

1999 ASSEMBLY BILL 208

March 15, 1999 – Introduced by Representatives MONTGOMERY, SUDER, FREESE, RYBA, MUSSER, KESTELL, AINSWORTH, PORTER, BOCK, SKINDRUD, OTT, URBAN, WASSERMAN, DUFF, WALKER, VRAKAS, HANDRICK, HAHN, LADWIG, OWENS, M. LEHMAN, SERATTI, GOETSCH, KAUFERT, ALBERS and BRANDEMUEHL, cosponsored by Senators ROESSLER, CLAUSING, HUELSMAN, PLACHE and LAZICH. Referred to Committee on Campaigns and Elections.

1 AN ACT *to create* 12.06 and 12.60 (1) (bm) of the statutes; **relating to:**
2 publication or dissemination of false information pertaining to a response to
3 certain questions and providing a penalty.

Analysis by the Legislative Reference Bureau

Currently, no person may knowingly publish a false representation pertaining to an election which is intended or tends to affect voting at an election. Violators may be fined not more than \$1,000 or imprisoned for not more than six months or both.

This bill provides, in addition, that no person may knowingly publish or disseminate information which indicates that an elective local official, elective national official or elective state official or candidate for local, national or state office has responded to a verbal or written question in a particular manner if the indicated response has not been made or no response has been made. Violators are subject to a forfeiture (civil penalty) of not more than \$1,000 for each violation.

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

4 SECTION 1. 12.06 of the statutes is created to read:

5 **12.06 False representations of responses to questions. (1)** In this
6 section:

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1 (a) “Elective local official” means any individual who holds a local office or has
2 been elected or appointed to fill a local office but has not yet taken office.

3 (b) “Elective national official” means any individual who holds a national office
4 or has been elected to fill a national office but has not yet taken office.

5 (c) “Elective state official” means any individual who holds a state office or has
6 been elected or appointed to fill a state office but has not yet taken office.

7 **(2)** No person may knowingly publish or disseminate information which
8 indicates that an elective local official, elective national official, elective state official
9 or candidate for local, national or state office has responded to a verbal or written
10 question in a particular manner if the indicated question has not been asked, or the
11 indicated response has not been made or no response has been made.

12 **SECTION 2.** 12.60 (1) (bm) of the statutes is created to read:

13 12.60 **(1)** (bm) Whoever violates s. 12.06 may be required to forfeit not more
14 than \$1,000.

15 **SECTION 3. Nonstatutory provisions; information to registrants.**

16 (1) The elections board shall provide to all registrants, as defined in section
17 11.01 (18m) of the statutes, for whom the board serves as a filing officer information
18 concerning the prohibition under section 12.06 of the statutes, as created by this act.

19 (2) Subsection (1) of this act does not apply after December 31, 2000.

20 **(END)**