

State of Wisconsin



1997 Assembly Bill 150

Date of enactment: April 30, 1998

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1997 WISCONSIN ACT 230

AN ACT *to amend* 11.21 (2), 11.21 (9) and 11.31 (6); and *to create* 11.21 (16), 11.60 (3g) and 20.510 (1) (i) of the statutes; **relating to:** electronic filing of certain campaign finance reports with the elections board, requiring the exercise of rule-making authority, use of information copied from campaign finance reports and statements, providing a penalty and making an appropriation.

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

SECTION 1. 11.21 (2) of the statutes is amended to read:

11.21 (2) Furnish to each registrant prescribed forms for the making of reports and statements. Forms shall be sent by 1st class mail not earlier than 21 days and not later than 14 days prior to the applicable filing deadline under s. 11.20, and addressed to the attention of the treasurer or other person indicated on the registration statement. Forms need not be sent to a registrant who has made an indication that aggregate contributions, disbursements and obligations will not exceed the amount specified under s. 11.05 (2r) or to a registrant who has been granted a suspension under s. 11.19 (2). Forms for reports shall not be sent by the board to a registrant if the registrant is required to file reports with the board in an electronic format. Whenever any notice of filing requirements under this chapter is sent to a candidate's campaign treasurer, the board shall also send a notice to the candidate if he or she has appointed a separate treasurer. Failure to receive any form or notice does not exempt a registrant from compliance with this chapter.

SECTION 2. 11.21 (9) of the statutes is amended to read:

11.21 (9) ~~Place a copy~~ Maintain a duplicate record of any separate schedule under s. 11.06 (1) (j) received with the financial report of an individual or committee filing an oath under s. 11.06 (7) ~~in the file~~ together with the record of each candidate to whom it relates.

SECTION 3. 11.21 (16) of the statutes is created to read:

11.21 (16) Require each registrant for whom the board serves as filing officer and who or which accepts contributions in a total amount or value of \$20,000 or more during a campaign period to file each campaign finance report that is required to be filed under this chapter in an electronic format, and accept from any other registrant for whom the board serves as a filing officer any campaign finance report that is required to be filed under this chapter in an electronic format. A registrant who or which becomes subject to a requirement to file reports in an electronic format under this subsection shall initially file the registrant's report in an electronic format for the period which includes the date on which the registrant becomes subject to the requirement. To facilitate implementation of this subsection, the board shall specify, by rule, a type of software that is suitable for compliance with the electronic filing requirement under this subsection. The board shall provide copies of the software to registrants at a price fixed by the board that may not

* Section 991.11, WISCONSIN STATUTES 1995-96: Effective date of acts. "Every act and every portion of an act enacted by the legislature over the governor's partial veto which does not expressly prescribe the time when it takes effect shall take effect on the day after its date of publication as designated" by the secretary of state [the date of publication may not be more than 10 working days after the date of enactment].

exceed cost. Each registrant who or which files a report under this subsection in an electronic format shall also file a copy of the report with the board that is recorded on a medium specified by the board. The copy shall be signed by an authorized individual and filed with the board by each registrant no later than the time prescribed for filing of the report under this chapter. The board shall provide complete instructions to any registrant who or which files a report under this subsection. In this subsection, the "campaign period" of a candidate, personal campaign committee or support committee begins and ends with the "campaign" of the candidate whose candidacy is supported, as defined in s. 11.26 (17), and the "campaign period" of any other registrant begins on January 1 of each odd-numbered year and ends on December 31 of the following year.

SECTION 3d. 11.31 (6) of the statutes is amended to read:

11.31 (6) **EXCLUSIONS.** In computing the limitations under this section an individual or campaign treasurer may exclude any contributions returned to the contributor; any loan repayments made; any inaugural expenses paid from the campaign depository account under s. 11.25 (2) (b); any expenses incurred as a result of a recount; all federal, state or local taxes paid; any reimbursement made to a candidate for the candidate's travel expenses; the gross receipts from the sale at an auction of any materials contributed to a candidate and reported by the candidate as a disbursement at the time the contribution is made; all refunds or deposits paid; the cost of ser-

vices and materials purchased from a service provider for the purpose of compliance with the electronic filing requirement under s. 11.21 (16); and the cost of facilities rental, entertainment expense, food and beverages (including the preparation and service thereof if contracted to an outside agency), if utilized for a meal, sale, rally or similar fund raising effort or program which is intended for political purposes. Any such exclusion claimed shall be reported to the appropriate filing officer in such form as the board may require.

SECTION 3m. 11.60 (3g) of the statutes is created to read:

11.60 (3g) Notwithstanding sub. (1), any person, including any committee or group, who violates s. 11.21 (5) or 11.22 (8) shall forfeit \$10 for each person who is solicited, but not more than \$1,000 for each report from which persons are solicited, in violation of s. 11.21 (5) or 11.22 (8).

SECTION 4. 20.510 (1) (i) of the statutes is created to read:

20.510 (1) (i) *Electronic filing software.* All moneys received from registrants who purchase software to be utilized for electronic filing of campaign finance reports under s. 11.21 (16), for the purpose of providing that software.

SECTION 5. Initial applicability.

(1) This act first applies with respect to campaign finance reports that are required to be filed after June 30, 1999.