



1999 ASSEMBLY BILL 462

September 14, 1999 - Introduced by Representatives BLACK, BOYLE, PLOUFF and J. LEHMAN. Referred to Committee on Campaigns and Elections.

1 **AN ACT to amend** 13.625 (1) (c) (intro.) and 1. and (3) and 13.69 (6); and **to create**
2 11.01 (13) and (14), 11.39 and 13.62 (8e) and (11w) of the statutes; **relating to:**
3 political contributions by lobbyists, principals and certain committees during
4 certain periods and providing a penalty.

Analysis by the Legislative Reference Bureau

This bill prohibits any special interest (“political action”) committee or any political party or legislative campaign committee from making a contribution to an individual who is a candidate for a partisan state office or a personal campaign or authorized support committee of such a candidate, except during the period between June 1 and December 31 of an even-numbered year, if the individual is a candidate for a partisan state office at the general election to be held in that year. The bill similarly prohibits a special interest committee or a political party or legislative campaign committee from making a contribution to an individual who is a candidate for a nonpartisan state office or a personal campaign or authorized support committee of such a candidate, except during the period between December 1 preceding a spring election and ending on the day of that election, if the individual is a candidate for a nonpartisan state office at that election. The prohibition also extends to a contribution from an individual which is transferred by a “conduit” committee. The prohibition does not apply to a candidate for state office at a special election or a personal campaign committee of such a candidate during the period beginning on the day that the special election is ordered and ending on the day of the special election. Violations are punishable by a forfeiture (civil penalty) of not more

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than treble the amount of the contribution. Intentional violators are guilty of a misdemeanor and may be punished by a fine of not more than \$1,000 or imprisonment for not more than six months or both.

Currently, there is no restriction under the campaign finance law on the period during which committees may make contributions.

The bill also prohibits a lobbyist or principal from making a contribution to a legislative campaign or political party committee, except during the period between June 1 and the day of the general election if the legislature has concluded its final floorperiod and is not in special or extraordinary session during that period. Legislative campaign and political party committees are similarly prohibited from accepting such contributions. Any lobbyist who or committee which violates the prohibition is subject to a forfeiture of not more than \$1,000. Any principal which violates the prohibition is subject to a forfeiture of not more than \$5,000.

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

1 **SECTION 1.** 11.01 (13) and (14) of the statutes are created to read:

2 11.01 (13) “Nonpartisan state office” means the office of state superintendent,
3 justice, court of appeals judge or circuit judge.

4 (14) “Partisan state office” means the office of governor, lieutenant governor,
5 secretary of state, state treasurer, attorney general, state senator, state
6 representative to the assembly or district attorney.

7 **SECTION 2.** 11.39 of the statutes is created to read:

8 **11.39 Certain committee contributions prohibited.** (1) No committee
9 other than a personal campaign or support committee may make or transfer a
10 contribution to an individual who is a candidate for a partisan state office, personal
11 campaign committee of such a candidate or support committee of such a candidate
12 authorized under s. 11.05 (3) (p), except during the period commencing on June 1 of
13 an even-numbered year and ending with the day of the general election, if the
14 individual is a candidate for a partisan state office at the general election to be held
15 in that year.

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1 **(2)** No committee other than a personal campaign or support committee may
2 make or transfer a contribution to an individual who is a candidate for a nonpartisan
3 state office, personal campaign committee of such a candidate or support committee
4 of such a candidate authorized under s. 11.05 (3) (p), except during the period
5 commencing on December 1 and ending on the day of the succeeding spring election,
6 if the individual is a candidate for a nonpartisan state office at that spring election.

7 **(3)** This section does not apply to an individual who is a candidate for state
8 office at a special election or a personal campaign committee of such a candidate
9 during the period commencing on the date that the special election is ordered and
10 ending on the date of the special election.

11 **SECTION 3.** 13.62 (8e) and (11w) of the statutes are created to read:

12 13.62 **(8e)** “Legislative campaign committee” has the meaning given in s. 11.01
13 (12s).

14 **(11w)** “Political party committee” means a committee of a political party, as
15 defined in s. 5.02 (13).

16 **SECTION 4.** 13.625 (1) (c) (intro.) and 1. and (3) of the statutes are amended to
17 read:

18 13.625 **(1)** (c) (intro.) Except as permitted in this subsection, make a campaign
19 contribution, as defined in s. 11.01 (6), to a partisan elective state official for the
20 purpose of promoting the official’s election to any national, state or local office, or to
21 a candidate for a partisan elective state office to be filled at the general election or
22 a special election, ~~or the~~ to such an official’s or candidate’s personal campaign
23 committee or to a legislative campaign or political party committee. A campaign
24 contribution to an individual who is a partisan elective state official or candidate for
25 partisan elective state office or his or her personal campaign committee may be made

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1 in the year of a candidate's general election in which the name of that individual
2 appears on the ballot, and may be made to a legislative campaign or political party
3 committee, during the period between June 1 preceding the general election and the
4 day of the general that election, except that:

5 1. A campaign contribution to a candidate for legislative office or to a legislative
6 campaign or political party committee may be made during that period only if the
7 legislature has concluded its final floorperiod, and is not in special or extraordinary
8 session.

9 **(3)** No candidate for an elective state office, elective state official, agency
10 official or legislative employe of the state may solicit or accept anything of pecuniary
11 value from a lobbyist or principal, except as permitted under subs. (1) (b) 3. and (c),
12 (2), (4), (5), (6), (7), (8) and (9). No personal campaign committee of a candidate for
13 state office and no legislative campaign or political party committee may accept
14 anything of pecuniary value from a lobbyist or principal, except as permitted under
15 sub. (1) (c) or as permitted for such a candidate under subs. (1) (b) 3. ~~and (e)~~, (2) and
16 (6).

17 **SECTION 5.** 13.69 (6) of the statutes is amended to read:

18 13.69 **(6)** Any candidate for an elective state office, elective state official, agency
19 official or legislative employe of the state who, or any personal campaign, legislative
20 campaign or political party committee which, violates s. 13.625 (3) may be required
21 to forfeit not more than \$1,000.

22 (END)