



WISCONSIN LEGISLATIVE COUNCIL ACT MEMO

2009 Wisconsin Act 216
[2009 Assembly Bill 913]

**Public Financing of Supreme Court
Campaigns**

2009 Wisconsin Act 216 makes changes to 2009 Wisconsin Act 89. Act 89, effective December 1, 2010, established the Democracy Trust Fund, a public financing system for candidates for justice of the Supreme Court, to replace the public financing system for candidates for justice under the Wisconsin Election Campaign Fund.

Act 216 modifies the definitions of “exploratory period,” “primary election campaign period,” and “public financing qualifying period.” In addition, *Act 216* modifies the provision in Act 89 regarding excess contributions to provide that if an eligible candidate receives and accepts excess seed money contributions or qualifying contributions in an aggregate amount greater than the limits prescribed in the Act, the candidate must transfer all seed money and qualifying contributions that exceed the limits to the Government Accountability Board (GAB) within 48 hours after the end of the public financing qualifying period. GAB must deposit the excess contributions in the Democracy Trust Fund.

Further, *Act 216* prohibits a candidate who accepts a public financing benefit from the Democracy Trust Fund from making or authorizing total disbursements in a campaign to the extent of more than the maximum amounts allowed for seed money contributions, qualifying contributions, and the public financing benefit, except for certain supplemental grants.

Act 216 also removes a provision under Act 89 that requires any electronic or print communication paid for or authorized by a nonparticipating candidate to contain the following statement: “This communication is paid for with money raised from private sources. This candidate has not agreed to abide by campaign contribution and spending limits.”

Lastly, *Act 216* changes the effective date of Act 89 to May 1, 2010; provides that the exploratory period in 2010 begins on May 1, 2010; and on the effective date, transfers the

This memo provides a brief description of the Act. For more detailed information, consult the text of the law and related legislative documents at the Legislature’s Web site at: <http://www.legis.state.wi.us/>.

unencumbered balance in the justice account of the Wisconsin Election Campaign Fund to the Democracy Trust Fund.

Effective date: The Act took effect on May 1, 2010.

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