



State of Wisconsin
2019 - 2020 LEGISLATURE

LRB-5733/1
JK:cjs

2019 SENATE BILL 861

February 20, 2020 - Introduced by Senators LARSON and SMITH, cosponsored by Representatives BROSTOFF, CABRERA, ANDERSON, HEBL, STUBBS, EMERSON, BOWEN, SPREITZER, SHANKLAND, NEUBAUER and CONSIDINE. Referred to Committee on Elections, Ethics and Rural Issues.

1 **AN ACT to create** 11.0101 (25) (a) 3., subchapter XV of chapter 11 [precedes
2 11.1500], 20.521 (1) (r), 20.585 (1) (q), 20.585 (1) (r), 20.855 (4) (ba), 20.855 (4)
3 (bb), 25.17 (1) (cm), 25.421 and 71.10 (3) of the statutes; **relating to:** the
4 definition of political action committee for campaign finance purposes, public
5 financing of campaigns, and making an appropriation.

Analysis by the Legislative Reference Bureau

Under this bill, for campaign finance purposes, a political action committee includes a person, other than an individual, that spends more than \$1,000 in a 12-month period on expenditures for express advocacy or communications that are susceptible to no reasonable interpretation other than an appeal to vote for or against a candidate, expenditures made to support or defeat a referendum, and contributions made to a candidate committee, legislative campaign committee, or political party.

Current law provides that a political action committee is a person, other than an individual, that either has express advocacy as its major purpose or spends more than 50 percent of its total spending in a 12-month period on expenditures for express advocacy, expenditures made to support or defeat a referendum, and contributions made to a candidate committee, legislative campaign committee, or political party.

The bill also creates a public campaign financing trust fund from which eligible candidates may receive amounts to finance their campaigns. Under the bill a candidate may apply to the Ethics Commission to receive public campaign financing.

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1 **11.1500 Public financing.** (1) A candidate may apply to the commission, in
2 the manner prescribed by the commission, to receive public financing of the
3 candidate's campaign. A candidate may receive public financing under this
4 subchapter if the candidate agrees to accept contributions totalling no more than
5 \$100 from any single contributor and accepts no other contributions, except as
6 provided under sub. (3). If the commission approves the candidate's application, the
7 commission shall certify to the state treasurer the amount of public financing that
8 the candidate shall receive from the public campaign financing trust fund.

9 (2) The state treasurer shall pay to any candidate who agrees to accept
10 contributions as provided under sub. (1) an amount equal to the amount of
11 contributions received by the candidate as provided under sub. (1), multiplied by 6,
12 as certified by the commission.

13 (3) A candidate who accepts public financing under this subchapter may
14 contribute his or her personal funds to the candidate's campaign, but those amounts
15 do not count towards the determination of public financing under this subchapter.

16 (4) No candidate who is out of compliance with the requirements and
17 limitations provided in this chapter may receive public financing under this
18 subchapter.

19 **SECTION 3.** 20.005 (3) (schedule) of the statutes: at the appropriate place, insert
20 the following amounts for the purposes indicated:

2019-20**2020-21**

SENATE BILL 861**SECTION 3**1 **20.521 Ethics commission**

2 (1) ETHICS, CAMPAIGN FINANCE AND LOBBYING

3 REGULATION

4 (r) Public campaign financing

5 administration SEG A -0- -0-

6 **20.585 Treasurer, state**

7 (1) CUSTODIAN OF STATE FUNDS

8 (q) Public campaign financing SEG S -0- -0-

9 (r) Public campaign financing

10 administration SEG A -0- -0-

11 **20.855 Miscellaneous appropriations**

12 (4) TAX, ASSISTANCE AND TRANSFER PAYMENTS

13 (ba) Public campaign financing trust

14 fund payments GPR S -0- -0-

15 (bb) Public campaign financing trust

16 fund transfer GPR S -0- -0-

17 **SECTION 4.** 20.521 (1) (r) of the statutes is created to read:18 20.521 (1) (r) *Public campaign financing administration.* From the public
19 campaign financing trust fund, the amounts in the schedule for the administration
20 of subch. XV of ch. 11.21 **SECTION 5.** 20.585 (1) (q) of the statutes is created to read:

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1 20.585 (1) (q) *Public campaign financing*. From the public campaign financing
2 trust fund, a sum sufficient to provide for payment of public financing to eligible
3 candidates under subch. XV of ch. 11.

4 **SECTION 6.** 20.585 (1) (r) of the statutes is created to read:

5 20.585 (1) (r) *Public campaign financing administration*. From the public
6 campaign financing trust fund, the amounts in the schedule for the administration
7 of subch. XV of ch. 11.

8 **SECTION 7.** 20.855 (4) (ba) of the statutes is created to read:

9 20.855 (4) (ba) *Public campaign financing trust fund payments*. A sum
10 sufficient equal to the amounts certified under s. 71.10 (3) to be paid into the public
11 campaign financing trust fund annually on August 15.

12 **SECTION 8.** 20.855 (4) (bb) of the statutes is created to read:

13 20.855 (4) (bb) *Public campaign financing trust fund transfer*. A sum sufficient
14 equal to the difference between the unencumbered balance in the public campaign
15 financing trust fund and the amounts required to provide public financing that
16 candidates qualify to receive from the public campaign financing trust fund, to be
17 transferred to the public campaign financing trust fund.

18 **SECTION 9.** 25.17 (1) (cm) of the statutes is created to read:

19 25.17 (1) (cm) Public campaign financing trust fund (s. 25.421);

20 **SECTION 10.** 25.421 of the statutes is created to read:

21 **25.421 Public campaign financing trust fund.** All moneys appropriated
22 under s. 20.855 (4) (ba) and (bb) constitute the public campaign financing trust fund
23 trust fund, to be expended for the purposes of subch. XV of ch. 11.

24 **SECTION 11.** 71.10 (3) of the statutes is created to read:

