.** 11.1104 of the statutes is repealed and recreated to read:

10 **11.1104 Exceptions.** (1) For the period beginning on the day after the day
11 of the general election and ending on the day of the next general election, no person
12 may make any of the following contributions in a total amount exceeding \$10,000:

13 (a) Contributions to a political action committee.

14 (b) Contributions transferred between political action committees.

15 (c) Contributions to a legislative campaign committee.

16 (d) Contributions to a political party.

17 (e) Contributions made by a political party or legislative campaign committee
18 to a candidate committee.

19 (f) Contributions transferred between the candidates for governor and
20 lieutenant governor of the same political party.

21 (g) Contributions used to pay legal fees and other expenses incurred as a result
22 of a recount under s. 9.01.

23 (h) Contributions used to pay legal fees and other expenses incurred in
24 connection with or in response to circulating, offering to file, or filing a petition to

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1 recall an office holder prior to the time that a recall primary or election is ordered,
2 or after that time if incurred to contest or defend the order.

3 (i) Contributions to a recall committee.

4 (j) Contributions to a referendum committee.

5 (k) Contributions to an independent expenditure committee.

6 **(2)** A candidate may make unlimited contributions from the candidate's
7 personal funds or property or the personal funds or property that are owned jointly
8 or as marital property with the candidate's spouse to his or her candidate committee.

9 **SECTION 11.** 11.1112 of the statutes is amended to read:

10 **11.1112 Corporations, cooperatives, and tribes.** No foreign or domestic
11 corporation, no association organized under ch. 185 or 193, no labor organization,
12 and no federally recognized American Indian Tribe may make a contribution to a
13 committee, other than an independent expenditure committee or referendum
14 committee, ~~but may make a contribution to a segregated fund as provided under s.~~
15 ~~11.1104 (6) in amounts not to exceed \$12,000 in the aggregate in a calendar year.~~

16 **SECTION 12.** 11.1113 (3) (b) of the statutes is amended to read:

17 11.1113 **(3)** (b) A contribution made to a candidate committee, political party,
18 or legislative campaign committee by a single-member limited liability company in
19 which the sole member is an individual is considered a contribution made by that
20 individual and subject to the individual limits under s. 11.1101 (1). A limited liability
21 company that makes a contribution under this paragraph shall affirm to the
22 candidate committee, political party, or legislative campaign committee that it is a
23 single-member limited liability company in which the sole member is an individual
24 and eligible to make the contribution.

25 **SECTION 13.** 11.1204 (4) of the statutes is created to read:

