

1999 ASSEMBLY BILL 461

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

1 **AN ACT to repeal** 13.625 (1) (c) 1.; **to consolidate, renumber and amend**
2 13.625 (1) (c) (intro.) and 2.; **to amend** 13.625 (2); and **to create** 13.625 (1m)
3 and 13.69 (2e) of the statutes; **relating to:** political contributions made or
4 solicited by lobbyists, principals or former lobbyists to or for the benefit of
5 certain state officials or candidates, service by lobbyists or former lobbyists as
6 officers or directors of political committees and providing a penalty.

Analysis by the Legislative Reference Bureau

Currently, no lobbyist or principal may make a campaign contribution to a partisan elective state official for the purpose of promoting the official's election to any national, state or local office, or to a candidate for a partisan elective state office, or to the official's or candidate's personal campaign committee, except during the period from June 1 to the date of a general election at which the official or candidate seeks office. There are two exceptions: 1) a contribution to a candidate for legislative office may be made only if the legislature has concluded its final floor period and is not in special or extraordinary session; and 2) a lobbyist may make a contribution to his or her own campaign for partisan elective state office at any time. Principals who or which violate the prohibition are subject to a forfeiture (civil penalty) of not more than \$5,000. Lobbyists who violate the prohibition are subject to a forfeiture of not more than \$1,000.

This bill broadens the application of the law by:

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1. Deleting the exception that permits some contributions to be made during the period from June 1 to the date of the general election.

2. Applying the prohibition to any person who was a lobbyist at any time after obtaining a license during the remainder of the biennial period for which the lobbying license is issued (January 1 of the odd-numbered year to December 31 of the even-numbered year), subject to the same penalty that currently applies to violations by lobbyists.

3. Prohibiting a lobbyist or former lobbyist from soliciting any other person to make a contribution that the lobbyist or former lobbyist is prohibited from making.

4. Prohibiting a lobbyist or former lobbyist to whom the prohibition applies from serving as an officer or director of any political committee (including a committee organized as a conduit) after obtaining a license during the remainder of the biennial period for which the lobbyist or former lobbyist is or was licensed.

5. Applying the prohibition to contributions made to the state superintendent of public instruction and candidates for that office.

The bill also makes a former lobbyist who violates the prohibition liable for the same penalty that applies to a lobbyist who violates the prohibition.

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

1 **SECTION 1.** 13.625 (1) (c) (intro.) and 2. of the statutes are consolidated,
 2 renumbered 13.625 (1) (c) and amended to read:
 3 13.625 **(1)** (c) Except as permitted in this subsection, make a campaign
 4 contribution, as defined in s. 11.01 (6), to a partisan elective state official or the state
 5 superintendent of public instruction for the purpose of promoting the official's or
 6 superintendent's election to any national, state or local office, or to a candidate for
 7 a partisan elective state office ~~to be filled at the general election or a special election~~
 8 or state superintendent of public instruction, or to the official's or candidate's
 9 personal campaign committee, or solicit any other person to do so. A lobbyist who
 10 becomes a candidate for such an office may make a campaign contribution to a
 11 ~~partisan elective state official or candidate for partisan elective state office or his or~~
 12 ~~her personal campaign committee may be made in the year of a candidate's election~~
 13 ~~between June 1 and the day of the general election, except that: 2. A campaign~~

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1 ~~contribution by a lobbyist to himself or herself or to the lobbyist's personal~~ campaign
2 ~~for partisan elective state office may be made~~ committee or solicit any other person
3 to do so at any time.

4 **SECTION 2.** 13.625 (1) (c) 1. of the statutes is repealed.

5 **SECTION 3.** 13.625 (1m) of the statutes is created to read:

6 13.625 **(1m)** No person who is licensed as a lobbyist under s. 13.63 (1), at any
7 time after obtaining a license during the biennial period under that subsection to
8 which the license applies, may make a campaign contribution which a lobbyist is
9 prohibited from making under sub. (1) (c) or solicit any other person to do so, or serve
10 as an officer or director of any political committee as defined in s. 11.01 (4), regardless
11 of whether the license is effective at the time that the contribution is made or solicited
12 to be made or at the time that the service is performed.

13 **SECTION 4.** 13.625 (2) of the statutes is amended to read:

14 13.625 **(2)** No principal may engage in the practices prohibited under sub. (1)
15 (b) ~~and or make any campaign contribution prohibited under sub. (1) (c).~~ This
16 subsection does not apply to the furnishing of transportation, lodging, food, meals,
17 beverages or any other thing of pecuniary value which is also made available to the
18 general public.

19 **SECTION 5.** 13.69 (2e) of the statutes is created to read:

20 13.69 **(2e)** Any person, other than a lobbyist, to whom s. 13.625 (1m) applies
21 who violates that subsection or a rule of the board promulgated under that
22 subsection may be required to forfeit not more than \$1,000.

23 **(END)**