



State of Wisconsin
2007 - 2008 LEGISLATURE

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2007 ASSEMBLY BILL 704

January 18, 2008 – Introduced by Representatives SMITH, SOLETSKI, HILGENBERG, POPE-ROBERTS, BOYLE, BERCEAU and MUSSER, cosponsored by Senator VINEHOUT. Referred to Committee on Elections and Constitutional Law.

1 **AN ACT to repeal** 11.31 (3m), 11.50 (4) (a), 11.50 (4) (c) and 11.50 (4) (cm); **to**
2 **renumber and amend** 11.12 (6); **to amend** 5.02 (18), 5.62 (5), 7.08 (2) (c) and
3 (cm), 7.70 (3) (e) 1., 8.16 (1), 8.16 (5), 8.35 (4) (a) 1. a. and b., 8.35 (4) (b), 8.50
4 (1) (d), 8.50 (3) (b), 10.02 (3) (b) 2m., 10.06 (1) (e), 10.06 (1) (i), 11.06 (1) (a), 11.06
5 (1) (g), 11.06 (1) (jm), 11.06 (2), 11.26 (2) (a), 11.26 (9) (a), 11.26 (9) (b), 11.31 (1)
6 (intro.), 11.31 (2m), 11.31 (4), 11.38 (6), 11.50 (1) (a) 1., 11.50 (1) (a) 2., 11.50 (2)
7 (b) 5., 11.50 (3) (a) 1., 11.50 (3) (a) 2., 11.50 (3) (b), 11.50 (4) (intro.) and chapter
8 77 (title); **to repeal and recreate** 14.58 (20); and **to create** 11.01 (4m), 11.01
9 (16) (a) 3., 11.05 (3) (s), 11.12 (6) (b), 11.31 (9), 11.51, 20.511 (1) (r), 20.855 (4)
10 (ba), 20.855 (4) (bb), 25.17 (1) (aw), 25.421 and subchapter XIV of chapter 77
11 [precedes 77.998] of the statutes; **relating to:** the scope of regulated activity
12 under the campaign finance law, public financing of elections for certain state
13 offices, imposition of a lobbying expenditure tax, providing an exemption from

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1 emergency rule procedures, granting rule-making authority, providing a
2 penalty, and making appropriations.

Analysis by the Legislative Reference Bureau***Scope of regulated activity***

Currently, individuals who accept contributions, organizations that make or accept contributions, and individuals who or organizations that incur obligations or make disbursements for the purpose of influencing an election for state or local office are generally required to register with the appropriate filing officer and to file financial reports with that officer, regardless of whether they act in conjunction with or independently of any candidate who is supported or opposed.

With certain exceptions, this bill imposes registration and reporting requirements, in addition, upon any individual who and organization that, within 60 days of an election and by means of communications media, makes any communication that includes a reference to a candidate for state office, other than court of appeals judge, circuit judge, or district attorney, at that election, a state office, other than court of appeals judge, circuit judge, or district attorney, to be filled at that election, or a political party. The bill also requires an individual who or organization that becomes subject to a registration requirement by making such a communication to report, upon registration, the information that would have been required to be reported if the individual or organization had been registered with respect to any obligation incurred or disbursement made for the purpose of making such a communication prior to registration. The bill, however, does not require registration and reporting if the communication is made by a corporation, cooperative, or nonpolitical voluntary association and is limited to the corporation's, cooperative's, or association's members, shareholders, or subscribers.

The change in the scope of reportable activity under the bill also applies to contribution and disbursement (spending) limitations and restrictions by causing reportable "contributions," "obligations," and "disbursements" to include the cost of all reportable communications.

Public financing of elections for certain state offices

Currently, a candidate for state office other than court of appeals judge, circuit judge, or district attorney may qualify to receive a grant from the Wisconsin election campaign fund for use in an election campaign. No funding is provided for primary campaigns. To qualify for a grant, a candidate must qualify to have his or her name appear on the general or spring election ballot and must have an opponent who qualifies to have his or her name appear on that ballot. In addition, a candidate for a partisan office at the general election must receive at least 6 percent of the total vote cast on all ballots at the September primary election, and a candidate for a partisan office at a special election must either represent a political party whose candidate for the office that the candidate seeks received at least 6 percent of the total vote cast for that office at the most recent general election at which the office

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was contested or must receive at least 6 percent of the total vote cast for that office at the special election.

Currently, the maximum amount of a grant that a candidate may receive is 45 percent of the disbursement (spending) level or limit for the office that the candidate seeks. This amount is not subject to any cost-of-living adjustment. In addition, this amount is reduced by the total amount of contributions received by a candidate from committees other than political party or legislative campaign committees, and it is also possible that this amount may be reduced in a particular year if there are not sufficient moneys in the Wisconsin election campaign fund to provide full funding for all qualifying candidates. Grants may be used only to purchase services from a communications medium, printing, graphic arts, or advertising services, office supplies, or postage. A candidate must agree to abide by disbursement and self-contribution limits to receive a grant, but this agreement does not apply if the candidate has an opponent who could have qualified for a grant but declines to do so and declines to file an affidavit of voluntary compliance with disbursement and self-contribution limits. A candidate must return to the state grant moneys that are not spent by the candidate after the date of an election.

This bill creates a new fund called the clean elections fund to provide campaign grants to qualifying candidates for state legislative offices only. The bill retains the Wisconsin election campaign fund to finance the campaigns of qualifying candidates for other state offices. Under the bill, the amounts of grants that are payable to qualifying candidates for nonlegislative offices are potentially increased. The bill provides that a candidate for the office of state senator or representative to the assembly may qualify to receive a grant from the clean elections fund. Separate grants are provided for primary and election campaigns. To qualify for a grant, a candidate must qualify to have his or her name appear on the ballot at a September or special primary or a general or special election for which the grant money will be used. To qualify for a grant at a general or partisan special election, a candidate must be the nominee of a political party that currently qualifies to have its candidates appear on a separate ballot, or in a separate column or row on the ballot, or must receive at least 1 percent of the total vote cast on all ballots for the office that the candidate seeks at the September primary, or at the special primary, if a special primary is held. In addition, a candidate must raise and deposit with the state treasurer a specified number of qualifying contributions in the amount of \$5 each. Each qualifying contribution must be received from an elector of this state and from an elector of the district in which the candidate seeks office, and the name and address of the contributor must be reported to the Government Accountability Board. The number of qualifying contributions is 150 for candidates seeking the office of state senator and 100 for candidates seeking the office of representative to the assembly.

The bill provides that the maximum amount of a grant that a candidate may receive is \$50,000 in the primary and \$100,000 in the election for a candidate seeking the office of state senator and \$25,000 in the primary and \$50,000 in the election for a candidate seeking the office of representative to the assembly, except if a candidate has no opponent whose name is certified to appear on the ballot and except that a

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candidate may receive additional grants under certain conditions. Under the bill, an unopposed candidate at a primary election receives a grant equal to the average total disbursements made per candidate in primary elections for the office that the candidate seeks during the four-year period preceding the date of the primary election. The bill also provides that an unopposed candidate at a general or special election receives a grant equal to the average total disbursements made per candidate in general and special elections for the office that the candidate seeks during the four-year period preceding the date of the general or special election. If a candidate who receives a grant is opposed by one or more candidates who could qualify for a grant but who do not file an application or otherwise fail to meet the requirements for obtaining a grant, the bill provides that the candidate who receives a grant shall receive an additional grant equal to the total maximum grant that would have been payable to that opponent or those opponents, subject to the maximum limitation on total grant amounts (see below). Grant amounts are subject to a biennial cost-of-living adjustment.

To receive a grant, a candidate must affirm that he or she has not accepted and agrees not to accept a contribution from any source other than qualifying contributions or seed money contributions, which may be accepted by a candidate before the candidate qualifies to receive a grant. The total seed money contributions accepted by a candidate from one contributor, including contributions by a candidate to his or her own campaign, may not exceed \$100. The total seed money contributions accepted by a candidate from all contributors may not exceed \$2,500 for a candidate seeking the office of state senator and \$1,500 for a candidate seeking the office of representative to the assembly. A candidate must deposit with the Government Accountability Board any unencumbered seed money contributions held by the candidate on the day the candidate receives notification of qualification for a grant. If any person makes a disbursement (expenditure) for a communication that is reportable under the bill (see “scope of regulated activity,” above) independently of a candidate or incurs an obligation to make such a disbursement, each candidate who accepts a grant qualifies to receive an additional grant equal to the amount of the disbursements and outstanding obligations made in opposition to that candidate or in support of his or her opponent. If a candidate who accepts a grant is opposed by a candidate who does not accept a grant or who violates his or her agreement, any candidate for the same office who accepts a grant qualifies to receive an additional grant equal to the amount by which disbursements made by the other candidate exceed the original amount of the grant received by that candidate. The sum of all additional grants made to a single candidate may not exceed 2.5 times the original amount of a candidate’s grant. The bill permits grants to be spent for any lawful purpose. To facilitate matching of independent expenditures made and obligations incurred in opposition to a candidate or in support of a candidate’s opponent, the bill revises current special reporting requirements for individuals and committees making independent disbursements: instead of requiring the reporting of disbursements exceeding \$20 cumulatively if they are made within 15 days of an election, the bill requires reporting of all independent disbursements made and

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obligations to make independent disbursements incurred for reportable communications in support of or in opposition to a candidate.

The bill deletes the disbursement and self-contribution limitations that are currently applicable to candidates for state legislative offices who accept grants from the Wisconsin election campaign fund, as well as the provision that permits submission of an affidavit of voluntary compliance with those limitations. Under the bill, a candidate who receives a grant from the clean elections fund must return to the state any grant moneys that are not spent by the candidate after an election.

The bill provides that if a candidate does not adhere to the agreement required to obtain a grant from the clean elections fund, the candidate is subject to a forfeiture (civil penalty) equivalent to the amount of the grant that the candidate received, and may be fined an amount equal to not more than three times the amount of any contributions received by the candidate excluding the amount of any grant and any qualifying or seed money contributions that are permitted to be received under the bill.

Lobbying expenditure tax

This bill imposes a tax on lobbying principals (persons who employ lobbyists) at the rate of 10 percent on lobbying expenditures that are reportable to the Government Accountability Board. The tax is payable to the department of revenue semiannually. All revenues derived from the tax are deposited into the clean elections fund.

Because this bill creates a new crime or revises a penalty for an existing crime, the Joint Review Committee on Criminal Penalties may be requested to prepare a report concerning the proposed penalty and the costs or savings that are likely to result if the bill is enacted.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

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

1 **SECTION 1.** 5.02 (18) of the statutes is amended to read:

2 5.02 (18) "September primary" means the primary held the 2nd Tuesday in
3 September to nominate candidates to be voted for at the general election, and to
4 determine which candidates for state offices other than district attorney may
5 participate in the Wisconsin election campaign fund and the clean elections fund.

6 **SECTION 2.** 5.62 (5) of the statutes is amended to read:

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1 5.62 (5) At the September primary, an elector may vote for the candidates of
2 only one party, or the elector may vote for any of the independent candidates for state
3 office listed; but the elector may not vote for more than one candidate for a single
4 office. A space shall be provided on the ballot for an elector to write in the name of
5 his or her choice as a party candidate for any office, including a party candidate of
6 a recognized political party whose name appears on the ballot, column or row
7 designated for independent candidates, as provided in sub. (1) (b) 2. or (2) (b), but no
8 space shall be provided to write in the names of independent candidates.

9 **SECTION 3.** 7.08 (2) (c) and (cm) of the statutes are amended to read:

10 7.08 (2) (c) As soon as possible after the canvass of the spring and September
11 primary votes, but no later than the first Tuesday in March and the 4th Tuesday in
12 September, transmit to the state treasurer a certified list of all eligible candidates
13 for state office who have filed applications under s. 11.50 (2) or 11.51 (7) and whom
14 the board determines to be eligible to receive ~~payments~~ grants from the Wisconsin
15 election campaign fund or the clean elections fund. The list shall contain each
16 candidate's name, the mailing address indicated upon the candidate's registration
17 form, the office for which the individual is a candidate and the party or principle
18 which he or she represents, if any.

19 (cm) As soon as possible after the canvass of a special primary, or the date that
20 the primary would be held, if required, transmit to the state treasurer a certified list
21 of all eligible candidates for state office who have filed applications under s. 11.50 (2)
22 or 11.51 (7) and whom the board determines to be eligible to receive a grant from the
23 Wisconsin election campaign fund or the clean elections fund prior to the election.
24 The board shall also transmit a similar list of candidates, if any, who have filed
25 applications under s. 11.50 (2) and whom the board determines to be eligible to

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1 receive a grant under s. 11.50 (1) (a) 2. after the special election. The list shall contain
2 each candidate's name, the mailing address indicated upon the candidate's
3 registration form, the office for which the individual is a candidate and the party or
4 principle which he or she represents, if any.

5 **SECTION 4.** 7.70 (3) (e) 1. of the statutes is amended to read:

6 7.70 (3) (e) 1. After each September primary and special primary for a partisan
7 state office other than the office of district attorney, the name of each candidate not
8 defeated in the primary who receives at least 6% of the total vote cast for all
9 candidates on all ballots at the primary for ~~each separate state office except district~~
10 attorney each state office other than the office of state senator, representative to the
11 assembly, and district attorney, and the name of each candidate not defeated in the
12 primary who receives at least 1 percent of the total vote cast for all candidates on all
13 ballots at the primary for the office of state senator or representative to the assembly,
14 and the percentage of the total vote received by ~~that~~ each such candidate. Such
15 percentage shall be calculated within each district in the case of legislative
16 candidates.

17 **SECTION 5.** 8.16 (1) of the statutes is amended to read:

18 8.16 (1) Except as provided in sub. (2), the person who receives the greatest
19 number of votes for an office on a party ballot at any partisan primary, regardless of
20 whether the person's name appears on the ballot, shall be the party's candidate for
21 the office, and the person's name shall so appear on the official ballot at the next
22 election. ~~All~~ The names of all independent candidates for any state office other than
23 state senator, representative to the assembly, or district attorney shall appear on the
24 general election ballot and the names of all independent candidates for the office of
25 state senator or representative to the assembly shall appear on any special election

ASSEMBLY BILL 704**SECTION 5**

1 ballot regardless of the number of votes received by such candidates at the
2 September or at any special primary.

3 **SECTION 6.** 8.16 (5) of the statutes is amended to read:

4 8.16 (5) Any candidate for a partisan state office except district attorney may
5 also qualify for payments a grant under s. 11.50 or 11.51 if the candidate meets the
6 requirements specified in s. 11.50 or 11.51; however, a candidate who qualifies under
7 this section for placement on the official ballot at the general election or a special
8 election shall appear on such ballot regardless of whether he or she qualifies for
9 payments a grant under s. 11.50 or 11.51.

10 **SECTION 7.** 8.35 (4) (a) 1. a. and b. of the statutes are amended to read:

11 8.35 (4) (a) 1. a. ~~Donated~~ If the former candidate was a partisan candidate,
12 donated to the former candidate's local or state political party if the former candidate
13 ~~was a partisan candidate,~~ or donated to the a charitable organization of, as
14 instructed by the former candidate's ~~choice~~ candidate or, if the charitable
15 organization ~~chosen by the former candidate is deceased and left no instruction, as~~
16 instructed by the former candidate's next of kin ~~if the former candidate is deceased,~~
17 or if no choice is made ~~returned to the donors on a proportional basis; or~~

18 b. If the former candidate was a nonpartisan candidate, donated to the a
19 charitable organization of the former candidate's ~~choice or the charitable~~
20 ~~organization chosen,~~ as instructed by the former candidate or, if the former candidate
21 is deceased and left no instruction, as instructed by the former candidate's next of
22 kin ~~if the former candidate is deceased; or~~

23 **SECTION 8.** 8.35 (4) (b) of the statutes is amended to read:

24 8.35 (4) (b) Notwithstanding par. (a), any unspent and unencumbered moneys
25 received by a candidate from the Wisconsin election campaign fund or the clean

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1 elections fund shall be immediately transferred to any candidate who is appointed
2 to replace such candidate, upon filing of a proper application therefor under s. 11.50
3 (2) or 11.51 (7). If there is no candidate appointed or if no proper application is filed
4 within 7 days of the date on which the vacancy occurs, such moneys shall revert to
5 the state ~~as provided in s. 11.50 (8)~~.

6 **SECTION 9.** 8.50 (1) (d) of the statutes is amended to read:

7 8.50 (1) (d) When the election concerns a national or state office, the board shall
8 transmit to each county clerk at least 22 days before the special primary a certified
9 list of all persons for whom nomination papers have been filed in its office. If no
10 primary is required, the list shall be transmitted at least 42 days prior to the day of
11 the election. If a special primary for the office of state senator or representative to
12 the assembly is held, the board shall send a certified list of candidates who are
13 eligible to receive grants under s. 11.51 to the state treasurer pursuant to s. 7.08 (2)
14 (cm). Immediately upon receipt of the certified list of candidates from the board, the
15 county clerk shall prepare his or her ballots. For a county special election, the county
16 clerk shall certify the candidates and prepare the ballots. If there is a primary, the
17 county clerk shall publish one type B notice in a newspaper under ch. 10. When a
18 primary is held, as soon as possible after the primary, the county clerk shall certify
19 the candidates and prepare the ballots for the following special election. The clerk
20 shall publish one type B notice in a newspaper under ch. 10 for the election.

21 **SECTION 10.** 8.50 (3) (b) of the statutes is amended to read:

22 8.50 (3) (b) Except as otherwise provided in this section, the provisions for
23 September primaries under s. 8.15 are applicable to all partisan primaries held
24 under this section, and the provisions for spring primaries under s. 8.10 are
25 applicable to all nonpartisan primaries held under this section. In a special partisan

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1 primary or election, the order of the parties on the ballot shall be the same as
2 provided under s. 5.62 (1) or 5.64 (1) (b). ~~Independent~~ The names of independent
3 candidates for state office at a special partisan election shall not appear on the
4 primary ballot, except that the names of independent candidates for the office of state
5 senator or representative to the assembly shall appear on the primary ballot. No
6 primary is required for a nonpartisan election in which not more than 2 candidates
7 for an office appear on the ballot or for a partisan election in which not more than one
8 candidate for an office appears on the ballot of each recognized political party. In
9 every special election except a special election for nonpartisan state office where no
10 candidate is certified to appear on the ballot, a space for write-in votes shall be
11 provided on the ballot, regardless of whether a special primary is held.

12 **SECTION 11.** 10.02 (3) (b) 2m. of the statutes is amended to read:

13 10.02 (3) (b) 2m. At the September primary, the elector shall select the party
14 ballot of his or her choice or the ballot containing the names of the independent
15 candidates for state office, and make a cross (X) next to or depress the lever or button
16 next to the candidate's name for each office for whom the elector intends to vote or
17 insert or write in the name of the elector's choice for a party candidate, if any. In order
18 to qualify for participation in the Wisconsin election campaign fund, a candidate for
19 a state office, other than the office of state senator, representative to the assembly,
20 or district attorney, at the September primary, ~~other than a candidate for district~~
21 ~~attorney,~~ must receive at least 6% of all votes cast on all ballots for the office for which
22 he or she is a candidate, in addition to other requirements. In order to qualify for a
23 grant from the clean elections fund, a candidate for the office of state senator or
24 representative to the assembly at the September primary or a special primary, if a

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1 special primary is held, must receive at least one percent of all votes cast on all ballots
2 for the office for which he or she is a candidate, in addition to other requirements.

3 **SECTION 12.** 10.06 (1) (e) of the statutes is amended to read:

4 10.06 (1) (e) As soon as possible following the state canvass of the spring
5 primary vote, but no later than the first Tuesday in March, the board shall send a
6 type B notice certifying to each county clerk the list of candidates for the spring
7 election. When no state spring primary is held or when the only primary held is the
8 presidential preference primary, this notice shall be sent under par. (c). The board
9 shall also in any case send a certified list of candidates under s. 11.50 and 11.51 to
10 the state treasurer pursuant to s. 7.08 (2) (c). When there is a referendum, the board
11 shall send type A and C notices certifying each question to the county clerks as soon
12 as possible, but no later than the first Tuesday in March.

13 **SECTION 13.** 10.06 (1) (i) of the statutes is amended to read:

14 10.06 (1) (i) As soon as possible after the state canvass, but no later than the
15 4th Tuesday in September, the board shall send a type B notice certifying the list of
16 candidates and type A and C notices certifying each question for any referendum to
17 each county clerk for the general election and a certified list of candidates under s.
18 11.50 and 11.51 to the state treasurer pursuant to s. 7.08 (2) (c).

19 **SECTION 14.** 11.01 (4m) of the statutes is created to read:

20 11.01 (4m) "Communication" means a message transmitted by means of a
21 printed advertisement, billboard, handbill, sample ballot, radio or television
22 advertisement, telephone call, or any medium that may be utilized for the purpose
23 of disseminating or broadcasting a message, but not including a poll conducted solely
24 for the purpose of identifying or collecting data concerning the attitudes or
25 preferences of electors.

ASSEMBLY BILL 704**SECTION 15**

1 **SECTION 15.** 11.01 (16) (a) 3. of the statutes is created to read:

2 11.01 **(16)** (a) 3. A communication that is made by means of one or more
3 communications media, other than a communication that is exempt from reporting
4 under s. 11.29, that is made during the period beginning on the 60th day preceding
5 an election and ending on the date of that election, and that includes a reference to
6 a candidate for state office, other than court of appeals judge, circuit judge, or district
7 attorney, whose name is certified under s. 7.08 (2) (a) or 8.50 (1) (d) to appear on the
8 ballot at that election, a reference to a state office, other than court of appeals judge,
9 circuit judge, or district attorney, to be filled at that election, or a reference to a
10 political party.

11 **SECTION 16.** 11.05 (3) (s) of the statutes is created to read:

12 11.05 **(3)** (s) In the case of a registrant that has made a communication
13 identified in s. 11.01 (16) (a) 3., a report containing the information specified in s.
14 11.06 (1) with respect to any obligation to make a disbursement incurred or any
15 disbursement made for the purpose of making such a communication prior to
16 registration.

17 **SECTION 17.** 11.06 (1) (a) of the statutes is amended to read:

18 11.06 **(1)** (a) An Except as required under s. 11.51 (2), an itemized statement
19 giving the date, full name and street address of each contributor who has made a
20 contribution in excess of \$20, or whose contribution if \$20 or less aggregates more
21 than \$20 for the calendar year, together with the amount of the contribution and the
22 cumulative total contributions made by that contributor for the calendar year.

23 **SECTION 18.** 11.06 (1) (g) of the statutes is amended to read:

24 11.06 **(1)** (g) An Except as required under s. 11.51 (9), an itemized statement
25 of every disbursement exceeding \$20 in amount or value, together with the name and

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1 address of the person to whom the disbursement was made, and the date and specific
2 purpose for which the disbursement was made.

3 **SECTION 19.** 11.06 (1) (jm) of the statutes is amended to read:

4 11.06 (1) (jm) A copy of any separate schedule prepared or received pursuant
5 to an escrow agreement under s. 11.16 (5). A candidate or personal campaign
6 committee of a candidate for an office other than state senator or representative to
7 the assembly receiving contributions under such an agreement and attaching a
8 separate schedule under this paragraph may indicate the percentage of the total
9 contributions received, disbursements made and exclusions claimed under s. 11.31
10 (6) without itemization, except that amounts received from any contributor pursuant
11 to the agreement who makes any separate contribution to the candidate or personal
12 campaign committee during the calendar year of receipt as indicated in the schedule
13 shall be aggregated and itemized if required under par. (a) or (b).

14 **SECTION 20.** 11.06 (2) of the statutes is amended to read:

15 11.06 (2) DISCLOSURE OF CERTAIN INDIRECT DISBURSEMENTS. Notwithstanding
16 sub. (1), if a disbursement is made or obligation incurred by an individual other than
17 a candidate or by a committee or group which is not primarily organized for political
18 purposes, and the disbursement does not constitute a contribution to any candidate
19 or other individual, committee, or group, and the disbursement is not made or the
20 obligation is not incurred for the purpose of making a communication specified in s.
21 11.01 (16) (a) 3., the disbursement or obligation is required to be reported only if the
22 purpose is to expressly advocate the election or defeat of a clearly identified
23 candidate or the adoption or rejection of a referendum. The exemption provided by
24 this subsection shall in no case be construed to apply to a political party, legislative
25 campaign, personal campaign or support committee.

ASSEMBLY BILL 704**SECTION 21**

1 **SECTION 21.** 11.12 (6) of the statutes is renumbered 11.12 (6) (a) and amended
2 to read:

3 11.12 **(6)** (a) If any disbursement of more than \$20 cumulatively is made to
4 advocate the election or defeat of a clearly identified candidate by an individual or
5 committee later than 15 days prior to a primary or election in which the candidate's
6 name appears on the ballot without cooperation or consultation with a candidate or
7 agent or authorized committee of a candidate who is supported or opposed, and not
8 in concert with or at the request or suggestion of such a candidate, agent or
9 committee, the individual or treasurer of the committee shall, within 24 hours of
10 making the disbursement, inform the appropriate filing officer of the information
11 required under s. 11.06 (1) in such manner as the board may prescribe. The
12 information shall also be included in the next regular report of the individual or
13 committee under s. 11.20. For purposes of this ~~subsection~~ paragraph, disbursements
14 cumulate beginning with the day after the last date covered on the preprimary or
15 preelection report and ending with the day before the primary or election. Upon
16 receipt of a report under this ~~subsection~~ paragraph, the filing officer shall, within 24
17 hours of receipt, mail a copy of the report to all candidates for any office in support
18 of or opposition to one of whom a disbursement identified in the report is made. This
19 paragraph does not apply to any disbursement that is required to be reported under
20 par. (b).

21 **SECTION 22.** 11.12 (6) (b) of the statutes is created to read:

22 11.12 **(6)** (b) 1. If any person makes a communication identified in s. 11.01 (16)
23 (a) 3., or incurs an obligation to make such a communication, the person shall, within
24 24 hours of making the communication or incurring the obligation to make the

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1 communication, report to the board the information required under this paragraph
2 in such manner as the board may prescribe.

3 2. Each report under this paragraph shall contain the following information:

4 a. The name of each candidate who is identified in each communication or
5 obligation to make a communication.

6 b. A statement as to whether the communication is intended to support or
7 oppose that candidate.

8 c. The total amount or value of the disbursement made or obligation incurred
9 to make the communication and the cumulative disbursements made and
10 obligations incurred by the person with respect to that election.

11 3. The person shall also include the information reported under subd. 2. in the
12 next regular report of the person under s. 11.20. Upon receipt of a report under this
13 paragraph, the board shall, within 24 hours of receipt, mail a copy of the report to
14 all candidates for any office in support of or opposition to one of whom a
15 communication identified in the report is made.

16 **SECTION 23.** 11.26 (2) (a) of the statutes is amended to read:

17 11.26 (2) (a) Candidates for governor, lieutenant governor, secretary of state,
18 state treasurer, attorney general, state superintendent or justice, 4 percent of the
19 value of the disbursement level specified in the schedule under s. 11.31 (1), as
20 adjusted under s. 11.31 (9).

21 **SECTION 24.** 11.26 (9) (a) of the statutes is amended to read:

22 11.26 (9) (a) No individual who is a candidate for state or local office may receive
23 and accept more than 65 percent of the value of the total disbursement level
24 determined under s. 11.31 (1), adjusted as provided in s. 11.31 (9), for the office for
25 which he or she is a candidate during any primary and election campaign combined

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1 from all committees subject to a filing requirement, including political party and
2 legislative campaign committees.

3 **SECTION 25.** 11.26 (9) (b) of the statutes is amended to read:

4 11.26 (9) (b) No individual who is a candidate for state or local office may receive
5 and accept more than 45 percent of the value of the total disbursement level
6 determined under s. 11.31 (1), adjusted as provided in s. 11.31 (9), for the office for
7 which he or she is a candidate during any primary and election campaign combined
8 from all committees other than political party and legislative campaign committees
9 subject to a filing requirement.

10 **SECTION 26.** 11.31 (1) (intro.) of the statutes is amended to read:

11 11.31 (1) SCHEDULE. (intro.) The following levels of disbursements are
12 established with reference to the candidates listed below. Except as provided in sub.
13 (2), such levels do not operate to restrict the total amount of disbursements which
14 are made or authorized to be made by any candidate in any primary or other election.
15 The levels are subject to adjustment under sub. (9).

16 **SECTION 27.** 11.31 (2m) of the statutes is amended to read:

17 11.31 (2m) VOLUNTARY LIMITATION. Any candidate for an office other than state
18 senator or representative to the assembly to whom sub. (2) and s. 11.26 (10) do not
19 apply may file an affidavit with his or her filing officer affirming that he or she has
20 adhered and will adhere to the limitations imposed under sub. (2) and s. 11.26 during
21 the entire campaign. These limitations apply to that candidate unless the candidate
22 withdraws the affidavit by notifying his or her filing officer in writing no later than
23 the 7th day after the date of the primary in which the person filing the affidavit is
24 a candidate, or the 7th day after the date that the primary would be held, if no
25 primary is required.

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1 **SECTION 28.** 11.31 (3m) of the statutes is repealed.

2 **SECTION 29.** 11.31 (4) of the statutes is amended to read:

3 11.31 (4) ALLOCATION. ~~Except as provided in sub. (3m), whenever~~ Whenever a
4 separate disbursement level is specified for a primary and election under sub. (1), a
5 candidate who disburses less than the authorized level in the primary may not
6 reallocate the balance to increase the level in the election. Whenever a separate
7 disbursement level is not specified for a primary and election under sub. (1), a
8 candidate may allocate disbursements between the primary and election campaign
9 within the total level of disbursements specified in sub. (1) in any proportion desired,
10 and may carry over unexpended contributions from a primary campaign to an
11 election campaign.

12 **SECTION 30.** 11.31 (9) of the statutes is created to read:

13 11.31 (9) ADJUSTMENT OF DISBURSEMENT LEVELS. (a) In this subsection,
14 “consumer price index” means the average of the consumer price index over each
15 12-month period, all items, U.S. city average, as determined by the bureau of labor
16 statistics of the U.S. department of labor.

17 (b) The dollar amounts of the levels specified in sub. (1) (e) and (f) are subject
18 to a biennial adjustment to be determined by rule of the board in accordance with this
19 paragraph. To determine the adjustment, the board shall, in each year that the
20 adjustment is made, calculate the percentage difference between the consumer price
21 index for the 12-month period ending on December 31 of the preceding year and the
22 consumer price index for calendar year 2009. For each biennium, the board shall
23 multiply the amount of each level specified under sub. (1) (e) and (f) by the percentage
24 difference in the consumer price indexes. The board shall then add that product to
25 the applicable level under sub. (1) (e) or (f), round each sum to the nearest multiple

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1 of \$5, and adjust the amount of each level to substitute the resulting amount. The
2 amount so determined shall then be in effect until a subsequent rule is promulgated
3 under this paragraph. Notwithstanding s. 227.24 (1) (a), (2) (b), and (3),
4 determinations under this paragraph may be promulgated as an emergency rule
5 under s. 227.24 without providing evidence that the emergency rule is necessary for
6 the public peace, health, safety, or welfare and without a finding of emergency.

7 **SECTION 31.** 11.38 (6) of the statutes is amended to read:

8 11.38 (6) Any individual or campaign treasurer who receives funds in violation
9 of this section shall promptly return such funds to the contributor, or donate the
10 funds to the common school fund or a charitable organization, at the individual's or
11 treasurer's option.

12 **SECTION 32.** 11.50 (1) (a) 1. of the statutes is amended to read:

13 11.50 (1) (a) 1. With respect to a spring or general election, any individual who
14 is certified under s. 7.08 (2) (a) as a candidate in the spring election for justice or state
15 superintendent, or an individual who receives at least 6% of the vote cast for all
16 candidates on all ballots for any state office, except the office of state senator,
17 representative to the assembly, or district attorney, for which the individual is a
18 candidate at the September primary and who is certified under s. 7.08 (2) (a) as a
19 candidate for that office in the general election, or an individual who has been
20 lawfully appointed and certified to replace either such individual on the ballot at the
21 spring or general election; and who has qualified for a grant under sub. (2).

22 **SECTION 33.** 11.50 (1) (a) 2. of the statutes is amended to read:

23 11.50 (1) (a) 2. With respect to a special election, an individual who is certified
24 under s. 8.50 (1) (d) as a candidate in a special election for state superintendent, or
25 an individual who is certified under s. 8.50 (1) (d) as a candidate in a special election

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1 for any state office, except the office of state senator, representative to the assembly,
2 or district attorney, on the ballot or column of a party whose candidate for the same
3 office at the preceding general election received at least 6 percent of the vote cast for
4 all candidates on all ballots for the office, or an individual who has been lawfully
5 appointed and certified to replace either such individual on the ballot at a special
6 election, or an individual who receives at least 6 percent of the vote cast for all
7 candidates on all ballots for any state office, except the office of state senator,
8 representative to the assembly, or district attorney, at a partisan special election; and
9 who qualifies for a grant under sub. (2). Where the boundaries of a district in which
10 an individual seeks office have been changed since the preceding general election
11 such that it is not possible to calculate the exact number of votes that are needed by
12 that individual to qualify as an eligible candidate prior to an election under this
13 subdivision, the number of votes cast for all candidates for the office at the preceding
14 general election in each ward, combination of wards or municipality which is wholly
15 contained within the boundaries of the newly formed district shall be calculated. If
16 the candidate of the political party on whose ballot or column the individual appears
17 in the newly formed district obtained at least 6 percent of the number of votes
18 calculated, the individual is deemed to qualify as an eligible candidate prior to the
19 election under this subdivision.

20 **SECTION 34.** 11.50 (2) (b) 5. of the statutes is amended to read:

21 11.50 (2) (b) 5. The financial reports filed by or on behalf of the candidate as
22 of the date of the spring or September primary, or the date that the special primary
23 is or would be held, if required, indicate that the candidate has received an amount
24 equal to at least ~~the amount provided in this subdivision,~~ 10 percent of the
25 candidate's authorized disbursement limitation under s. 11.31 (2) from contributions

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1 of money, other than loans, made by individuals, which have been received during
2 the period ending on the date of the spring primary and July 1 preceding such date
3 in the case of candidates at the spring election, or the date of the September primary
4 and January 1 preceding such date in the case of candidates at the general election,
5 or the date that a special primary will or would be held, if required, and 90 days
6 preceding such date or the date a special election is ordered, whichever is earlier, in
7 the case of special election candidates, which contributions are in the aggregate
8 amount of \$100 or less, and which are fully identified and itemized as to the exact
9 source thereof. A contribution received from a conduit which is identified by the
10 conduit as originating from an individual shall be considered a contribution made by
11 the individual. Only the first \$100 of an aggregate contribution of more than \$100
12 may be counted toward the required percentage. ~~For a candidate at the spring or~~
13 ~~general election for an office identified in s. 11.26 (1) (a) or a candidate at a special~~
14 ~~election, the required amount to qualify for a grant is 5 percent of the candidate's~~
15 ~~authorized disbursement limitation under s. 11.31. For any other candidate at the~~
16 ~~general election, the required amount to qualify for a grant is 10 percent of the~~
17 ~~candidate's authorized disbursement limitation under s. 11.31.~~

18 **SECTION 35.** 11.50 (3) (a) 1. of the statutes is amended to read:

19 11.50 (3) (a) 1. If an election for state superintendent is scheduled in the
20 following year, 8 12 percent of the fund shall be placed in a superintendency account.
21 From this account, an equal amount shall be disbursed to the campaign depository
22 account of each eligible candidate by the state treasurer.

23 **SECTION 36.** 11.50 (3) (a) 2. of the statutes is amended to read:

24 11.50 (3) (a) 2. If an election for justice is scheduled in the following year, 8 12
25 percent of the fund shall be placed in a supreme court account. From this account,

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1 an equal amount shall be disbursed to the campaign depository account of each
2 eligible candidate by the state treasurer.

3 **SECTION 37.** 11.50 (3) (b) of the statutes is amended to read:

4 11.50 (3) (b) If a vacancy occurs in the office of state superintendent or justice
5 after August 15 in any year and an election is scheduled to fill the vacancy at the
6 spring election in the following year, the state treasurer shall transfer an amount not
7 exceeding ~~8~~ 12 percent of the moneys transferred to the fund on the preceding August
8 15 to the account for the office in which the vacancy occurs, such moneys to be drawn
9 from ~~any~~ the account ~~within the accounts~~ created under sub. (4) ~~in the amount or~~
10 ~~amounts specified by the board.~~

11 **SECTION 38.** 11.50 (4) (intro.) of the statutes is amended to read:

12 11.50 (4) ~~PARTISAN AND SPECIAL ELECTION CANDIDATES~~ FOR EXECUTIVE OFFICES.
13 (intro.) After apportionment under sub. (3), the remaining moneys shall constitute
14 the ~~partisan~~ executive campaign account.

15 **SECTION 39.** 11.50 (4) (a) of the statutes is repealed.

16 **SECTION 40.** 11.50 (4) (c) of the statutes is repealed.

17 **SECTION 41.** 11.50 (4) (cm) of the statutes is repealed.

18 **SECTION 42.** 11.51 of the statutes is created to read:

19 **11.51 Clean elections fund grants. (1)** Any candidate for the office of state
20 senator or representative to the assembly whose name is certified under s. 7.08 (2)
21 (a) or 8.50 (1) (d) to appear on the ballot at an election may qualify to receive a grant
22 from the clean elections fund by fulfilling the requirements of this section.

23 **(2)** (a) To qualify to receive a grant from the clean elections fund, a candidate
24 shall obtain and deposit with the state treasurer the number of qualifying
25 contributions specified in this subsection, in the amount of \$5 each, each of which

ASSEMBLY BILL 704**SECTION 42**

1 shall be received from an elector of the district in which the candidate seeks office.
2 The name and address of each elector making a qualifying contribution shall be
3 identified in a report filed with the board as provided in s. 11.06 (1) (a). The number
4 of required qualifying contributions for a candidate for each office is:

- 5 1. State senator, 150.
- 6 2. Representative to the assembly, 100.

7 (b) In addition to the requirements imposed under par. (a), a candidate does not
8 qualify to receive a grant for a general or partisan special election unless the
9 candidate is the nominee of a recognized political party for the office of state senator
10 or representative to the assembly or the candidate receives at least 1 percent of the
11 total vote cast for all candidates on all ballots for the same office within the district
12 in which the candidate seeks office at the September primary, or at a special primary
13 if a special primary is held.

14 (3) Prior to notification that a candidate has qualified to receive a grant from
15 the clean elections fund under sub. (7), a candidate may accept seed money
16 contributions from individuals. The total seed money contributions accepted by a
17 candidate from one contributor, including any seed money contributions made by a
18 candidate to his or her own campaign, may not exceed \$100. The total seed money
19 contributions accepted by a candidate during the candidate's campaign, as defined
20 in s. 11.26 (17), may not exceed, in the aggregate, the following amount for the office
21 sought by candidate:

- 22 (a) State senator, \$2,500.
- 23 (b) Representative to the assembly, \$1,500.

24 (4) A contributor who makes a qualifying contribution may also make a seed
25 money contribution in the full amount authorized under sub. (3).

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1 **(5)** A candidate shall remit to the state treasurer all seed money contributions
2 received by the candidate that are unencumbered on the day the candidate receives
3 notification of qualification for a grant under sub. (7). The state treasurer shall
4 deposit all seed money contributions received under this subsection into the clean
5 elections fund.

6 **(6)** No candidate who accepts a grant from the clean elections fund may accept
7 any seed money contribution under sub. (3) after receiving notification of
8 qualification for a grant under sub. (7).

9 **(7)** To qualify to receive a grant from the clean elections fund, a candidate shall
10 file an application with the board, no later than a time specified by the board by rule,
11 in which the candidate shall affirm that he or she has not accepted and in
12 consideration for receipt of a grant agrees not to accept a contribution from any
13 source other than a contribution required under sub. (2), a contribution authorized
14 under sub. (3), and the candidate's grant from the clean elections fund during the
15 campaign of the candidate, as defined in s. 11.31 (7). If the candidate desires to
16 receive grant payments by electronic transfer, the candidate shall include in his or
17 her application sufficient information and authorization for the state treasurer to
18 transfer payments to his or her campaign depository account. The board shall notify
19 each candidate who qualifies to receive a grant from the clean elections fund as
20 promptly as possible following qualification.

21 **(8) (a)** The board shall distribute primary election grants from the clean
22 elections fund to each candidate who qualifies to receive a grant under this section
23 as soon as possible preceding the date on which the primary election is held for the
24 office that the candidate seeks or the date on which the primary election would be
25 held if a primary election were required to be held.

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1 (b) The board shall distribute grants for the general and any special election
 2 from the clean elections fund to each candidate who qualifies to receive a grant under
 3 this section as soon as possible after the date of the primary election for the office
 4 sought by the candidate, or the date on which the primary election would be held if
 5 a primary election were required to be held.

6 (9) A candidate who receives a grant from the clean elections fund shall file
 7 with the board reports of all disbursements made in the manner provided under s.
 8 11.06 (1) (g), without regard to the amounts thereof.

9 (10) (a) Except as provided in pars. (b) and (c) and subs. (11) to (13), a candidate
 10 who qualifies to receive a grant from the clean elections fund under this section shall
 11 receive a grant in the following amount for the office sought by the candidate and for
 12 the election specified, less the aggregate amount of contributions accepted by the
 13 candidate under sub. (3):

	<i>Primary Election</i>	<i>General or Special Election</i>
14 <i>Office</i>		
15 1. State senator	\$50,000	\$100,000
16 2. Representative to the assembly	25,000	50,000

18 (b) If a candidate does not have an opponent who has qualified to have his or
 19 her name appear on the ballot at the election for which a grant is to be applied, the
 20 candidate shall receive a grant for a primary election equal to the average total
 21 disbursements made per candidate in primary election campaign periods, as
 22 determined by the board from reports filed by or on behalf of those candidates in
 23 accordance with s. 11.31 (5), for the office that the candidate seeks during the 4-year
 24 period preceding the date of the primary election, or a grant for a general or special
 25 election equal to the average total disbursements made per candidate in general and

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1 special election campaign periods, as determined by the board from reports filed by
2 or on behalf of those candidates in accordance with s. 11.31 (5), for the office that the
3 candidate seeks during the 4-year period preceding the date of the general or special
4 election.

5 (c) If a candidate who receives a grant under this subsection is opposed by one
6 or more candidates who could qualify for a grant under sub. (2) (b) but who do not
7 file an application for a grant under sub. (7) or who fail to meet other requirements
8 for receipt of a grant, the candidate who receives a grant under this subsection shall
9 receive an additional grant equal to the total maximum grant that would have been
10 payable to that opponent or to those opponents, but not to exceed, in combination
11 with any additional grant payable to that candidate under subs. (12) and (13), 2.5
12 times the amount payable to that candidate under sub. (10) (a), as adjusted under
13 sub. (11).

14 (11) (a) In this subsection, "consumer price index" means the average of the
15 consumer price index over each 12-month period, all items, U.S. city average, as
16 determined by the bureau of labor statistics of the U.S. department of labor.

17 (b) The dollar amounts of the grants specified in sub. (10) (a) are subject to a
18 biennial cost-of-living adjustment to be determined by rule of the board in
19 accordance with this paragraph. To determine the adjustment, the board shall, as
20 soon as possible after the end of each odd-numbered year, calculate the percentage
21 difference between the consumer price index for the 12-month period ending on
22 December 31 of the preceding year and the consumer price index for calendar year
23 2009. For each biennium, the board shall multiply the amount of each grant specified
24 in sub. (10) (a) by the percentage difference in the consumer price indexes. The board
25 shall then add that product to the applicable grant amount under sub. (10) (a), round

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1 each sum to the nearest multiple of \$5, and adjust the amount of each grant to
2 substitute the resulting amount. The amount so determined shall then be in effect
3 until a subsequent rule is promulgated under this paragraph. Notwithstanding s.
4 227.24 (1) (a), (2) (b), and (3), determinations under this paragraph may be
5 promulgated as an emergency rule under s. 227.24 without providing evidence that
6 the emergency rule is necessary for the public peace, health, safety, or welfare, and
7 without a finding of emergency.

8 **(12)** If any disbursement is made or any obligation to make a disbursement is
9 incurred to make a communication identified in s. 11.01 (16) (a) 3. by any person in
10 opposition to a candidate who receives a grant from the clean elections fund or in
11 support of an opponent of such a candidate whose name is certified to appear on the
12 same ballot, then the candidate who receives a grant shall receive an additional
13 grant in the total amount of the obligations incurred and the disbursements made
14 that were not previously reported as obligations, as reported to the appropriate filing
15 officer under s. 11.12 (6) (b), but not to exceed, in combination with any additional
16 grant payable to that candidate under subs. (10) (c) and (13), 2.5 times the amount
17 payable to the candidate under sub. (10) (a), as adjusted under sub. (11).

18 **(13)** If a candidate who receives a grant from the clean elections fund is opposed
19 on a primary or election ballot by another candidate who does not receive a grant or
20 by another candidate who the board determines has violated his or her agreement
21 under sub. (7), the candidate who receives a grant shall receive an additional grant
22 in the amount by which the disbursements made by the other candidate exceed the
23 amount of the grant payable for the office sought by the candidate in that election
24 under sub. (10) (a), as adjusted under sub. (11), but not to exceed, in combination with
25 any additional grant payable to that candidate under subs. (10) (c) and (12), 2.5 times

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1 the amount payable to the candidate under sub. (10) (a), as adjusted under sub. (11).
2 If a candidate who receives a grant from the clean elections fund is opposed on a
3 primary or election ballot by more than one candidate who does not receive a grant
4 or who the board determines has violated his or her agreement under sub. (7), the
5 amount of the grant payable under this subsection is the largest amount that would
6 be payable by reason of any candidate's opposition.

7 (14) If a candidate who makes an agreement under sub. (7) does not adhere to
8 the agreement, the candidate shall forfeit an amount equivalent to any grant from
9 the clean elections fund that is provided to the candidate and the candidate may be
10 fined not more than 3 times the amount of any contributions received by the
11 candidate in his or her campaign, as defined in s. 11.26 (17), exclusive of the amount
12 of any grant or any contributions deposited under sub. (2) or received under sub. (3).

13 (15) No later than the first day of the first month beginning at least 15 days
14 after an election at which a candidate receives a grant from the clean elections fund,
15 the candidate shall return to the state treasurer any amount of the grant remaining
16 in the candidate's campaign depository account, except that a candidate who receives
17 a grant at a primary election need not return any amount under this subsection if
18 the candidate qualifies to receive a grant at the succeeding general or special
19 election.

20 (16) The board may promulgate rules required to implement this section.

21 **SECTION 43.** 14.58 (20) of the statutes, as affected by 2007 Wisconsin Act 1, is
22 repealed and recreated to read:

23 14.58 (20) GRANTS TO CANDIDATES. Make disbursements to each candidate
24 certified under s. 7.08 (2) (c) or (cm) by the government accountability board as

ASSEMBLY BILL 704**SECTION 43**

1 eligible to receive a grant from the Wisconsin election campaign fund or the clean
2 elections fund.

3 **SECTION 44.** 20.511 (1) (r) of the statutes is created to read:

4 20.511 (1) (r) *Clean elections fund grants.* From the clean elections fund, a sum
5 sufficient to make the grants to candidates required under s. 11.51.

6 **SECTION 45.** 20.855 (4) (ba) of the statutes is created to read:

7 20.855 (4) (ba) *Lobbying expenditure tax revenue transfer.* A sum sufficient
8 equal to the amounts certified by the secretary of revenue under s. 77.9983, to be
9 transferred from the general fund to the clean elections fund annually on September
10 16.

11 **SECTION 46.** 20.855 (4) (bb) of the statutes is created to read:

12 20.855 (4) (bb) *Clean elections fund supplement.* A sum sufficient equal to the
13 amounts required to make full payment of the grants to candidates required under
14 s. 11.51 if the transfer under par. (ba) is insufficient to make full payment of those
15 grants, to be transferred from the general fund to the clean elections fund no later
16 than the time required to make payments of grants under s. 11.51 (8).

17 **SECTION 47.** 25.17 (1) (aw) of the statutes is created to read:

18 25.17 (1) (aw) Clean elections fund (s. 25.42);

19 **SECTION 48.** 25.421 of the statutes is created to read:

20 **25.421 Clean elections fund.** All moneys deposited with the state treasurer
21 under s. 11.51 (2) and (5) or returned to the state treasurer under s. 11.51 (15) and
22 all moneys transferred to the clean elections fund under s. 20.855 (4) (ba) and (bb)
23 constitute the clean elections fund.

24 **SECTION 49.** Chapter 77 (title) of the statutes is amended to read:

25

CHAPTER 77

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1 **TAXATION OF FOREST CROPLANDS;**
2 **REAL ESTATE TRANSFER FEES;**
3 **SALES AND USE TAXES; COUNTY**
4 **AND SPECIAL DISTRICT SALES**
5 **AND USE TAXES; MANAGED FOREST**
6 **LAND; RECYCLING SURCHARGE;**
7 **LOCAL FOOD AND BEVERAGE TAX;**
8 **LOCAL RENTAL CAR TAX; PREMIER**
9 **RESORT AREA TAXES; STATE RENTAL**
10 **VEHICLE FEE; DRY CLEANING FEES;**
11 **REGIONAL TRANSIT AUTHORITY FEE;**
12 **LOBBYING EXPENDITURE TAX**

13 **SECTION 50.** Subchapter XIV of chapter 77 [precedes 77.998] of the statutes is
14 created to read:

15 **CHAPTER 77**

16 SUBCHAPTER XIV

17 LOBBYING EXPENDITURE TAX

18 **77.998 Definition.** In this subchapter, “lobbying expenditure” has the
19 meaning given under s. 13.62 (10r).

20 **77.9981 Imposition.** A tax is imposed on every person, except an organization
21 described in section 501 (c) (3) of the Internal Revenue Code, that is exempt from
22 federal income taxation under section 501 (a) of the Internal Revenue Code and a
23 governmental unit, as defined in s. 281.65 (2) (am), at the rate of 10 percent on
24 lobbying expenditures that are reportable under s. 13.68 (1).

