

1999 ASSEMBLY BILL 410

July 15, 1999 – Introduced by Representatives WALKER, LADWIG, GUNDRUM, URBAN, KLUSMAN, MILLER, HANDRICK, DUFF, F. LASEE, OWENS, FREESE, HUEBSCH, TOWNSEND, KELSO and GROTHMAN, cosponsored by Senators RISSER, HUELSMAN, FARROW and DARLING. Referred to Committee on Campaigns and Elections.

1 **AN ACT** *to amend* 11.61 (1) (b) and 11.61 (1) (b); and *to create* 11.41 and 11.60
2 (3e) of the statutes; **relating to:** acceptance of political contributions made by
3 owners, operators or managers of casinos or racetracks and providing penalties.

Analysis by the Legislative Reference Bureau

This bill prohibits any person, including any committee or group, from accepting a political contribution made by any person who owns, operates or manages a casino or racetrack in any state, or who is licensed by any state to operate or manage a casino or racetrack. If a corporation owns, operates or manages a casino or racetrack, the prohibition applies to contributions made by the officers and directors of the corporation or by any individual owner of the corporation if the individual owns a 10% or greater interest in the corporation. If an Indian tribe owns, operates or manages a casino or racetrack, the prohibition applies only to contributions made by the officers and members of the governing body of the tribe.

Violators are subject to a forfeiture (civil penalty) of not more than treble the amount of any contribution accepted in violation of the provision. Intentional violators may be fined not more than \$1,000 or imprisoned for not more than 6 months, or both, if an unlawful contribution is \$100 or less, and may be fined not more than \$10,000 or imprisoned for not more than 3 years, or both, if an unlawful contribution is more than \$100. After December 30, 1999, the maximum term of imprisonment for intentionally accepting an unlawful contribution of more than \$100 is increased to 4 years and 6 months.

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Currently, there is no such prohibition, except that if a corporation owns, operates or manages a casino or racetrack the acceptance of contributions made from the corporate treasury is currently prohibited.

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

1 **SECTION 1.** 11.41 of the statutes is created to read:

2 **11.41 Acceptance of contributions from owners, operators or**
3 **managers of casinos and racetracks. (1)** In this section:

4 (a) “Casino” means a location where casino gambling is authorized to be
5 conducted under an applicable state law or a compact negotiated under 25 USC 2710.

6 (b) “Casino gambling” means one or more of the games described in s. 565.01
7 (6m) (b) 2. to 9., or any game that is similar to a game described in s. 565.01 (6m) (b)
8 2. to 9.

9 (c) “Pari-mutuel” means a wagering system in which all persons who wager on
10 any animal which finishes in any position for which wagers are taken in a race share
11 the total amount wagered on the race minus any deductions from the wagers on that
12 race required under the law of the state where the race is conducted.

13 (d) “Racetrack” means a location in any state at which animal races are
14 authorized by the law of that state to be conducted and at which pari-mutuel
15 wagering on those races is authorized to be conducted under that law.

16 **(2)** No person, including a committee or group, may accept a contribution made
17 by any person who owns, operates or manages a casino or racetrack in any state, or
18 who is licensed by any state to operate or manage a casino or racetrack.

19 **(3)** For purposes of sub. (2), if an individual owns a 10% or greater interest in
20 or serves as an officer or director of a corporation that owns, operates or manages a

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1 casino or racetrack in any state, or that is licensed by any state to operate or manage
2 a casino or racetrack, that individual is considered to own, operate or manage that
3 casino or racetrack or to be licensed to do so.

4 **(4)** For purposes of sub. (2), if an Indian tribe owns or operates a casino or
5 racetrack, the officers and members of the governing body of the tribe are considered
6 to own or operate that casino or racetrack.

7 **SECTION 2.** 11.60 (3e) of the statutes is created to read:

8 11.60 **(3e)** Notwithstanding sub. (1), any person, including any committee or
9 group, who accepts a contribution in violation of s. 11.41 may be required to forfeit
10 not more than treble the amount of the contribution.

11 **SECTION 3.** 11.61 (1) (b) of the statutes is amended to read:

12 11.61 **(1)** (b) Whoever intentionally violates s. 11.25, 11.26, 11.27 (1), 11.30 (1)
13 ~~or~~ 11.38 or 11.41 where the intentional violation does not involve a specific figure,
14 or where the intentional violation concerns a figure which exceeds \$100 in amount
15 or value may be fined not more than \$10,000 or imprisoned not more than 3 years
16 or both.

17 **SECTION 4.** 11.61 (1) (b) of the statutes, as affected by 1997 Wisconsin Act 283,
18 is amended to read:

19 11.61 **(1)** (b) Whoever intentionally violates s. 11.25, 11.26, 11.27 (1), 11.30 (1)
20 ~~or~~ 11.38 or 11.41 where the intentional violation does not involve a specific figure,
21 or where the intentional violation concerns a figure which exceeds \$100 in amount
22 or value may be fined not more than \$10,000 or imprisoned for not more than 4 years
23 and 6 months or both.

24 **SECTION 5. Effective dates.**

