

**SENATE SUBSTITUTE AMENDMENT 2,
TO 1999 SENATE BILL 190**

March 14, 2000 – Offered by Senators CLAUSING and BURKE.

1 **AN ACT** *to repeal* 11.01 (5m), 11.01 (12s), 11.05 (3) (o), 11.05 (9) (b), 11.06 (3) (b),
2 11.06 (11), 11.24 (1m), 11.26 (9) (c), 11.26 (12m), 11.265, 11.31 (1) (b), 11.31 (2m),
3 11.31 (3), 11.31 (3m), 11.31 (4), 11.50 (2) (i), 11.50 (3), 11.50 (6), 20.855 (4) (b) and
4 71.10 (3); *to renumber* 11.05 (9) (a); *to renumber and amend* 11.12 (6), 11.50
5 (2) (b) 5. and 11.50 (9); *to amend* 5.02 (13), 5.02 (18), 7.08 (2) (c) and (cm), 8.35
6 (4) (b), 10.02 (3) (b) 2m., 11.05 (3) (c), 11.05 (3) (n), 11.05 (7), 11.06 (1) (intro.),
7 11.06 (2), 11.06 (7m) (a), 11.06 (7m) (c), 11.09 (3), 11.12 (4), 11.12 (5), 11.16 (5),
8 11.20 (2m), 11.20 (3) (d), 11.20 (3) (g), 11.20 (8) (intro.), 11.20 (12), 11.21 (15),
9 11.26 (1) (intro.), 11.26 (1) (a), 11.26 (1) (b), 11.26 (1) (c), 11.26 (2) (intro.), 11.26
10 (2) (a), 11.26 (4), 11.26 (8), 11.26 (9) (a), 11.26 (9) (b), 11.26 (10), 11.26 (13), 11.26
11 (17) (a), 11.31 (1) (a), 11.31 (1) (c), 11.31 (1) (d), 11.31 (1) (e) and (f), 11.31 (2),
12 11.38 (1) (a) 3., 11.50 (title), 11.50 (1) (b), 11.50 (2) (a), 11.50 (2) (b) (intro.), 11.50
13 (2) (b) 1. to 3., 11.50 (2) (b) 4., 11.50 (2) (g), 11.50 (5), 11.50 (9) (title), 11.50 (11)

1 (e), 11.61 (1) (a), 11.61 (1) (b), 11.61 (1) (c), 14.58 (20), 20.510 (1) (q), 25.17 (1)
2 (ys), 25.42 and chapter 77 (title); **to repeal and recreate** 11.50 (4); and **to**
3 **create** 11.05 (3) (q), 11.05 (7m), 11.05 (14), 11.12 (6) (c) and (d), 11.12 (7), 11.12
4 (8), 11.20 (2e), 11.20 (8) (am), 11.20 (8) (an), 11.24 (1s), 11.24 (1t), 11.24 (1w),
5 11.26 (1m), 11.26 (10a), 11.31 (1) (cm), 11.31 (3p), 11.31 (9), 11.50 (2) (b) 3m.,
6 11.50 (2) (b) 3s., 11.50 (2) (b) 5. a. to f., 11.50 (2) (bm), 11.50 (9) (a) 1. to 6., 11.50
7 (9) (b), 11.50 (9) (ba), 11.50 (9a), 11.60 (3s) and (3t), 11.61 (1) (d), 20.855 (4) (ba),
8 20.855 (4) (bb) and subchapter XIII of chapter 77 [precedes 77.997] of the
9 statutes; **relating to:** campaign financing, imposition of a lobbying
10 expenditure tax, providing exemptions from emergency rule procedures,
11 granting rule-making authority, making appropriations and providing
12 penalties.

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

13 **SECTION 1.** 5.02 (13) of the statutes is amended to read:

14 5.02 (13) “Political party” or “party” means a state committee registered under
15 s. 11.05 organized exclusively for political purposes under whose name candidates
16 appear on a ballot at any election, and all county, congressional, legislative, local and
17 other affiliated committees authorized to operate under the same name. For
18 purposes of ch. 11, the term does not include a legislative campaign committee or a
19 committee filing an oath under s. 11.06 (7).

20 **SECTION 2.** 5.02 (18) of the statutes is amended to read:

21 5.02 (18) “September primary” means the primary held the 2nd Tuesday in
22 September to nominate candidates to be voted for at the general election, and to

1 determine which candidates for state offices other than district attorney may
2 participate in the ~~Wisconsin election campaign~~ clean government fund.

3 **SECTION 3.** 7.08 (2) (c) and (cm) of the statutes are amended to read:

4 7.08 (2) (c) As soon as possible after the canvass of the spring and September
5 primary votes, but no later than the first Tuesday in March and the 4th Tuesday in
6 September, transmit to the state treasurer a certified list of all eligible candidates
7 for state office who have filed applications under s. 11.50 (2) and ~~whom~~ who the board
8 determines ~~to be~~ is eligible to receive payments from the ~~Wisconsin election~~
9 ~~campaign~~ clean government fund. The board shall also transmit a similar list of
10 candidates who the board determines is eligible to receive a grant under s. 11.50 (9)
11 (b) or (ba) within 3 days after any candidate qualifies to receive such a grant. Each
12 list shall contain each candidate's name, the mailing address indicated upon the
13 candidate's registration form, the office for which the individual is a candidate and
14 the party or principle which he or she represents, if any.

15 (cm) As soon as possible after the canvass of a special primary, or the date that
16 the primary would be held, if required, transmit to the state treasurer a certified list
17 of all eligible candidates for state office who have filed applications under s. 11.50 (2)
18 and ~~whom~~ who the board determines ~~to be~~ is eligible to receive a grant from the
19 ~~Wisconsin election campaign~~ clean government fund prior to the election. The board
20 shall also transmit a similar list of candidates, if any, who have filed applications
21 under s. 11.50 (2) and ~~whom~~ who the board determines ~~to be~~ is eligible to receive a
22 grant under s. 11.50 (1) (a) 2. after the special election. ~~The~~ or a grant under s. 11.50
23 (9) (b) or (ba) within 3 days after any candidate qualifies to receive such a grant. Each
24 list shall contain each candidate's name, the mailing address indicated upon the

1 candidate's registration form, the office for which the individual is a candidate and
2 the party or principle which he or she represents, if any.

3 **SECTION 4.** 8.35 (4) (b) of the statutes is amended to read:

4 8.35 (4) (b) Notwithstanding par. (a), any unspent and unencumbered moneys
5 received by a candidate from the ~~Wisconsin election campaign~~ clean government
6 fund shall be immediately transferred to any candidate who is appointed to replace
7 such candidate, upon filing of a proper application therefor under s. 11.50 (2). If there
8 is no candidate appointed or if no proper application is filed within 7 days of the date
9 on which the vacancy occurs, such moneys shall revert to the state as provided in s.
10 11.50 (8).

11 **SECTION 5.** 10.02 (3) (b) 2m. of the statutes is amended to read:

12 10.02 (3) (b) 2m. At the September primary, the elector shall select the party
13 ballot of his or her choice or the ballot containing the names of the independent
14 candidates for state office, and make a cross [x] in the square at the right of or
15 depress the lever or button next to the candidate's name for each office for whom the
16 elector intends to vote or insert or write in the name of the elector's choice for a party
17 candidate, if any. In order to qualify for participation in the ~~Wisconsin election~~
18 ~~campaign~~ clean government fund, a candidate for state office at the September
19 primary, other than a candidate for district attorney, must receive at least 6% of all
20 votes cast on all ballots for the office for which he or she is a candidate, in addition
21 to other requirements.

22 **SECTION 6.** 11.01 (5m) of the statutes is repealed.

23 **SECTION 7.** 11.01 (12s) of the statutes is repealed.

24 **SECTION 8.** 11.05 (3) (c) of the statutes is amended to read:

1 11.05 (3) (c) In the case of a committee, a statement as to whether the
2 committee is a personal campaign committee, a political party committee, a
3 ~~legislative campaign committee~~, a support committee or a special interest
4 committee.

5 **SECTION 9.** 11.05 (3) (n) of the statutes is amended to read:

6 11.05 (3) (n) In the case of a labor organization, or separate segregated fund
7 under s. 11.38 (1) (a) 2. ~~or conduit established by a labor organization~~, a statement
8 as to whether the organization is incorporated, and if so, the date of incorporation
9 and whether or not such incorporation is under ch. 181.

10 **SECTION 10.** 11.05 (3) (o) of the statutes is repealed.

11 **SECTION 11.** 11.05 (3) (q) of the statutes is created to read:

12 11.05 (3) (q) In the case of a registrant who or which does not maintain a street
13 address within this state, a report providing the information specified by the board
14 for the portion of the year in which the registrant initially files a statement under
15 this section before filing that statement and the one-year period preceding the
16 beginning of that year, plus any additional period required under sub. (7m) to enable
17 the registrant to make a contribution or disbursement from the property or funds.
18 The report required under this paragraph may be filed no later than 10 days
19 following the remainder of a statement filed under this section. A registration lapses
20 if the report required under this paragraph is not filed in a timely manner.

21 **SECTION 12.** 11.05 (7) of the statutes is amended to read:

22 11.05 (7) CHANGE IN STATUS OF NEW REGISTRANT. ~~Notwithstanding sub. (6)~~ Except
23 as provided in sub. (7m), any individual or organization who or which has received
24 property or funds which were not intended for political purposes in connection with
25 an election for state or local office at the time of receipt may make contributions or

1 disbursements from such property or funds in connection with an election for state
2 or local office if the individual or organization complies with applicable provisions of
3 sub. (1), (2) or (2g) as soon as such intent changes. For purposes of s. 11.06 (1), all
4 property or funds which are in a registrant's the possession of such an individual or
5 organization on the date of registration under this section shall be treated as received
6 on the date that such intent changes so that the property or funds are to be used for
7 political purposes in connection with an election for state or local office.

8 **SECTION 13.** 11.05 (7m) of the statutes is created to read:

9 11.05 (7m) NONRESIDENT REGISTRANTS; ADDITIONAL INFORMATION. If a registrant
10 who or which does not maintain a street address in this state has property or funds
11 in the possession of the registrant on the date of registration from which the
12 registrant wishes to make a contribution or disbursement, the registrant may make
13 a contribution or disbursement from the property or funds to the extent permitted
14 under this chapter if the registrant obtained the property or funds from sources and
15 in amounts that were lawful under this chapter at the time that the property or funds
16 were received by the registrant, and the registrant reports to the appropriate filing
17 officer the information specified by the board under sub. (3) (q) with respect to the
18 property or funds prior to making any contribution or disbursement from the
19 property or funds. For purposes of determining the source of property or funds in the
20 possession of a registrant at the time of registration under this subsection, the
21 property and funds in the possession of a registrant shall be allocated to the sources
22 from which the registrant received property and funds in the inverse order in which
23 the property and funds were chronologically received.

24 **SECTION 14.** 11.05 (9) (a) of the statutes is renumbered 11.05 (9).

25 **SECTION 15.** 11.05 (9) (b) of the statutes is repealed.

1 **SECTION 16.** 11.05 (14) of the statutes is created to read:

2 **11.05 (14) PRESUMPTION CONCERNING CERTAIN COMMUNICATIONS.** Whenever any
3 person publishes, disseminates or broadcasts, or causes to be published,
4 disseminated or broadcast, any communication that includes a reference to a clearly
5 identified candidate for an office to be filled at a general, spring or special election,
6 during the 60-day period preceding that election or during the 30-day period
7 preceding any primary for that election, and the communication is substantially
8 directed toward the electorate at that election, it is presumed that the
9 communication is made for the purpose of influencing the election or nomination for
10 election of that candidate, unless the person making the communication or causing
11 the communication to be made establishes, by a preponderance of the evidence, that
12 the communication was not made for that purpose.

13 **SECTION 17.** 11.06 (1) (intro.) of the statutes is amended to read:

14 **11.06 (1) CONTENTS OF REPORT.** (intro.) Except as provided in subs. (2),~~(3)~~ and
15 (3m) and ss. 11.05 (2r) and 11.19 (2), each registrant under s. 11.05 shall make full
16 reports, upon a form prescribed by the board and signed by the appropriate
17 individual under sub. (5), of all contributions received, contributions or
18 disbursements made, and obligations incurred. Each report shall contain the
19 following information, covering the period since the last date covered on the previous
20 report, unless otherwise provided:

21 **SECTION 18.** 11.06 (2) of the statutes is amended to read:

22 **11.06 (2) DISCLOSURE OF CERTAIN INDIRECT DISBURSEMENTS.** Notwithstanding
23 sub. (1), if a disbursement is made or obligation incurred by an individual other than
24 a candidate or by a committee or group which is not primarily organized for political
25 purposes, and the disbursement does not constitute a contribution to any candidate

1 or other individual, committee or group, the disbursement or obligation is required
2 to be reported only if the purpose is to expressly advocate the election or defeat of a
3 clearly identified candidate or the adoption or rejection of a referendum or if the
4 disbursement is made or the obligation is incurred for the purpose of making a
5 communication specified in s. 11.05 (14). The exemption provided by this subsection
6 shall in no case be construed to apply to a political party, ~~legislative campaign,~~
7 personal campaign or support committee.

8 **SECTION 19.** 11.06 (3) (b) of the statutes is repealed.

9 **SECTION 20.** 11.06 (7m) (a) of the statutes is amended to read:

10 11.06 (7m) (a) If a committee which was registered under s. 11.05 as a political
11 party committee ~~or legislative campaign committee~~ supporting candidates of a
12 political party files an oath under sub. (7) affirming that it does not act in cooperation
13 or consultation with any candidate who is nominated to appear on the party ballot
14 of the party at a general or special election, that the committee does not act in concert
15 with, or at the request or suggestion of, such a candidate, that the committee does
16 not act in cooperation or consultation with such a candidate or agent or authorized
17 committee of such a candidate who benefits from a disbursement made in opposition
18 to another candidate, and that the committee does not act in concert with, or at the
19 request or suggestion of, such a candidate or agent or authorized committee of such
20 a candidate who benefits from a disbursement made in opposition to another
21 candidate, the committee filing the oath may not make any contributions in support
22 of any candidate of the party at the general or special election or in opposition to any
23 such candidate's opponents exceeding the amounts specified in s. 11.26 (2), except as
24 authorized in par. (c).

25 **SECTION 21.** 11.06 (7m) (c) of the statutes is amended to read:

1 11.06 **(7m)** (c) A committee filing an oath under sub. (7) which desires to change
2 its status to a political party committee ~~or legislative campaign committee~~ may do
3 so as of December 31 of any even-numbered year. Section 11.26 does not apply to
4 contributions received by such a committee prior to the date of the change. Such a
5 committee may change its status at other times only by filing a termination
6 statement under s. 11.19 (1) and reregistering as a newly organized committee under
7 s. 11.05.

8 **SECTION 22.** 11.06 (11) of the statutes is repealed.

9 **SECTION 23.** 11.09 (3) of the statutes is amended to read:

10 11.09 **(3)** Each registrant whose filing officer is the board, who or which makes
11 disbursements in connection with elections for offices which serve or referenda
12 which affect only one county or portion thereof, except a candidate, personal
13 campaign committee, political party committee or other committee making
14 disbursements in support of or in opposition to a candidate for state senator,
15 representative to the assembly, court of appeals judge or circuit judge, shall file a
16 duplicate original of each financial report filed with the board with the county clerk
17 or board of election commissioners of the county in which the elections in which the
18 registrant participates are held. Such reports shall be filed no later than the
19 applicable dates specified under s. 11.20 (2), (2e), (2m) and (4) for the filing of each
20 report with the board.

21 **SECTION 24.** 11.12 (4) of the statutes is amended to read:

22 11.12 **(4)** Each registrant shall report contributions, disbursements and
23 incurred obligations in accordance with s. 11.20, and if the registrant files reports
24 under s. 11.21 (16), in accordance with s. 11.21 (16). Except as permitted under s.

1 11.06 (2),~~(3)~~ and (3m), each report shall contain the information which is required
2 under s. 11.06 (1).

3 **SECTION 25.** 11.12 (5) of the statutes is amended to read:

4 11.12 (5) ~~If Except as otherwise required under sub. (7), if any contribution or~~
5 contributions of \$500 or more cumulatively are received by a candidate for state office
6 or by a committee or individual from a single contributor later than 15 days prior to
7 a primary or election such that it is not included in the preprimary or preelection
8 report submitted under s. 11.20 (3), the treasurer of the committee or the individual
9 receiving the contribution shall within 24 hours of receipt inform the appropriate
10 filing officer of the information required under s. 11.06 (1) in such manner as the
11 board may prescribe. The information shall also be included in the treasurer's or
12 individual's next regular report. For purposes of the reporting requirement under
13 this subsection, only contributions received during the period beginning with the day
14 after the last date covered on the preprimary or preelection report, and ending with
15 the day before the primary or election need be reported.

16 **SECTION 26.** 11.12 (6) of the statutes is renumbered 11.12 (6) (a) and amended
17 to read:

18 11.12 (6) (a) If any disbursement of more than \$20 cumulatively is made to
19 advocate the election or defeat of a clearly identified candidate by an individual or
20 committee later than 15 days prior to a primary or election in which the candidate's
21 name appears on the ballot without cooperation or consultation with a candidate or
22 agent or authorized committee of a candidate who is supported or opposed, and not
23 in concert with or at the request or suggestion of such a candidate, agent or
24 committee, the individual or treasurer of the committee shall, within 24 hours of
25 making the disbursement, inform the appropriate filing officer of the information

1 required under s. 11.06 (1) in such manner as the board may prescribe. The
2 information shall also be included in the next regular report of the individual or
3 committee under s. 11.20. For purposes of this subsection paragraph, disbursements
4 cumulate beginning with the day after the last date covered on the preprimary or
5 preelection report and ending with the day before the primary or election. Upon
6 receipt of a report under this subsection paragraph, the filing officer shall, within 24
7 hours of receipt, mail a copy of the report to all candidates for any office in support
8 of or opposition to one of whom a disbursement identified in the report is made. A
9 committee that files a report pertaining to a disbursement under par. (c) is not
10 required to file a report pertaining to the same disbursement under this paragraph.

11 **SECTION 27.** 11.12 (6) (c) and (d) of the statutes are created to read:

12 11.12 **(6)** (c) 1. If any committee identified under s. 11.05 (3) (c) intends to make
13 any disbursement or to incur any obligation to make a disbursement for the purpose
14 of advocating the election or defeat of a clearly identified candidate for a state office
15 specified in s. 11.31 (1) (a) to (d), (e) or (f), or any such candidate who seeks a
16 nomination for such an office at a primary election, without cooperation or
17 consultation with a candidate or agent or authorized committee of a candidate who
18 is supported or whose opponent is opposed, and not in concert with or at the request
19 or suggestion of such a candidate, agent or committee, the committee shall, no later
20 than 21 days prior to the activity intended to be funded by the disbursement or
21 obligation, report to the board in such manner as the board may prescribe, the name
22 of each candidate who is supported or whose opponent is opposed and the total
23 amount of disbursements to be made and obligations to be incurred for such a
24 purpose in support or opposition to that candidate.

1 2. If any committee identified under s. 11.05 (3) (c) makes any disbursement
2 or incurs any obligation to make a disbursement for the purpose of advocating the
3 election or defeat of a clearly identified candidate for a state office specified in s. 11.31
4 (1) (a) to (d), (e) or (f) at the general or a special election, or any such candidate who
5 seeks a nomination for such an office at a primary election, without cooperation or
6 consultation with a candidate or agent or authorized committee of a candidate who
7 is supported or whose opponent is opposed, and not in concert with or at the request
8 or suggestion of such a candidate, agent or committee, the committee shall, no later
9 than 24 hours after making the disbursement or incurring the obligation, report to
10 the board, in such manner as the board may prescribe, the name of each candidate
11 who is supported or whose opponent is opposed and the total amount of
12 disbursements made and obligations incurred for such a purpose in support of or
13 opposition to that candidate.

14 3. A committee which files a report under this paragraph concerning a proposed
15 disbursement is not required to file a report pertaining to the same disbursement
16 under par. (a).

17 (d) All information reported by a registrant under this subsection shall also be
18 included in the next regular report of the registrant under s. 11.20.

19 **SECTION 28.** 11.12 (7) of the statutes is created to read:

20 11.12 (7) (a) If a candidate for a state office specified in s. 11.31 (1) (a) to (d),
21 (e) or (f) does not accept a grant under s. 11.50, that candidate or the candidate's
22 personal campaign committee shall report to the board the information specified in
23 s. 11.06 (1) pertaining to all contributions received from individuals no later than 24
24 hours after receipt of any contribution, in such manner as the board may prescribe,
25 if the candidate or personal campaign committee receives, during the campaign of

1 that candidate, as defined in s. 11.26 (17), total contributions that equal more than
2 the following amount or value, as adjusted under par. (d):

3 1. For candidates for the offices of governor and lieutenant governor jointly,
4 \$2,000,000 from all individuals.

5 2. For a candidate for the office of attorney general, \$600,000 from all
6 individuals.

7 3. For a candidate for the office of justice, \$300,000 from all individuals.

8 4. For a candidate for the office of secretary of state, state treasurer or state
9 superintendent, \$200,000 from all individuals.

10 5. For a candidate for the office of state senator, \$70,000 from all individuals.

11 6. For a candidate for the office of representative to the assembly, \$35,000 from
12 all individuals.

13 (am) If a candidate for a state office specified in s. 11.31 (1) (a) to (d), (e) or (f)
14 does not accept a grant under s. 11.50, that candidate or the candidate's personal
15 campaign committee shall report to the board the information specified in s. 11.06
16 (1) pertaining to all contributions received from committees no later than 24 hours
17 after receipt of any contribution, in such manner as the board may prescribe.

18 (b) The first report filed by a candidate or personal campaign committee under
19 pars. (a) and (am) during any campaign shall include the information required under
20 pars. (a) and (am) for all contributions received since the closing date for the
21 preceding report filed by that candidate or committee as provided in s. 11.20 (8).

22 (d) 1. In this paragraph, "consumer price index" means the average of the
23 consumer price index over each 12-month period, all items, U.S. city average, as
24 determined by the bureau of labor statistics of the federal department of labor.

1 2. The dollar amounts of the total contributions under par. (a) shall be subject
2 to a biennial adjustment to be determined by rule of the board in accordance with this
3 subdivision. To determine the adjustment, the board shall calculate the percentage
4 difference between the consumer price index for the 12-month period ending on
5 December 31 of each odd-numbered year and the consumer price index for the base
6 period, calendar year 2001. For each biennium, the board shall multiply the amount
7 of each contribution amount under par. (a) by the percentage difference in the
8 consumer price indices. The board shall adjust each amount to substitute that result
9 for the existing amount to the extent required to reflect any difference, rounded to
10 the nearest multiple of \$25. The amount so determined shall then be in effect until
11 a subsequent rule is promulgated under this subdivision. Notwithstanding s. 227.24
12 (1) (a), (2) (b) and (3), determinations under this subdivision may be promulgated as
13 an emergency rule under s. 227.24 without providing evidence that the emergency
14 rule is necessary for the public peace, health, safety or welfare and without a finding
15 of emergency.

16 **SECTION 29.** 11.12 (8) of the statutes is created to read:

17 11.12 (8) (a) If a candidate for a state office specified in s. 11.31 (1) (a) to (d),
18 (e) or (f) who does not accept a grant under s. 11.50 intends to make any disbursement
19 or to incur an obligation to make any disbursement after that candidate has made
20 disbursements during his or her campaign, as defined in s. 11.31 (7), exceeding the
21 amount specified in s. 11.31 (1) (a) to (d), (e) or (f), as adjusted under s. 11.31 (9), for
22 the office which the candidate seeks, that candidate or the candidate's personal
23 campaign committee shall, no later than 21 days prior to the activity intended to be
24 funded by the disbursement or obligation, report to the board the information
25 required under s. 11.06 (1) in such manner as the board may prescribe. The report

1 shall include the same information concerning each proposed disbursement or
2 obligation that is required to be reported for a disbursement that has been made or
3 an obligation that has been incurred. The information required under s. 11.06 (1)
4 shall also be included in the next regular report of the candidate or committee under
5 s. 11.20.

6 (b) If a candidate for a state office specified in s. 11.31 (1) (a) to (d), (e) or (f) who
7 does not accept a grant under s. 11.50 makes any disbursement or incurs any
8 obligation to make a disbursement after that candidate has made disbursements
9 during his or her campaign, as defined in s. 11.31 (7), exceeding the amount specified
10 in s. 11.31 (1) (a) to (d), (e) or (f), as adjusted under s. 11.31 (9), for the office which
11 the candidate seeks, that candidate or the candidate's personal campaign committee
12 shall, no later than 24 hours after making the disbursement or incurring the
13 obligation, report to the board the information required under s. 11.06 (1) in such
14 manner as the board may prescribe. The information required under s. 11.06 (1)
15 shall also be included in the next regular report of the candidate or committee under
16 s. 11.20.

17 **SECTION 30.** 11.16 (5) of the statutes is amended to read:

18 11.16 (5) ESCROW AGREEMENTS. Any personal campaign committee, or political
19 party committee ~~or legislative campaign committee~~ may, pursuant to a written
20 escrow agreement with more than one candidate, solicit contributions for and
21 conduct a joint fund raising effort or program on behalf of more than one named
22 candidate. The agreement shall specify the percentage of the proceeds to be
23 distributed to each candidate by the committee conducting the effort or program.
24 The committee shall include this information in all solicitations for the effort or
25 program. All contributions received and disbursements made by the committee in

1 connection with the effort or program shall be received and disbursed through a
2 separate depository account under s. 11.14 (1) that is identified in the agreement.
3 For purposes of s. 11.06 (1), the committee conducting the effort or program shall
4 prepare a schedule in the form prescribed by the board supplying all required
5 information under s. 11.06 (1) and items qualifying for exclusion under s. 11.31 (6)
6 for the effort or program, and shall transmit a copy of the schedule to each candidate
7 who receives any of the proceeds within the period prescribed in s. 11.06 (4) (c).

8 **SECTION 31.** 11.20 (2e) of the statutes is created to read:

9 11.20 (2e) Postelection reports under s. 11.06 (1) with respect to an election for
10 a state office specified in s. 11.31 (1) (a) to (d), (e) or (f) shall be received by the board
11 no earlier than 4 days after and no later than 10 days after each general election at
12 which that office is filled.

13 **SECTION 32.** 11.20 (2m) of the statutes is amended to read:

14 11.20 (2m) Election Postelection reports under s. 11.12 with respect to a special
15 election for an office specified in s. 11.31 (1) (a) to (d), (e) or (f) shall be received by
16 the board no earlier than 4 days and no later than 10 days after that election.
17 Postelection reports under s. 11.12 with respect to any other special election shall be
18 received by the appropriate filing officer no earlier than 23 days and no later than
19 30 days after each that special election, unless a continuing report is required to be
20 filed under sub. (4) on or before the 30th day after the special election.

21 **SECTION 33.** 11.20 (3) (d) of the statutes is amended to read:

22 11.20 (3) (d) A registered committee or individual other than a candidate or
23 personal campaign committee making or accepting contributions, making
24 disbursements or incurring obligations in support of or in opposition to one or more
25 candidates for office at an election, or supporting or opposing other committees or

1 individuals who are engaging in such activities, shall file a preelection report. A
2 registered committee or individual other than a candidate or personal campaign
3 committee making or accepting contributions, making disbursements or incurring
4 obligations in support of or in opposition to one or more candidates for an office
5 specified in s. 11.31 (1) (a) to (d), (e) or (f) at the general election or a special election,
6 or supporting or opposing other committees or individuals who are engaging in such
7 activities, shall file a postelection report.

8 **SECTION 34.** 11.20 (3) (g) of the statutes is amended to read:

9 11.20 (3) (g) A contribution, disbursement or obligation in support of or in
10 opposition to a candidate at an election which is made, accepted or incurred during
11 the period covered by the preelection report, or by a postelection report following the
12 general election or a special election, is considered to be made, accepted or incurred
13 in support of or in opposition to that candidate at the election, regardless of whether
14 the candidate is opposed at the election.

15 **SECTION 35.** 11.20 (8) (intro.) of the statutes is amended to read:

16 11.20 (8) (intro.) Reports filed under subs. (2), ~~(2e), (2m)~~, (4) and (4m) shall
17 include all contributions received and transactions made as of the end of:

18 **SECTION 36.** 11.20 (8) (am) of the statutes is created to read:

19 11.20 (8) (am) The 3rd day after the election in the case of the postelection
20 report that follows an election for an office specified in s. 11.31 (1) (a) to (d), (e) or (f).

21 **SECTION 37.** 11.20 (8) (an) of the statutes is created to read:

22 11.20 (8) (an) The 22nd day after the election in the case of a postelection report
23 that follows a special election for an office other than an office specified in s. 11.31
24 (1) (a) to (d), (e) or (f).

25 **SECTION 38.** 11.20 (12) of the statutes is amended to read:

1 11.20 **(12)** If a candidate is unopposed in a primary or election, the obligation
2 to file the reports required by this chapter does not cease. Except as provided in ss.
3 11.05 (2r) and 11.19 (2), a registrant who makes or receives no contributions, makes
4 no disbursements or incurs no obligations shall so report on the applicable dates
5 designated in subs. (2), (2e), (2m) and (4).

6 **SECTION 39.** 11.21 (15) of the statutes is amended to read:

7 11.21 **(15)** Inform each candidate who files an application to become eligible to
8 receive a grant from the ~~Wisconsin election campaign~~ clean government fund of the
9 dollar amount of the applicable disbursement limitation under s. 11.31 (1), adjusted
10 as provided in s. 11.31 (9), which applies to the office for which such person is a
11 candidate. Failure to receive the notice required by this subsection does not
12 constitute a defense to a violation of s. 11.27 (1) or 11.31.

13 **SECTION 40.** 11.24 (1m) of the statutes is repealed.

14 **SECTION 41.** 11.24 (1s) of the statutes is created to read:

15 11.24 **(1s)** No candidate for a state office specified in s. 11.31 (1) (a) to (d), (e)
16 or (f) or personal campaign committee of such a candidate at any election other than
17 a primary election may receive and accept any contribution from a committee
18 identified as a special interest committee under s. 11.05 (3) (c) during the period
19 beginning on the 30th day preceding that election and ending on the date of that
20 election.

21 **SECTION 42.** 11.24 (1t) of the statutes is created to read:

22 11.24 **(1t)** No candidate for a state office specified in s. 11.31 (1) (a) to (d), (e)
23 or (f) or personal campaign committee of such a candidate at any election other than
24 a primary election may receive and accept any contribution during the period

1 beginning on the 10th day preceding that election and ending on the date of that
2 election.

3 **SECTION 43.** 11.24 (1w) of the statutes is created to read:

4 11.24 (1w) (a) No candidate or personal campaign committee of a candidate
5 who accepts a grant under s. 11.50 may accept any contribution from a political party
6 committee or committee identified under s. 11.05 (3) (c) as a special interest
7 committee.

8 (b) No political party committee or committee identified under s. 11.05 (3) (c)
9 as a special interest committee may intentionally make any contribution to a
10 candidate or personal campaign committee of a candidate who has qualified to
11 receive a grant under s. 11.50.

12 **SECTION 44.** 11.26 (1) (intro.) of the statutes is amended to read:

13 11.26 (1) (intro.) No Except as authorized in sub. (10), no individual may make
14 any contribution or contributions to a candidate for election or nomination to any of
15 the following offices and to any individual or committee under s. 11.06 (7) acting
16 solely in support of such a candidate or solely in opposition to the candidate's
17 opponent to the extent of more than a total of the amounts specified per candidate:

18 **SECTION 45.** 11.26 (1) (a) of the statutes is amended to read:

19 11.26 (1) (a) Candidates for governor, lieutenant governor, secretary of state,
20 state treasurer, attorney general, state superintendent or justice, \$10,000 \$1,000.

21 **SECTION 46.** 11.26 (1) (b) of the statutes is amended to read:

22 11.26 (1) (b) Candidates for state senator, \$1,000 \$500.

23 **SECTION 47.** 11.26 (1) (c) of the statutes is amended to read:

24 11.26 (1) (c) Candidates for representative to the assembly, \$500 \$250.

25 **SECTION 48.** 11.26 (1m) of the statutes is created to read:

1 **11.26 (1m)** No individual who is a candidate for state office and who files a
2 sworn statement and application to receive a grant from the clean government fund
3 may receive and accept from individuals more than the amount or value of
4 contributions provided in this subsection for the office for which he or she is a
5 candidate during any campaign, including contributions from the individual to his
6 or her own campaign:

7 (a) For candidates for the offices of governor and lieutenant governor jointly,
8 \$800,000.

9 (b) For a candidate for the office of attorney general, \$250,000.

10 (c) For a candidate for the office of justice, \$75,000.

11 (d) For a candidate for the office of secretary of state, state treasurer or state
12 superintendent, \$85,000.

13 (e) For a candidate for the office of state senator, \$30,000.

14 (f) For a candidate for the office of representative to the assembly, \$15,000.

15 **SECTION 49.** 11.26 (2) (intro.) of the statutes is amended to read:

16 **11.26 (2)** (intro.) No committee other than a political party committee or
17 ~~legislative campaign committee~~ may make any contribution or contributions to a
18 candidate for election or nomination to any of the following offices and to any
19 individual or committee under s. 11.06 (7) acting solely in support of such a candidate
20 or solely in opposition to the candidate's opponent to the extent of more than a total
21 of the amounts specified per candidate:

22 **SECTION 50.** 11.26 (2) (a) of the statutes is amended to read:

23 **11.26 (2)** (a) Candidates for governor, lieutenant governor, secretary of state,
24 state treasurer, attorney general, state superintendent or justice, 4% of the value of

1 the disbursement level specified in the schedule under s. 11.31 (1), as adjusted under
2 s. 11.31 (9).

3 **SECTION 51.** 11.26 (4) of the statutes is amended to read:

4 11.26 (4) No individual may make any contribution or contributions to all
5 candidates for state and local offices and to any individuals who or committees which
6 are subject to a registration requirement under s. 11.05, including legislative
7 ~~campaign committees and~~ committees of a political party, to the extent of more than
8 a total of \$10,000 in any calendar year.

9 **SECTION 52.** 11.26 (8) of the statutes is amended to read:

10 11.26 (8) (a) No political party as defined in s. 5.02 (13) may receive more than
11 a total of \$150,000 in value of its contributions in any biennium from all other
12 committees, excluding contributions from ~~legislative campaign committees and~~
13 transfers between party committees of the party. In this paragraph, a biennium
14 commences with January 1 of each odd-numbered year and ends with December 31
15 of each even-numbered year.

16 (b) No such political party may receive more than a total of \$6,000 in value of
17 its contributions in any calendar year from any specific committee or its subunits or
18 affiliates, excluding ~~legislative campaign and~~ political party committees.

19 (c) No committee, other than a political party ~~or legislative campaign~~
20 committee, may make any contribution or contributions, directly or indirectly, to a
21 political party under s. 5.02 (13) in a calendar year exceeding a total value of \$6,000.

22 **SECTION 53.** 11.26 (9) (a) of the statutes is amended to read:

23 11.26 (9) (a) No individual who is a candidate for state ~~or~~ office and who does
24 not receive a grant from the clean government fund and no individual who is a
25 candidate for local office may receive and accept more than 65% of the value of the

1 total disbursement level determined under s. 11.31 (1), as adjusted under s. 11.31 (9),
2 for the office for which he or she is a candidate during any ~~primary and election~~
3 ~~campaign combined~~ from all committees subject to a filing requirement, including
4 ~~political party and legislative campaign~~ committees.

5 **SECTION 54.** 11.26 (9) (b) of the statutes is amended to read:

6 11.26 (9) (b) No individual who is a candidate for state ~~or office and who does~~
7 not receive a grant from the clean government fund and no individual who is a
8 candidate for local office may receive and accept more than 45% of the value of the
9 total disbursement level determined under s. 11.31 (1), as adjusted under s. 11.31 (9),
10 for the office for which he or she is a candidate during any primary and election
11 campaign combined from all committees other than political party ~~and legislative~~
12 ~~campaign~~ committees subject to a filing requirement.

13 **SECTION 55.** 11.26 (9) (c) of the statutes is repealed.

14 **SECTION 56.** 11.26 (10) of the statutes is amended to read:

15 11.26 (10) No candidate for state office who files a sworn statement and
16 application to receive a grant from the ~~Wisconsin election campaign clean~~
17 government fund may make contributions of more than 200% of the ~~amounts~~ amount
18 or value of the limitation specified in sub. (1) to the candidate's own campaign from
19 the candidate's personal funds or property or the personal funds or property which
20 are owned jointly or as marital property with the candidate's spouse, unless the
21 board determines that the candidate is not eligible to receive a grant, ~~or~~ the
22 candidate withdraws his or her application under s. 11.50 (2) (h), ~~or s. 11.50 (2) (i)~~
23 ~~applies~~. For purposes of this subsection, any contribution received by a candidate
24 or his or her personal campaign committee from a committee which is registered with
25 the federal elections commission as the authorized committee of the candidate under

1 2 USC 432 (e) shall be treated as a contribution made by the candidate to his or her
2 own campaign. The contribution limit of sub. (4) applies to amounts contributed by
3 such a candidate personally to the candidate's own campaign and to other
4 campaigns, except that a candidate may exceed the limitation if authorized under
5 this subsection to contribute more than the amount specified to the candidate's own
6 campaign, up to the amount of the limitation.

7 **SECTION 57.** 11.26 (10a) of the statutes is created to read:

8 11.26 **(10a)** (a) In this subsection, "consumer price index" means the average
9 of the consumer price index over each 12-month period, all items, U.S. city average,
10 as determined by the bureau of labor statistics of the federal department of labor.

11 (b) The dollar amounts of the limitations under subs. (1m) and (10) shall be
12 subject to a biennial adjustment to be determined by rule of the board in accordance
13 with this subsection. To determine the adjustment, the board shall calculate the
14 percentage difference between the consumer price index for the 12-month period
15 ending on December 31 of each odd-numbered year and the consumer price index for
16 the base period, calendar year 2001. For each biennium, the board shall multiply the
17 amount of each limitation under subs. (1m) and (10) by the percentage difference in
18 the consumer price indices. The board shall adjust the amount of each limitation to
19 substitute that result for the existing amount to the extent required to reflect any
20 difference, rounded to the nearest multiple of \$25. The amount so determined shall
21 then be in effect until a subsequent rule is promulgated under this subsection.
22 Notwithstanding s. 227.24 (1) (a), (2) (b) and (3), determinations under this
23 subsection may be promulgated as an emergency rule under s. 227.24 without
24 providing evidence that the emergency rule is necessary for the public peace, health,
25 safety or welfare and without a finding of emergency.

1 **SECTION 58.** 11.26 (12m) of the statutes is repealed.

2 **SECTION 59.** 11.26 (13) of the statutes is amended to read:

3 11.26 **(13)** ~~Except as provided in sub. (9), contributions~~ Contributions received
4 from the ~~Wisconsin election campaign~~ clean government fund are not subject to
5 limitation by this section.

6 **SECTION 60.** 11.26 (17) (a) of the statutes is amended to read:

7 11.26 **(17)** (a) For purposes of application of the limitations imposed in subs.
8 (1), (1m), (2), (9) and (10), the “campaign” of a candidate begins and ends at the times
9 specified in this subsection.

10 **SECTION 61.** 11.265 of the statutes is repealed.

11 **SECTION 62.** 11.31 (1) (a) of the statutes is amended to read:

12 11.31 **(1)** (a) Candidates for governor, ~~\$1,078,200~~ and lieutenant governor
13 jointly, \$2,000,000.

14 **SECTION 63.** 11.31 (1) (b) of the statutes is repealed.

15 **SECTION 64.** 11.31 (1) (c) of the statutes is amended to read:

16 11.31 **(1)** (c) Candidates for attorney general, ~~\$539,000~~ \$600,000.

17 **SECTION 65.** 11.31 (1) (cm) of the statutes is created to read:

18 11.31 **(1)** (cm) Candidates for justice, \$300,000.

19 **SECTION 66.** 11.31 (1) (d) of the statutes is amended to read:

20 11.31 **(1)** (d) Candidates for secretary of state, state treasurer, ~~justice or state~~
21 ~~superintendent, \$215,625~~ \$200,000.

22 **SECTION 67.** 11.31 (1) (e) and (f) of the statutes are amended to read:

23 11.31 **(1)** (e) Candidates for state senator, ~~\$34,500 total in the primary and~~
24 ~~election, with disbursements not exceeding \$21,575 for either the primary or the~~
25 ~~election~~ \$70,000.

1 (f) Candidates for representative to the assembly, ~~\$17,250 total in the primary~~
2 ~~and election, with disbursements not exceeding \$10,775 for either the primary or the~~
3 ~~election~~ \$35,000.

4 **SECTION 68.** 11.31 (2) of the statutes is amended to read:

5 11.31 (2) LIMITATION IMPOSED. No candidate for state office at a spring or general
6 election who files a sworn statement and application to receive a grant from the
7 ~~Wisconsin election campaign~~ clean government fund may make or authorize total
8 disbursements from the his or her campaign treasury in any campaign to the extent
9 of more than the amount prescribed in sub. (1), adjusted as provided under sub. (9),
10 unless the board determines that the candidate is not eligible to receive a grant, the
11 candidate withdraws his or her application under s. 11.50 (2) (h), or ~~s. 11.50 (2) (i)~~ sub.
12 (3p) applies. No candidate for state office at a special election who files a sworn
13 statement and application to receive a grant from the ~~Wisconsin election campaign~~
14 clean government fund may make or authorize total disbursements from the his or
15 her campaign treasury in any campaign to the extent of more than the amount
16 prescribed under sub. (1), adjusted as provided under sub. (9), for the preceding
17 spring or general election for the same office, unless the board determines that the
18 candidate is not eligible to receive a grant, the candidate withdraws his or her
19 application under s. 11.50 (2) (h), or ~~s. 11.50 (2) (i)~~ sub. (3p) applies.

20 **SECTION 69.** 11.31 (2m) of the statutes is repealed.

21 **SECTION 70.** 11.31 (3) of the statutes is repealed.

22 **SECTION 71.** 11.31 (3m) of the statutes is repealed.

23 **SECTION 72.** 11.31 (3p) of the statutes is created to read:

24 11.31 (3p) CANDIDATES RECEIVING ADDITIONAL GRANTS; EXCEPTION. If a candidate
25 receives a grant under s. 11.50 (9) (b) or (ba), the disbursement limitation of that

1 candidate for the campaign in which the grant is received is increased by the amount
2 of that grant.

3 **SECTION 73.** 11.31 (4) of the statutes is repealed.

4 **SECTION 74.** 11.31 (9) of the statutes is created to read:

5 11.31 (9) ADJUSTMENT OF DISBURSEMENT LEVELS. (a) In this subsection,
6 “consumer price index” means the average of the consumer price index over each
7 12-month period, all items, U.S. city average, as determined by the bureau of labor
8 statistics of the federal department of labor.

9 (b) The dollar amounts of all disbursement levels specified in sub. (1) shall be
10 subject to a biennial adjustment to be determined by rule of the board in accordance
11 with this subsection. To determine the adjustment, the board shall calculate the
12 percentage difference between the consumer price index for the 12-month period
13 ending on December 31 of each odd-numbered year and the consumer price index for
14 the base period, calendar year 2001. For each biennium, the board shall multiply
15 that result by the percentage difference in the consumer price indices. The board
16 shall adjust the disbursement levels specified under sub. (1) to substitute that result
17 for the existing levels to the extent required to reflect any difference, rounded to the
18 nearest multiple of \$25 in the case of amounts of \$1 or more, which amounts shall
19 be in effect until a subsequent rule is promulgated under this subsection.
20 Notwithstanding s. 227.24 (1) (a), (2) (b) and (3), determinations under this
21 subsection may be promulgated as an emergency rule under s. 227.24 without
22 providing evidence that the emergency rule is necessary for the public peace, health,
23 safety or welfare, and without a finding of emergency.

24 **SECTION 75.** 11.38 (1) (a) 3. of the statutes is amended to read:

1 11.38 (1) (a) 3. No corporation or association specified in subd. 1. may expend
2 more than a combined total of \$500 annually for solicitation of contributions to a fund
3 established under subd. 2. ~~or to a conduit.~~

4 **SECTION 76.** 11.50 (title) of the statutes is amended to read:

5 **11.50** (title) ~~Wisconsin election campaign~~ **Clean government fund.**

6 **SECTION 77.** 11.50 (1) (b) of the statutes is amended to read:

7 11.50 (1) (b) “Fund” means the ~~Wisconsin election campaign~~ clean government
8 fund.

9 **SECTION 78.** 11.50 (2) (a) of the statutes is amended to read:

10 11.50 (2) (a) Any individual who desires to qualify as an eligible candidate may
11 file an application with the board requesting approval to participate in the fund. The
12 application shall be filed no later than the applicable deadline for filing nomination
13 papers under s. 8.10 (2) (a), 8.15 (1), 8.20 (8) (a) or 8.50 (3) (a), no later than 4:30 p.m.
14 on the 7th day after the primary or date on which the primary would be held if
15 required in the case of write-in candidates, or no later than 4:30 p.m. on the 7th day
16 after appointment in the case of candidates appointed to fill vacancies. The
17 application shall contain a sworn statement that the candidate and his or her
18 authorized agents have complied with the contribution limitations prescribed in s.
19 11.26 and the disbursement limitations prescribed under s. 11.31 (1), as adjusted
20 under s. 11.31 (9). at all times to which such limitations have applied to his or her
21 candidacy and will continue to comply with the limitations at all times to which the
22 limitations apply to his or her candidacy for the office in contest, unless the board
23 determines that the candidate is not eligible to receive a grant, the candidate
24 withdraws his or her application under par. (h), or ~~par. (i)~~ s. 11.31 (3p) applies.

25 **SECTION 79.** 11.50 (2) (b) (intro.) of the statutes is amended to read:

1 11.50 (2) (b) (intro.) ~~The Except as provided in par. (bm)~~, the board shall
2 approve the application of an eligible candidate for participation if the candidate
3 meets the following requirements:

4 **SECTION 80.** 11.50 (2) (b) 1. to 3. of the statutes are amended to read:

5 11.50 (2) (b) 1. The application is timely;_

6 2. The candidate is certified under s. 7.08 (2) (a) or 8.50 (1) (d) to appear upon
7 the spring or general election or a special election ballot;_

8 3. The candidate has an opponent who is certified for placement on the election
9 ballot as a candidate for the same office;_

10 **SECTION 81.** 11.50 (2) (b) 3m. of the statutes is created to read:

11 11.50 (2) (b) 3m. The candidate has filed with the board, no later than 4:30 p.m.
12 on the 5th day before the deadline for filing an application to receive a grant under
13 par. (a), an application to receive a grant or a statement that the candidate intends
14 to qualify to receive a grant.

15 **SECTION 82.** 11.50 (2) (b) 3s. of the statutes is created to read:

16 11.50 (2) (b) 3s. The candidate has filed with the board, on a form prescribed
17 by the board, no later than the deadline for filing an application to receive a grant
18 under par. (a), the signatures of qualified electors of the jurisdiction or district in
19 which the candidate seeks office which have not been filed with the application of any
20 other candidate at the same election for the same office within the same jurisdiction
21 or district equal to the following, less the number of valid signatures of qualified
22 electors who signed nomination papers filed by the candidate or candidates under s.
23 8.15 (6), 8.20 (4) or 8.50 (3) (a):

1 a. For candidates for the offices of governor and lieutenant governor jointly or
2 a candidate for the office of attorney general, secretary of state, state treasurer, state
3 superintendent or justice, not less than 5,000 nor more than 7,000 electors.

4 b. For candidates for the office of state senator, not less than 800 nor more than
5 1,600 electors.

6 c. For candidates for the office of representative to the assembly, not less than
7 400 nor more than 800 electors.

8 **SECTION 83.** 11.50 (2) (b) 4. of the statutes is amended to read:

9 11.50 (2) (b) 4. The financial reports filed by or on behalf of the candidate as
10 of the date of the spring or September primary, or the date that the special primary
11 is or would be held, if required, indicate that his or her statement filed with the
12 application under par. (a) is true; ~~and~~.

13 **SECTION 84.** 11.50 (2) (b) 5. of the statutes is renumbered 11.50 (2) (b) 5. (intro.)
14 and amended to read:

15 11.50 (2) (b) 5. (intro.) The financial reports filed by or on behalf of the
16 candidate as of the date of the spring or September primary, or the date that the
17 special primary is or would be held, if required, indicate that the candidate has
18 received at least the amount provided in this subdivision, from contributions of
19 money, other than loans, made by individuals who are residents of this state, which
20 have been received during the period ending on the date of the spring primary and
21 July 1 preceding such date in the case of candidates at the spring election, or the date
22 of the September primary and January 1 preceding such date in the case of
23 candidates at the general election, or the date that a special primary will or would
24 be held, if required, and 90 days preceding such date or the date a special election
25 is ordered, whichever is earlier, in the case of special election candidates, which

1 contributions are in the aggregate amount of \$100 or less, and which are fully
2 identified and itemized as to the exact source thereof. ~~A contribution received from~~
3 ~~a conduit which is identified by the conduit as originating from an individual shall~~
4 ~~be considered a contribution made by the individual.~~ Only the first \$100 of an
5 aggregate contribution of more than \$100 may be counted toward the required
6 percentage. ~~For a candidate at the spring or general election for an office identified~~
7 ~~in s. 11.26 (1) (a) or a candidate at a special election, the required amount to qualify~~
8 ~~for a grant is 5% of the candidate's authorized disbursement limitation under s.~~
9 ~~11.31. For any other candidate at the general election, the required amount to~~
10 ~~qualify for a grant is 10% of the candidate's authorized disbursement limitation~~
11 ~~under s. 11.31. Except as provided in sub. (9a), the amount of contributions required~~
12 ~~under this subdivision is:~~

13 **SECTION 85.** 11.50 (2) (b) 5. a. to f. of the statutes are created to read:

14 11.50 (2) (b) 5. a. For candidates for the offices of governor and lieutenant
15 governor jointly, \$80,000.

16 b. For a candidate for the office of attorney general, \$24,000.

17 c. For a candidate for the office of justice, \$12,000.

18 d. For a candidate for the office of secretary of state, state treasurer or state
19 superintendent, \$8,000.

20 e. For a candidate for the office of state senator, \$4,000.

21 f. For a candidate for the office of representative to the assembly, \$2,000.

22 **SECTION 86.** 11.50 (2) (bm) of the statutes is created to read:

23 11.50 (2) (bm) The board shall not approve the application of an eligible
24 candidate for the office of governor or lieutenant governor of the same political party
25 unless both candidates qualify to receive a grant under this subsection.

1 **SECTION 87.** 11.50 (2) (g) of the statutes is amended to read:

2 11.50 (2) (g) A candidate who voluntarily files an application to receive a grant
3 in accordance with this subsection accepts and agrees to comply with the
4 contribution limitations prescribed in s. 11.26 and the disbursement limitations
5 imposed under s. 11.31 (2), as adjusted under s. 11.31 (9) as binding upon himself or
6 herself and his or her agents during the campaign as defined in s. 11.31 (7), as a
7 precondition to receipt of a grant under this section, unless the board determines
8 that the candidate is not eligible to receive a grant, the candidate withdraws the
9 application under par. (h), or ~~par. (i)~~ s. 11.31 (3p) applies.

10 **SECTION 88.** 11.50 (2) (i) of the statutes is repealed.

11 **SECTION 89.** 11.50 (3) of the statutes is repealed.

12 **SECTION 90.** 11.50 (4) of the statutes is repealed and recreated to read:

13 11.50 (4) AMOUNT OF GRANTS. Except as provided in sub. (9) (b) and (ba), each
14 eligible candidate for the same office who qualifies for grant under this section shall
15 receive an equal amount.

16 **SECTION 91.** 11.50 (5) of the statutes is amended to read:

17 11.50 (5) TIME OF DISBURSEMENT. The state treasurer shall make the
18 disbursements to the campaign depository account of each eligible candidate under
19 ~~subs. (3) and (4)~~ by the end of the 3rd business day following notice from the board
20 under s. 7.08 (2) (c) or (cm). ~~Eligible candidates for governor and lieutenant governor~~
21 ~~of the same political party may combine accounts if desired, except that the state~~
22 treasurer shall make disbursements for eligible candidates for the office of governor
23 and lieutenant governor jointly to the campaign depository account of the candidate
24 for governor.

25 **SECTION 92.** 11.50 (6) of the statutes is repealed.

1 **SECTION 93.** 11.50 (9) (title) of the statutes is amended to read:

2 11.50 (9) (title) ~~LIMITATION ON~~ AMOUNT OF GRANTS.

3 **SECTION 94.** 11.50 (9) of the statutes is renumbered 11.50 (9) (a) (intro.) and
4 amended to read:

5 11.50 (9) (a) (intro.) ~~The~~ Except as provided in pars. (b) and (ba) and sub. (9a),
6 the total grant available to an eligible candidate may not exceed that amount which,
7 when added to all other contributions accepted from sources other than individuals,
8 political party committees and legislative campaign committees, is equal to 45% of
9 the disbursement level specified for the applicable office under s. 11.31. The board
10 shall scrutinize accounts and reports and records kept under this chapter to assure
11 that applicable limitations under ss. 11.26 (9) and 11.31 are not exceeded and any
12 violation is reported. is:

13 (am) No candidate or campaign treasurer may accept grants exceeding the
14 amount authorized by this subsection.

15 **SECTION 95.** 11.50 (9) (a) 1. to 6. of the statutes are created to read:

16 11.50 (9) (a) 1. For candidates for the office of governor and lieutenant governor
17 jointly, \$1,200,000.

18 2. For a candidate for the office of attorney general, \$350,000.

19 3. For a candidate for the office of justice, \$225,000.

20 4. For a candidate for the office of secretary of state, state treasurer or state
21 superintendent, \$115,000.

22 5. For a candidate for the office of state senator, \$40,000.

23 6. For a candidate for the office of representative to the assembly, \$20,000.

24 **SECTION 96.** 11.50 (9) (b) of the statutes is created to read:

1 11.50 (9) (b) If an eligible candidate who accepts a grant is opposed by one or
2 more candidates whose names are certified under s. 7.08 (2) (a) or 8.50 (1) (d) to
3 appear on the ballot, and if a committee intends to make any disbursement or to incur
4 any obligation to make any disbursement that is intended to be used to oppose the
5 election of the eligible candidate who accepts a grant or to support a certified
6 opponent of that candidate without cooperation or consultation with any certified
7 opposing candidate or such a candidate's agent or authorized committee, and not in
8 concert with, or at the request or suggestion of any certified opposing candidate's
9 agent or authorized committee, or if a committee makes any disbursement or incurs
10 any obligation to make any disbursement that is used for such a purpose, then the
11 board shall make an additional grant to the eligible candidate who accepts a grant
12 in an amount equal to the total amount of disbursements intended to be made or
13 made and obligations intended to be incurred or incurred for the purpose of
14 advocating the election of the certified opposing candidate or for the purpose of
15 opposing the election of the eligible candidate who accepts the grant, as reported by
16 committees under s. 11.12 (6) (c), less any proposed disbursements or proposed or
17 actual obligations for the same purpose that were previously reported.

18 **SECTION 97.** 11.50 (9) (ba) of the statutes is created to read:

19 11.50 (9) (ba) If an eligible candidate who accepts a grant is opposed by one or
20 more candidates who are required, or whose personal campaign committees are
21 required, to file a report under s. 11.12 (7) or (8), then the board shall make an
22 additional grant to the eligible candidate who accepts a grant in an amount equal to
23 the total amount or value of contributions accepted by the opposing candidate or
24 candidates exceeding the amount specified for the office sought by the candidate or
25 candidates under s. 11.12 (7) (a) for contributions from all individuals and the total

1 amount or value of contributions accepted by the opposing candidate or candidates
2 from committees, plus an additional grant in an amount equal to the total amount
3 of disbursements intended to be made or made and obligations intended to be
4 incurred or incurred exceeding the amount specified under s. 11.31 (1) (a) to (d), (e)
5 or (f) for the office which the candidate seeks, as reported by the opposing candidate
6 under s. 11.12 (7) or (8), or both, less any proposed disbursements or proposed or
7 actual obligations for the same purpose that were previously reported.

8 **SECTION 98.** 11.50 (9a) of the statutes is created to read:

9 11.50 **(9a)** ADJUSTMENT OF QUALIFYING AND GRANT AMOUNTS. (a) In this
10 subsection, “consumer price index” means the average of the consumer price index
11 over each 12–month period, all items, U.S. city average, as determined by the bureau
12 of labor statistics of the federal department of labor.

13 (b) The dollar amounts of all qualifying amounts specified in sub. (2) (b) 5. and
14 all grant amounts specified in sub. (9) shall be subject to a biennial adjustment to be
15 determined by rule of the board in accordance with this subsection. To determine the
16 adjustment, the board shall calculate the percentage difference between the
17 consumer price index for the 12–month period ending on December 31 of each
18 odd–numbered year and the consumer price index for the base period, calendar year
19 2001. For each biennium, the board shall multiply each qualifying amount and grant
20 amount by the percentage difference in the consumer price indices. The board shall
21 adjust each qualifying amount and grant amount to substitute that result for the
22 existing amount to the extent required to reflect any difference, rounded to the
23 nearest multiple of \$25. The amounts so determined shall then be in effect until a
24 subsequent rule is promulgated under this subsection. Notwithstanding s. 227.24
25 (1) (a), (2) (b) and (3), determinations under this subsection may be promulgated as

1 an emergency rule under s. 227.24 without providing evidence that the emergency
2 rule is necessary for the public peace, health, safety or welfare and without a finding
3 of emergency.

4 **SECTION 99.** 11.50 (11) (e) of the statutes is amended to read:

5 11.50 (11) (e) No candidate may expend, authorize the expenditure of or incur
6 any obligation to expend any grant if he or she violates the pledge required under
7 sub. (2) (a) as a precondition to receipt of a grant, except as authorized in sub. (2) (h)
8 ~~or (i).~~

9 **SECTION 100.** 11.60 (3s) and (3t) of the statutes are created to read:

10 11.60 (3s) Notwithstanding sub. (1), if any candidate or other individual or
11 committee accepts or transfers a contribution, makes a disbursement or incurs an
12 obligation to make a disbursement for the purpose of supporting or opposing a
13 candidate for an office specified in s. 11.31 (1) (a) to (d), (e) or (f) or makes a
14 communication specified in s. 11.05 (14) without first registering under s. 11.05 (1),
15 (2) or (2g) to the extent required under s. 11.05 (1), (2) and (2g), or without reporting
16 the information required under s. 11.12 (6) (c), (7) or (8) or 11.20 (3) or (4) with respect
17 to that contribution, disbursement or obligation, to the extent required under ss.
18 11.12 (6) (c), (7) and (8) and 11.20 (3) and (4), the candidate or other individual or
19 committee may be required to forfeit not more than \$500 per day for each day of
20 continued violation.

21 (3t) Notwithstanding sub. (1), if any candidate or other individual or
22 committee accepts or transfers one or more contributions, makes one or more
23 disbursements or incurs one or more obligations to make disbursements for the
24 purpose of supporting or opposing a candidate for an office specified in s. 11.31 (1)
25 (a) to (d), (e) or (f) or to make a communication specified in s. 11.05 (14) in an amount

1 or value that differs from the amount reported by that individual or committee under
2 s. 11.12 (6) (c), (7) or (8) or 11.20 (3) or (4):

3 (a) By more than 5% but not more than 10% cumulatively, the individual or
4 committee shall forfeit 4 times the amount or value of the difference.

5 (b) By more than 10% cumulatively, the individual or committee shall forfeit
6 6 times the amount or value of the difference.

7 **SECTION 101.** 11.61 (1) (a) of the statutes, as affected by 1997 Wisconsin Act
8 283, is amended to read:

9 11.61 (1) (a) ~~Whoever~~ Except as provided in par. (d), whoever intentionally
10 violates s. 11.05 (1), (2), (2g) or (2r), 11.07 (1) or (5), 11.10 (1), 11.12 (5), 11.23 (6) or
11 11.24 (1) may be fined not more than \$10,000 or imprisoned for not more than 4 years
12 and 6 months or both.

13 **SECTION 102.** 11.61 (1) (b) of the statutes, as affected by 1997 Wisconsin Act
14 283, is amended to read:

15 11.61 (1) (b) ~~Whoever~~ Except as provided in par. (d), whoever intentionally
16 violates s. 11.25, 11.26, 11.27 (1), 11.30 (1) or 11.38 where the intentional violation
17 does not involve a specific figure, or where the intentional violation concerns a figure
18 which exceeds \$100 in amount or value may be fined not more than \$10,000 or
19 imprisoned for not more than 4 years and 6 months or both.

20 **SECTION 103.** 11.61 (1) (c) of the statutes is amended to read:

21 11.61 (1) (c) ~~Whoever~~ Except as provided in par. (d), whoever intentionally
22 violates any provision of this chapter other than those provided in par. (a) and
23 whoever intentionally violates any provision under par. (b) where the intentional
24 violation concerns a specific figure which does not exceed \$100 in amount or value
25 may be fined not more than \$1,000 or imprisoned not more than 6 months or both.

1 **SECTION 104.** 11.61 (1) (d) of the statutes is created to read:

2 11.61 (1) (d) Whoever, with intent to conceal or deceive, accepts or transfers a
3 contribution, makes a disbursement or incurs an obligation to make a disbursement
4 for the purpose of supporting or opposing a candidate for an office specified in s. 11.31
5 (1) (a) to (d), (e) or (f) or to make a communication specified in s. 11.05 (14) without
6 first registering under s. 11.05 (1), (2) or (2g), to the extent required under s. 11.05
7 (1), (2) and (2g), or without reporting the information required under s. 11.12 (6) (c),
8 (7) or (8) or 11.20 (3) or (4) with respect to that contribution, disbursement or
9 obligation, to the extent required under ss. 11.12 (6) (c), (7) and (8) and 11.20 (3) and
10 (4), may be fined not more than \$10,000 or imprisoned for not more than 5 years, or
11 both.

12 **SECTION 105.** 14.58 (20) of the statutes is amended to read:

13 14.58 (20) ~~ELECTION CAMPAIGN~~ CLEAN GOVERNMENT FUND. Make disbursements
14 to each candidate certified under s. 7.08 (2) (c) or (cm) by the elections board as
15 eligible to receive moneys from the ~~Wisconsin election campaign~~ clean government
16 fund.

17 **SECTION 106.** 20.510 (1) (q) of the statutes is amended to read:

18 20.510 (1) (q) ~~Wisconsin election campaign~~ Clean government fund. As a
19 continuing appropriation, from the ~~Wisconsin election campaign~~ clean government
20 fund, the moneys amounts determined under s. 11.50 to provide for payments to
21 eligible candidates certified under s. 7.08 (2) (c) and (cm).

22 **SECTION 107.** 20.855 (4) (b) of the statutes is repealed.

23 **SECTION 108.** 20.855 (4) (ba) of the statutes is created to read:

24 20.855 (4) (ba) *Lobbying expenditure tax revenue transfer.* A sum sufficient
25 equal to the amounts determined by the secretary of revenue under s. 77.9973, to be

1 transferred from the general fund to the clean government fund annually on
2 September 16.

3 **SECTION 109.** 20.855 (4) (bb) of the statutes is created to read:

4 20.855 (4) (bb) *Clean government fund supplement.* A sum sufficient equal to
5 the amounts required to make full payment of grants which candidates qualify to
6 receive from the clean government fund, to be transferred from the general fund to
7 the clean government fund no later than the time required to make payments of
8 grants under s. 11.50 (5).

9 **SECTION 110.** 25.17 (1) (ys) of the statutes is amended to read:

10 25.17 (1) (ys) ~~Wisconsin election campaign~~ Clean government fund (s. 25.42);

11 **SECTION 111.** 25.42 of the statutes is amended to read:

12 **25.42 ~~Wisconsin election campaign~~ Clean government fund.** All moneys
13 appropriated under s. 20.855 (4) ~~(b)~~ (ba) and (bb) together with all moneys reverting
14 to the state under s. 11.50 (8) and all gifts, bequests and devises received under s.
15 11.50 (13) constitute the ~~Wisconsin election campaign~~ clean government fund, to be
16 expended for the purposes of s. 11.50. All moneys in the fund not disbursed by the
17 state treasurer shall continue to accumulate indefinitely.

18 **SECTION 112.** 71.10 (3) of the statutes is repealed.

19 **SECTION 113.** Chapter 77 (title) of the statutes is amended to read:

20 **CHAPTER 77**

21 **TAXATION OF FOREST CROPLANDS;**

22 **REAL ESTATE TRANSFER FEES;**

23 **SALES AND USE TAXES; COUNTY**

24 **AND SPECIAL DISTRICT SALES**

25 **AND USE TAXES; MANAGED FOREST**

1 **LAND; TEMPORARY RECYCLING**
2 **SURCHARGE; LOCAL FOOD AND**
3 **BEVERAGE TAX; LOCAL RENTAL**
4 **CAR TAX; PREMIER RESORT AREA**
5 **TAXES; STATE RENTAL VEHICLE**
6 **FEE; DRY CLEANING FEES;**
7 **LOBBYING EXPENDITURE TAX**

8 **SECTION 114.** Subchapter XIII of chapter 77 [precedes 77.997] of the statutes
9 is created to read:

10 **CHAPTER 77**

11 SUBCHAPTER XIII

12 LOBBYING EXPENDITURE TAX

13 **77.997 Definition.** In this subchapter, “lobbying expenditure” has the
14 meaning given under s. 13.62 (10r).

15 **77.9971 Imposition.** A tax is imposed on every person, except an organization
16 described in section 501 (c) (3) of the Internal Revenue Code, that is exempt from
17 federal income taxation under section 501 (a) of the Internal Revenue Code and a
18 governmental unit, as defined in s. 281.65 (2) (am), at the rate of 10% on lobbying
19 expenditures that are reportable to the ethics board under s. 13.68 (1).

20 **77.9972 Administration. (1)** The department of revenue shall levy, enforce
21 and collect the tax under this subchapter.

22 **(2)** The tax under this subchapter and a completed return prescribed by the
23 department of revenue are due on March 1 and September 1.

