

(DNOTE)

2001-2002 LEGISLATURE

LRR-287242

JTK/RJM/MES/MDK/JK.cs:pg

(Fridays-18)

↑ stays

(12/20/01)

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

1 **AN ACT to repeal** 11.06 (3) (b), 11.06 (3r), 11.06 (3w) (a), 11.26 (1) (a), 11.26 (1)
2 (cc) to (d), 11.26 (2), 11.265 (2), 11.31 (1) (dm), 11.31 (1) (fm) to (h), 11.31 (3m)
3 and 11.31 (4); **to renumber** 11.50 (1) (a) 1.; **to renumber and amend** 11.31
4 (2m), 11.50 (1) (a) 2., 11.50 (3) (a) 1., 11.50 (3) (a) 2., 11.50 (9) and 11.66; **to**
5 **amend** 7.08 (2) (cm), 8.35 (4) (a) 1. a. and b., 11.05 (6), 11.05 (7), 11.06 (1) (intro.),
6 11.06 (7m) (a), 11.06 (7m) (b), 11.07 (5), 11.09 (3), 11.12 (2), 11.12 (4), 11.16 (2),
7 11.19 (1), 11.20 (2), (3) (a) and (b), 11.20 (8) (intro.), 11.20 (8) (a), 11.20 (10) (a),
8 11.21 (15), 11.23 (2), 11.25 (2) (b), 11.26 (1) (intro.), 11.26 (3), 11.26 (4), 11.26 (5),
9 11.26 (6), 11.26 (8), 11.26 (9) (a), 11.26 (9) (b), 11.26 (10), 11.26 (15), 11.26 (17)
10 (a), 11.30 (4), 11.31 (1) (intro.), 11.31 (1) (a) to (c), 11.31 (1) (d), 11.31 (1) (e) and
11 (f), 11.31 (2), 11.31 (2m) (title), 11.31 (3), 11.38 (6), 11.50 (2) (a), 11.50 (2) (b) 4.,
12 11.50 (2) (b) 5., 11.50 (2) (f), 11.50 (2) (g), 11.50 (2) (h), 11.50 (2) (i), 11.50 (3) (b),
13 11.50 (5), 11.50 (6), 11.50 (10m), 11.50 (11) (e), 11.60 (1) and (2), 11.61 (1), 25.42,
14 71.05 (6) (a) 15., 71.10 (3) (a), 71.10 (3) (b), 71.21 (4), 71.26 (2) (a), 71.34 (1) (g),
15 71.45 (2) (a) 10. and 77.92 (4); and **to create** 11.01 (4m), (11m), (13), (14) and

(20), 11.05 (3) (q), 11.05 (3) (r), 11.05 (7m), 11.06 (1) (dm), 11.06 (1) (bm), 11.20 (3) (be), 11.20 (8) (am), 11.21 (17), 11.21 (19), 11.24 (1s), 11.25 (2) (am) and (an), 11.26 (1) (ab), (ag) and (ar), 11.26 (1) (e) to (n), 11.26 (1m), 11.26 (1t), 11.26 (8) (ag) and (ar), 11.26 (9m), 11.26 (10a), 11.263, 11.31 (1) (cm), 11.31 (1) (i) to (n), 11.31 (1) (p) to (s), 11.31 (2m) (a), 11.31 (3n), 11.31 (3p), 11.31 (9), 11.50 (1) (a) 1. (intro.), 11.50 (1) (a) 2m., 11.50 (1) (am), 11.50 (1) (bm) and (cm), 11.50 (2s), 11.50 (2w), 11.50 (4m), 11.50 (9) (b) to (d), 11.50 (14), 11.51, 71.07 (5d), 71.07 (6s), 71.10 (4) (cs), 71.10 (4) (dw), 71.28 (5d), 71.30 (3) (dm), 71.47 (5d) and 71.49 (1)

(dm) of the statutes; relating to: campaign financing, nonrefundable income tax credits for certain donations to the Wisconsin election campaign fund and provision of free media access to candidates for state office, providing exemptions from certain emergency rule procedures, granting rule-making authority, and providing penalties.

enforcement of the election laws,

INSERT 2A

Analysis by the Legislative Reference Bureau

This bill makes numerous changes in the campaign financing law and also makes certain changes to tax laws relating to campaign financing and provision of free media access to candidates for the state office. Significant changes include:

FILING OF CAMPAIGN FINANCE REPORTS

Required frequency of certain reports

Currently, with limited exceptions, a candidate at any primary or other election must file preprimary and preelection reports no later than eight days before each primary or other election at which the candidate participates.

This bill provides, in addition, that if such a candidate, as of the end of any week before a primary or other election at which the candidate seeks office, has received contributions or other income in a total amount exceeding 20% of the disbursement level provided for the office that the candidate seeks, the candidate or his or her personal campaign committee must file weekly preprimary or preelection reports for each week preceding the primary or other election at which the candidate seeks office.

Registration and reporting by certain federal and nonresident registrants

Currently, a new registrant is generally prohibited from making a contribution or disbursement from property or funds received prior to the date of registration,

with the appropriate filing officer under state law

INSERT 2B

provisions

In addition, the bill changes the procedure for enforcement of the election laws.

except that if a registrant has in its possession property or funds at the time of registration that were not intended for political purposes in connection with an election for state or local office at the time they were received, the registrant may report the property or funds as received on the date of registration and may then use the property or funds to make a contribution or disbursement.

with the appropriate filing officer under state law

DNS
3A

~~This bill exempts a federally registered committee of a state political party organization or a national political party committee from this prohibition. The bill also permits a nonresident registrant who or which has property or funds in the possession of the registrant on the date of registration from which the registrant wishes to make a contribution or disbursement to use the property or funds to make a contribution or disbursement to the extent permitted under current law if the registrant obtained the property or funds from sources and in amounts that were lawful at the time that the property or funds were received by the registrant. In addition, the bill requires every new nonresident registrant to report any information specified by the board for the year in which the registrant registers and the one-year period preceding that year, plus any additional period required to enable the registrant to make a contribution or disbursement from the property or funds.~~

no person may intentionally accept a contribution that is unlawful made!

Currently, with certain exceptions, a registrant who or which is required to register with a filing officer in this state must file regular reports identifying contributions received and disbursements made and providing certain other information. However, a nonresident registrant need report only contributions and other income received from sources in this state and disbursements made and obligations incurred with respect to an election for state or local office in this state.

Currently

In addition, a state political party committee that is registered with the federal elections commission and that makes contributions to candidates for national office, as well as contributions to other state political party committees, need not file reports for any period covered by a report filed by the committee with the federal elections commission if the elections board receives a copy of that report and the committee makes no contributions to any individual who or organization which is required to register with a filing officer under Wisconsin law. This bill deletes these exceptions to state reporting requirements and subjects all these registrants to the

under state law

Same requirements that apply under the bill to other registrants, including nonresident registrants.

Reporting of contributions transferred by conduits

Currently, if an individual or organization receives a political contribution consisting of money and transfers the contribution to another individual or organization without exercising discretion as to the amount to be transferred and the individual to whom or the organization to which the transfer is to be made, the contribution is considered to be made by the original contributor for purposes of reporting by the ultimate recipient. The contribution is also treated as an individual contribution for purposes of determining contribution limitations and qualifying contributions for public grants. The individual or organization making the transfer is called a "conduit" under the law. A conduit must identify itself to the ultimate recipient as a conduit and provide to that recipient the information about the contribution which is necessary for the recipient to file its campaign finance reports.

In addition, a national political party committee that is registered with the federal election commission need not file reports for any period covered by a report filed with the federal election commission.

This bill directs the elections board to provide a separate schedule that must be filed by each registrant to which contributions are transferred by a conduit. The schedule includes the name and address of the conduit, the date and amount of each transfer, and the total amount transferred to the registrant by the conduit for the calendar year.

Internet posting of electronic reports

Currently, each registrant for whom the elections board serves as a filing agency and who or which accepts contributions in a total amount or value of \$20,000 or more during a campaign period, or a biennial period for a registrant other than a candidate or personal campaign or support committee, must file reports with the board electronically.

This bill requires the elections board, within 24 hours after receiving any information that is required to be reported to the board electronically (or if the information is received on a Saturday, Sunday, or holiday on which state offices are closed, within 24 hours after the beginning of the first business day after receiving such information), to post the information electronically for public inspection on the Internet.

Timeliness in filing reports

Currently, where a requirement is imposed under the campaign finance law for filing of a report by a specified date, the requirement may be satisfied by delivering a report to the appropriate filing officer or agency no later than the deadline or by depositing the report with the U.S. postal service no later than that date.

This bill permits satisfaction of the filing requirement by delivering the report to the appropriate filing officer or agency no later than the deadline or by depositing the report with the U.S. postal service no later than *the third day before* that date.

Duplicate filing requirements

Currently, certain registrants whose filing officer is the elections board and who or which make disbursements in connection with elections affecting only one county or a portion thereof must file duplicate originals of their campaign finance reports with the county clerk or board of election commissioners of every county in which such elections are held. This bill requires, instead, that these registrants file duplicate originals of these reports with the filing officer of each jurisdiction in which such elections are held.

DISBURSEMENT LEVELS AND LIMITATIONS

Under current law, disbursement (expenditure) levels are specified for candidates for various state and local offices. These levels become a binding limitation upon any candidate for state office who accepts a state grant from the Wisconsin election campaign fund or who agrees to be bound by the limitation, unless the candidate is opposed by a major opponent who could have qualified for a grant but declines to accept one.

This bill:

1. Revises the current disbursement levels and limitations applicable to candidates for the offices shown below as follows:

<i>Office</i>	<i>Current Level</i>	<i>Proposed Level or Limitation</i>
Governor	\$1,078,200	\$3,000,000
Lieutenant governor	323,475	400,000
Attorney general	539,000	750,000
Secretary of state	215,625	350,000
State treasurer	215,625	350,000
Supreme court justice	215,625	400,000
Superintendent of public instruction	215,625	350,000
State senator	34,500	125,000
Representative to the assembly	17,250	50,000

2. Replaces the disbursement levels applicable to the offices of district attorney, court of appeals judge, and circuit court judge and local offices with disbursement levels that are based upon the population of the jurisdiction, district, or circuit served by the office which the candidate seeks, as shown in the following chart:

<i>Population of Jurisdiction, District, or Circuit</i>	<i>Proposed Level</i>
Greater than 500,000	\$400,000
300,001 to 500,000	300,000
150,001 to 300,000	200,000
75,001 to 150,000	115,000
50,001 to 75,000	67,500
30,001 to 50,000	40,000
15,001 to 30,000	25,000
5,001 to 15,000	10,000
2,001 to 5,000	3,500
0 to 2,000	1,500

3. Creates a biennial cost-of-living adjustment that causes the statutory disbursement levels to be adjusted biennially, beginning in 2004, in accordance with a formula tied to the "consumer price index" determined by the U.S. department of labor.

CONTRIBUTION LIMITATIONS

Individual contributions

Current law limits the amount of contributions which may be given to and accepted by a candidate for state or local office. Currently, individuals are subject to limitations on the amount of contributions made cumulatively to a particular candidate and on the aggregate total amount of contributions made to all candidates.

This bill:

1. Revises the current limitations on contributions individuals may make to candidates for certain state offices. Under the bill, with certain exceptions, candidates who voluntarily agree to abide by the disbursement limitations and self-contribution limitations may receive higher amounts of contributions from individuals. The proposed limitations on these contributions are shown in the following chart:

<i>Office</i>	<i>Current Limit</i>	<i>Proposed Limit: Candidates Subject to Disbursement and Self-Contribution Limitations</i>	<i>Proposed Limit: Candidates Not Subject to Dis- bursement and Self-Contribution Limitations</i>
Governor	\$10,000	\$10,000	\$5,000
Lieutenant governor	10,000	5,000	2,500
Attorney general	10,000	7,500	3,750
Secretary of state	10,000	5,000	2,500
State treasurer	10,000	5,000	2,500
Supreme court justice	10,000	5,000	2,500
Superintendent of public instruction	10,000	5,000	2,500
State senator	1,000	1,000	500
Representative to the assembly	500	500	250

2. Replaces the limitations on contributions individuals may make to candidates for the offices of district attorney, court of appeals judge, and circuit court judge and candidates for local offices. Under the bill, with certain exceptions, candidates who voluntarily agree to abide by the disbursement limitations and self-contribution limitations may receive higher amounts of contributions from individuals. The proposed limitations on these contributions, which are based upon the population of the jurisdiction, district, or circuit served by the office which the candidate seeks, are shown in the following chart:

<i>Population</i>	<i>Proposed Limit: Candidates Subject to Disbursement and Self-Contribu- tion Limitations</i>	<i>Proposed Limit: Candidates Not Subject to Dis- bursement and Self-Contribution Limitations</i>
Greater than 500,000	\$3,000	\$1,500
300,001 to 500,000	2,000	1,000
150,001 to 300,000	1,000	500

75,001 to 150,000	750	375
50,001 to 75,000	500	250
30,001 to 50,000	400	200
15,001 to 30,000	300	150
5,001 to 15,000	200	100
2,001 to 5,000	150	75
0 to 2,000	125	62.50

3. Creates a cost-of-living adjustment that causes the statutory limits on individual contributions to be adjusted quadrennially, beginning in 2006, in accordance with a formula tied to the "consumer price index" determined by the U.S. department of labor.

Committee contributions

Under current law, committees other than political party committees and legislative campaign committees are subject to limitations on the amount of contributions made cumulatively to a particular candidate. For example, a committee may contribute up to \$43,238 to a candidate for statewide office. This bill revises these limitations, making them the same as those which apply to contributions from individuals. For example, under the bill, a committee other than a political party committee or legislative campaign committee may contribute up to \$10,000 to any candidate for the office of governor who has agreed to abide by the disbursement and self-contribution limitations or up to \$5,000 if the candidate is not subject to the disbursement and self-contribution limitations.

Current law also limits the amount of contributions that a candidate may accept during a campaign from all committees other than political party and legislative campaign committees. Currently, this limit is an amount equal to 45% of the disbursement level that applies to the candidate. This bill revises the limit to an amount equal to 25% of the applicable disbursement level.

Current law also limits the cumulative amount of contributions that a committee other than a political party or legislative campaign committee may make annually to a particular political party, limits the cumulative amount of contributions that a political party may accept annually from a particular committee other than a political party or legislative campaign committee, and its subunits or affiliates, and limits the aggregate total of contributions that a political party may accept during any biennium from all committees other than political party and legislative campaign committees. Currently, a committee other than a political party or legislative campaign committee may annually contribute up to \$6,000 to a particular political party, a political party may annually accept up to \$6,000 from a particular committee other than a political party or legislative campaign committee, and its subunits and affiliates, and a political party may accept up to \$150,000 in contributions from all committees other than a political party or legislative campaign committee during any biennium.

*or
legislative
campaign
committee*

*or a
legislative
campaign
committee*

This bill increases to \$250,000 the amount of contributions that a state political party, together with any of its state subunits and state affiliates, may accept from all committees other than political party and legislative campaign committees during

any biennium. ~~In addition,~~ ^{the bill} increases to \$10,000 the amount of contributions that a state political party, together with any of its state subunits and state affiliates, may annually accept from a particular committee other than political party and legislative campaign committees. The bill also permits a committee other than a political party or legislative campaign committee, and its subunits and affiliates, to annually contribute up to \$10,000 to a particular political party. In addition, the bill limits the amount of contributions that a local political party, together with any of its local subunits and non-state affiliates, may accept from a particular committee other than a political party or legislative campaign committee during any biennium. These limits range under the bill from \$75,000 to \$25,000, depending upon the population of the county in which the local political party primarily operates.

*aws
8A*
in addition, ~~the~~ bill ~~also~~ creates a cost-of-living adjustment that causes the statutory limits on committee contributions to be adjusted quadrennially, beginning in 2006, in accordance with a formula tied to the "consumer price index" determined by the U.S. department of labor.

EXEMPTION FROM DISBURSEMENT AND CERTAIN CONTRIBUTION LIMITATIONS

Currently, if a candidate for a partisan state office accepts a grant and has an opponent who also could have qualified to receive a grant but declines to accept one, the candidate is not bound by his or her disbursement or self-contribution limitation. Similarly, if a candidate for a nonpartisan state office accepts a grant and has an opponent who declines to accept a grant, that candidate is not bound by his or her disbursement or self-contribution limitation. However, in either case, if each opponent who declines to accept a grant files with the elections board an affidavit of voluntary compliance with the disbursement and self-contribution limitation applicable to candidates for the office that the candidate seeks, the disbursement and self-contribution limitation for the candidate who accepts a grant continues to apply. Currently, a candidate for state or local office may not accept contributions from all committees, together with grants from the Wisconsin election campaign fund, in an aggregate amount exceeding 65% of the candidate's applicable disbursement level or limit.

This bill provides that if a candidate accepts a grant from the Wisconsin election campaign fund or a candidate files an affidavit of voluntary compliance with disbursement and self-contribution limitations and each of the candidate's opponents accept a grant or file the affidavit, and the candidate files a sworn statement with the board, in accordance with procedures specified by the board for this purpose, to the effect that one or more independent disbursements or other independent expenditures have been made for the purpose of making communications opposing his or her candidacy, then 1) all candidates for the office that the candidate seeks are not bound by any disbursement limitations; 2) limitations upon contributions made by individuals to the campaigns of those candidates (as affected by the bill) are doubled; and 3) those candidates may accept aggregate contributions equal to not more than 65% of their disbursement limitation from political party and legislative campaign committees, in addition to contributions accepted by the candidates from other committees and any grants accepted by the candidates from the Wisconsin election campaign fund.

The bill also provides that if a candidate for a state office who accepts a grant from the Wisconsin election campaign fund or a candidate who has filed an affidavit of voluntary compliance with disbursement and self-contribution limitations determines that an opposing candidate who has not applied for a grant and who has not filed an affidavit has made disbursements exceeding the amount of the disbursement limitation applicable to candidates for that office, then all candidates for that office may make additional contributions to their own campaigns exceeding the self-contribution limitation applicable to candidates for that office and may make additional disbursements exceeding the disbursement limitation applicable to candidates for that office in an amount equivalent to the lesser of the total contributions made by the opposing candidate to his or her own campaign or the amount by which total disbursements made by the opposing candidate exceed the applicable disbursement limitation, as reported to the board by the opposing candidate. In addition, limitations upon contributions made by individuals to those candidates (as affected by the bill) are doubled and those candidates may accept aggregate contributions equal to not more than 65% of their disbursement limitation from political party and legislative campaign committees, in addition to contributions accepted by the candidates from other committees and any grants accepted by the candidates from the Wisconsin election campaign fund.

Transfer of campaign surpluses for use in campaigns for different offices

Currently, a candidate, personal campaign committee of a candidate, former candidate, or former personal campaign committee may make a contribution or disbursement for any political purpose not prohibited by law, and specifically may transfer money or property to another candidate or personal campaign committee, subject to applicable contribution limitations. If a candidate for one office becomes a candidate for a second office, that candidate or his or her personal campaign committee may use money or property received on his or her behalf when the candidate was a candidate for the first office, without limitation. In addition, if the personal campaign committee of a former candidate files an oath affirming its independence from any candidate, the committee may make disbursements in an unlimited amount to advocate the election or defeat of any candidate. However, with certain limited exceptions, a candidate or committee may not use property or funds that were accepted for the purpose of influencing an election for any purpose other than for the purpose of influencing an election.

This bill prohibits any ~~candidate, personal campaign committee, former candidate, former personal campaign committee, or principal campaign committee~~ ^{authorized} of a candidate for national office from making a contribution ~~to a candidate or personal campaign committee from money or property that was received on behalf of the candidate when the candidate was seeking a different office than the office the candidate currently seeks, or from money or property that was received on behalf of the former candidate when the former candidate was seeking an office.~~ The bill also prohibits a candidate, personal campaign committee, former personal campaign committee, or principal campaign committee of a candidate for national office from making a disbursement for the purpose of influencing the election or nomination to election of that candidate from money or property that was received on behalf of the

or disbursement with respect to an election for state or local office.

PWS
GA

Sub

candidate when the candidate was seeking an office other than the one that the candidate currently seeks, or from money or property that was received on behalf of the former candidate when the former candidate was seeking an office.

WISCONSIN ELECTION CAMPAIGN FUND

Sources and uses of funds

Under current law, the Wisconsin election campaign fund is financed through an individual income tax "checkoff." Every individual filing a state income tax return who has a tax liability or is entitled to a tax refund may direct that \$1 of general purpose revenue be transferred to the fund. Individuals filing a joint return may separately choose whether to direct that the \$1 transfer be made. All monies transferred to the fund are placed in accounts for specified state offices, and candidates for those offices may qualify for grants from the fund to be used for specified campaign expenses.

This bill deletes the current checkoff for the Wisconsin election campaign fund but permits an individual to pay an additional amount not exceeding \$5 to be transferred to the fund, effective for tax returns filed for taxable years beginning on or after January 1 following the day on which the bill becomes law. Under the bill, individuals filing a joint return may separately choose whether to make an additional payment. The bill permits an individual to claim a credit against his or her individual income tax liability for the amount of the additional payment. Individuals filing a joint return may claim a credit for their combined payments. The bill also permits individuals to determine whether to designate their payments for a "general account," which is potentially available for distribution to all candidates who qualify for a grant, or for the account of an eligible political party, which is distributed to all candidates representing that party who qualify for a grant. Under the bill, if a candidate of an eligible political party qualifies for a grant, that candidate receives any available moneys in the account of his or her political party. Thereafter, all candidates receive any amounts available from the general account, with those amounts prorated within each office if insufficient moneys are available to finance payment of the full amount of the grants for which candidates qualify.

Grant eligibility requirements and amounts

Under current law, public financing from the Wisconsin election campaign fund is available to eligible candidates for the offices of state senator, representative to the assembly, governor, lieutenant governor, attorney general, state treasurer, secretary of state, justice of the supreme court, and superintendent of public instruction. To receive a grant, a candidate must file an application with the state elections board no later than the deadline for filing nomination papers. Following the primary election or the date on which a primary would be held, if required, the board determines whether a candidate who applies is eligible for a grant. Among other things, in order to be eligible for a grant, the candidate must receive, during a specified time period, a specified amount of contributions from individuals of \$100 or less. For a candidate for the office of governor, lieutenant governor, secretary of state, state treasurer, attorney general, justice of the supreme court, or superintendent of public instruction, the amount is 5% of the authorized disbursement level for the office which the candidate seeks. For a candidate for the

FNS
DA

office of state senator or representative to the assembly, the amount is 10% of the authorized disbursement level for the office which the candidate seeks.

Under current law, a candidate for any office who accepts a grant must comply with statutorily prescribed contribution and disbursement limitations, unless at least one of the candidate's opponents who received at least 6% of the votes cast for all candidates for that office at a partisan primary, if a primary was held, does not accept a grant and does not voluntarily agree to comply with the contribution and disbursement limitations for that office.

Currently, the maximum grant that a candidate may receive from the Wisconsin election campaign fund is that amount which, when added to all other contributions accepted from sources other than individuals, political party committees, and legislative campaign committees, is equal to 45% of the authorized disbursement level for the office that the candidate seeks, if there are sufficient moneys in the fund to finance the full amount of grants for which candidates qualify. In each year prior to a year in which an election for the office of justice of the supreme court is scheduled, 8% of the moneys designated by taxpayers to be transferred to the fund for that year is set aside to finance payment of grants to candidates for the office of justice. ~~Whether this amount is sufficient to finance payment of the full amounts for which candidates qualify depends upon the total amount of taxpayer designations for that year.~~

these amounts are

INS 11A

This bill:

1. Increases the maximum potential grant payable to a candidate for the office of justice of the supreme court to 65% of the authorized disbursement level for that office, and decreases the maximum potential grant payable to a candidate for any other office to 25% of the authorized disbursement level for the office that the candidate seeks.
2. Provides that if a candidate has a balance in his or her campaign depository account that exceeds 50% of the authorized disbursement level for the office that the candidate seeks at the time that grant payments are made, the amount of the grant payable to that candidate is 50% of the amount that would otherwise be payable.
3. Provides that if a candidate does not have an opponent whose application for a grant is approved by the board, the amount of the grant payable to that candidate is 50% of the amount that would otherwise be payable, unless the grant has already been reduced as a result of the balance in the candidate's campaign depository account.
4. Provides that in each year prior to a year in which an election for the office of justice of the supreme court is scheduled, an amount must be set aside from taxpayer donations to the general account sufficient to finance payment of the full amount of grants for which candidates for the office of justice qualify ~~before amounts are made available from the general account to finance the payment of grants to candidates for any other office.~~
5. Provides that a candidate for the office of state senator or representative to the assembly must receive contributions equal to only 5% of the authorized disbursement level for the office which the candidate seeks in order to qualify for a grant. The bill also provides that the contributions of \$100 or less from individuals

*JWS
11B*

used by a candidate for any state office to determine eligibility for a grant must be made by individuals who reside in this state and, in the case of a candidate for legislative office, by individuals at least 50% of whom reside in a county having territory within the district in which the candidate seeks office.

Disposition of residual or excess funds

Under current law, residual funds remaining when a person who is required to register under the campaign financing law disbands or ceases incurring obligations, making disbursements, or accepting contributions or excess funds received by a registrant that may not be legally expended may generally be used for any lawful political purpose, returned to the original contributors, or donated to a charitable organization or the common school fund.

This bill allows residual or excess funds to be transferred to the Wisconsin election campaign fund for deposit in the general account.

Public funding of campaigns for county and first class city offices

The bill permits counties and first class cities to provide by ordinance for appropriations to pay for lawful campaign expenses of candidates for county and city offices, subject to reasonable qualifications and agreements by candidates to adhere to disbursement and self-contribution limitations. Under the bill, any such ordinance may prescribe civil penalties for violations of the ordinance or an agreement entered into under the ordinance not exceeding the amount that would apply to a violation of the state campaign finance law. The bill also directs the elections board to review the operation of any such ordinance and provide its recommendations, if any, concerning extension of a similar system of public funding to other campaigns for local elective offices in this state to the appropriate legislative standing committees.

Currently, counties have no such authority. Cities may have such authority under constitutional home rule powers if an enactment of this nature is considered to be a "local affair."

Penalties for violations

Currently, any person who violates any provision of the campaign finance law, except a contribution prohibition, is subject to a forfeiture (civil penalty) of not more than \$500 for each violation. This bill increases this amount to \$1,500. In addition, currently, any person who is delinquent in filing a report is subject to a forfeiture of not more than \$50 or 1% of the annual salary of the office for which a candidate is being supported or opposed, whichever is greater, for each day of delinquency. This bill increases these amounts to a maximum of \$150 or 3% of the annual salary, whichever is greater.

Currently, whoever intentionally violates certain provisions of the campaign finance law, such as registration requirements, contribution limitations, the prohibition against making contributions in the name of another person, the prohibition against using contributions for most nonpolitical purposes, and the prohibition against filing false reports and statements may be fined not more than \$1,000 or imprisoned for not more than six months, or both, if the violation does not exceed \$100 in amount or value, and may be fined not more than \$10,000 or imprisoned for not more than four years and six months, or both, if the violation

JNS12A

SUB ENFORCEMENT

used by a candidate for any state office to determine eligibility for a grant must be made by individuals who reside in this state and, in the case of a candidate for legislative office, by individuals at least 50% of whom reside in a county having territory within the district in which the candidate seeks office.

Disposition of residual or excess funds

Under current law, residual funds remaining when a person who is required to register under the campaign financing law disbands or ceases incurring obligations, making disbursements, or accepting contributions or excess funds received by a registrant that may not be legally expended may generally be used for any lawful political purpose, returned to the original contributors, or donated to a charitable organization or the common school fund.

This bill allows residual or excess funds to be transferred to the Wisconsin election campaign fund for deposit in the general account.

Public funding of campaigns for county and first class city offices

The bill permits counties and first class cities to provide by ordinance for appropriations to pay for lawful campaign expenses of candidates for county and city offices, subject to reasonable qualifications and agreements by candidates to adhere to disbursement and self-contribution limitations. Under the bill, any such ordinance may prescribe civil penalties for violations of the ordinance or an agreement entered into under the ordinance not exceeding the amount that would apply to a violation of the state campaign finance law. The bill also directs the elections board to review the operation of any such ordinance and provide its recommendations, if any, concerning extension of a similar system of public funding to other campaigns for local elective offices in this state to the appropriate legislative standing committees.

Currently, counties have no such authority. Cities may have such authority under constitutional home rule powers if an enactment of this nature is considered to be a "local affair."

Penalties for violations

Currently, any person who violates any provision of the campaign finance law, except a contribution prohibition, is subject to a forfeiture (civil penalty) of not more than \$500 for each violation. This bill increases this amount to \$1,500. In addition, currently, any person who is delinquent in filing a report is subject to a forfeiture of not more than \$50 or 1% of the annual salary of the office for which a candidate is being supported or opposed, whichever is greater, for each day of delinquency. This bill increases these amounts to a maximum of \$150 or 3% of the annual salary, whichever is greater.

Currently, whoever intentionally violates certain provisions of the campaign finance law, such as registration requirements, contribution limitations, the prohibition against making contributions in the name of another person, the prohibition against using contributions for most nonpolitical purposes, and the prohibition against filing false reports and statements may be fined not more than \$1,000 or imprisoned for not more than six months, or both, if the violation does not exceed \$100 in amount or value, and may be fined not more than \$10,000 or imprisoned for not more than four years and six months, or both, if the violation

INSERT ANALYSIS A

local

villages, and towns

village, and town

Statutory

and towns

and villages

SUB ENFORCEMENT

TNS 12A

exceeds \$100 in amount or value. This bill increases these amounts to a maximum fine of \$3,000 or imprisonment for not more than one year, or both, if the violation does not exceed \$100 in amount or value, and a maximum fine of \$30,000 or imprisonment for not more than nine years, or both, if the violation exceeds \$100 in amount or value.

Injunctive relief

Currently, the elections board or any elector may sue for injunctive relief (a court order) requiring compliance with the elections laws. Before bringing a suit concerning a state office or statewide referendum, an elector must file a sworn complaint with the board alleging such facts as are within his or her knowledge to show probable cause that a violation has occurred or is proposed to occur. If the board does not sue for injunctive relief within ten days after filing the complaint, the elector may then file suit. This bill requires, instead, that an elector who proposes to bring suit for injunctive relief with respect to an alleged violation concerning an election for state office or a statewide referendum first must file a sworn complaint with the executive director of the board. The complaint must include a notice that the elector intends to seek injunctive relief. If the board does not sue for injunctive relief within ten days after filing the complaint, the elector may then file suit.

SUB

Tax credit for free media access

certain candidates

particular

This bill creates an income and franchise tax credit for a business in an amount equal to the amount the business paid to provide print space or broadcast time to a candidate for state office at a general, spring, or special election, without exercising editorial control over the content of the candidate's message and without charging anyone for providing such print space or broadcast time. The credit may not exceed \$10,000 in a taxable year. If the credit claimed by a business exceeds the tax liability of the business, the state will not issue a refund check, but the business may carry forward any remaining credit to subsequent taxable years.

INSERT
13A

The credit only applies if the candidate has agreed to be bound by statutory

This bill will be referred to the joint survey committee on tax exemptions for a detailed analysis, which will be printed as an appendix to this bill.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

disbur-
ment
and self-
contribution levels.

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

INS
13-1

SECTION 1. 7.08 (2) (cm) of the statutes is amended to read:

- 2 7.08 (2) (cm) As soon as possible after the canvass of a special primary, or the
- 3 date that the primary would be held, if required, transmit to the state treasurer a
- 4 certified list of all eligible candidates for state office who have filed applications

1 under s. 11.50 (2) and whom the board determines to be eligible to receive a grant
 2 from the Wisconsin election campaign fund prior to the election. The board shall also
 3 transmit a similar list of candidates, if any, who have filed applications under s. 11.50
 4 (2) and whom the board determines to be eligible to receive a grant under s. 11.50 (1)
 5 (a) ~~2.~~ 1. b. after the special election. The list shall contain each candidate's name, the
 6 mailing address indicated upon the candidate's registration form, the office for which
 7 the individual is a candidate and the party or principle which he or she represents,
 8 if any.

✓
 RJS
 14-8

9 SECTION 2. 8.35 (4) (a) 1. a. and b. of the statutes are amended to read:

10 8.35 (4) (a) 1. a. ~~Donated to the former candidate's local or state political party~~
 11 if if the former candidate was a partisan candidate ~~or, donated to the former~~
 12 candidate's local or state political party, donated to the a charitable organization of
 13 the former candidate's choice or the charitable organization chosen, or transferred
 14 to the board for deposit in the Wisconsin election campaign fund, as instructed by the
 15 former candidate or, if the former candidate left no instruction, by the former
 16 candidate's next of kin if the former candidate is deceased, or if no choice is made
 17 returned to the donors on a proportional basis; or

18 b. If the former candidate was a nonpartisan candidate, donated to the a
 19 charitable organization of the former candidate's choice or the charitable
 20 organization chosen or transferred to the board for deposit in the Wisconsin election
 21 campaign fund, as instructed by the former candidate or, if the former candidate left
 22 no instruction, by the former candidate's next of kin if the former candidate is
 23 deceased; or

24 SECTION 3. 11.01 (4m), (11m), (13), (14) and (20) of the statutes are created to
 25 read:

RJS
 14-23

△ (17g) △ (17r)

exceeds \$100 in amount or value. This bill increases these amounts to a maximum fine of \$3,000 or imprisonment for not more than one year, or both, if the violation does not exceed \$100 in amount or value, and a maximum fine of \$30,000 or imprisonment for not more than nine years, or both, if the violation exceeds \$100 in amount or value.

Injunctive relief

Currently, the elections board or any elector may sue for injunctive relief (a court order) requiring compliance with the elections laws. Before bringing a suit concerning a state office or statewide referendum, an elector must file a sworn complaint with the board alleging such facts as are within his or her knowledge to show probable cause that a violation has occurred or is proposed to occur. If the board does not sue for injunctive relief within ten days after filing the complaint, the elector may then file suit. This bill requires instead, that an elector who proposes to bring suit for injunctive relief with respect to an alleged violation concerning an election for state office or a statewide referendum first must file a sworn complaint with the executive director of the board. The complaint must include a notice that the elector intends to seek injunctive relief. If the board does not sue for injunctive relief within ten days after filing the complaint, the elector may then file suit.

sub] ***Tax credit for free media access***

This bill creates an income and franchise tax credit for a business in an amount equal to the amount the business paid to provide print space or broadcast time to a candidate for state office at a general, spring, or special election, without exercising editorial control over the content of the candidate's message and without charging anyone for providing such print space or broadcast time. The credit may not exceed \$10,000 in a taxable year. If the credit claimed by a business exceeds the tax liability of the business, the state will not issue a refund check, but the business may carry forward any remaining credit to subsequent taxable years.

This bill will be referred to the joint survey committee on tax exemptions for a detailed analysis, which will be printed as an appendix to this bill.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

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

JMS
13-1

- 1
- 2
- 3
- 4

SECTION 1. 7.08 (2) (cm) of the statutes is amended to read:

7.08 (2) (cm) As soon as possible after the canvass of a special primary, or the date that the primary would be held, if required, transmit to the state treasurer a certified list of all eligible candidates for state office who have filed applications

1 **11.01 (4m)** "Communication" means a message transmitted by means of a
2 printed advertisement, billboard, handbill, sample ballot, radio or television
3 advertisement, telephone bank operator, or mass mailing, but does not include a poll
4 conducted solely for the purpose of identifying or collecting data concerning the
5 attitudes or preferences of electors.

6 **(11m)** "Independent expenditure" means a disbursement or other expenditure
7 made for the purpose making a communication that is made during the 60-day
8 period preceding a general, special, or spring election, that contains a reference to
9 a clearly identified candidate at that election, that is made without cooperation or
10 consultation with such a candidate, or any authorized committee or agent of such a
11 candidate, and that is not made at the request or suggestion of such a candidate, or
12 any authorized committee or agent of such a candidate.

13 **(13)** "Mass mailing" means the distribution of 50 or more pieces of
14 substantially identical material.

15 **(14)** "National political party committee" means a national committee as
16 defined in 2 USC 431 (14).

17 **(20)** "Telephone bank operator" means any person who places or directs the
18 placement of 50 or more substantially identical telephone calls to individuals.

19 **SECTION 4.** 11.05 (3) (q) of the statutes is created to read:

20 **11.05 (3) (q)** In the case of a political party committee, an indication of whether
21 the committee is a state or national political party committee, or a state or national
22 subunit or state or national affiliate of such a committee.

23 ~~**SECTION 5.** 11.05 (3) (r) of the statutes is created to read:~~

24 ~~**11.05 (3) (r)** In the case of a registrant who or which does not maintain a street
25 address within this state, a report providing the information specified by the board~~

MDK
INSERT 15-16

1 for the portion of the year in which the registrant initially files a statement under
 2 this section before filing that statement and the one-year period preceding the
 3 beginning of that year, plus any additional period required under ~~sub. (7m)~~ to enable
 4 the registrant to make a contribution or disbursement from the property or funds.
 5 The report required under this paragraph may be filed no later than 10 days
 6 following the remainder of a statement filed under this section. A registration lapses
 7 if the report required under this paragraph is not filed in a timely manner.

Fix COMPONENT

→

SECTION 6. 11.05 (6) of the statutes is ^{renumbered 11.05 (6) (a) and} amended to read:

9 11.05 (6) ~~CONTRIBUTION OR DISBURSEMENT PROHIBITED~~ ^(a) Except as provided in
 10 ~~par. (b) and~~ subs. (7) and (13), no person, committee or group subject to a registration
 11 requirement may make any contribution or disbursement from property or funds
 12 received prior to the date of registration under this section. This subsection does not
 13 apply to a federal candidate committee, as defined in s. 11.06 (3m) (a), or a national
 14 party committee.

Fix 15-16

SECTION 7. 11.05 (7) of the statutes is ^{renumbered 11.05 (7) (a) and} amended to read:

17 11.05 (7) ~~CHANGE IN STATUS OF NEW REGISTRANT~~ ^(a) Notwithstanding sub. (6) Except
 18 as provided in ~~par. (b)~~, any individual or organization who or which has received
 19 property or funds which were not intended for political purposes in connection with
 20 an election for state or local office at the time of receipt may make contributions or
 21 disbursements from such property or funds in connection with an election for state
 22 or local office if the individual or organization complies with applicable provisions of
 23 sub. (1), (2) or (2g) as soon as such intent changes. For purposes of s. 11.06 (1), all
 24 property or funds which are in a registrant's the possession of such an individual or
organization on the date of registration under this section shall be treated as received

Fix COMPONENT

1 on the date that such intent changes so that the property or funds are to be used for
2 political purposes in connection with an election for state or local office.

3 SECTION 8. 11.05 ⁽²⁾~~(3m)~~ of the statutes is created to read:

4 11.05 ^{(7)(b)}~~(7m)~~ ~~NONRESIDENT REGISTRANTS, ADDITIONAL INFORMATION~~ ^{Paragraph (a) does not apply to} a registrant

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

19 SECTION 9. 11.06 (1) (intro.) of the statutes is amended to read:

20 11.06 (1) CONTENTS OF REPORT. (intro.) Except as provided in subs. (2), (3) and
21 (3m) and ss. 11.05 (2r) and 11.19 (2), each registrant under s. 11.05 shall make full
22 reports, upon a form prescribed by the board and signed by the appropriate
23 individual under sub. (5), of all contributions received, contributions or
24 disbursements made, and obligations incurred. Each report shall contain the

1 following information, covering the period since the last date covered on the previous
2 report, unless otherwise provided:

3 SECTION 10. 11.06 (1) (dm) of the statutes is created to read:

4 11.06 (1) (dm) A separate schedule itemizing those contributions that were
5 transferred to the registrant by a conduit, together with the name and address of the
6 conduit, the date and amount of each transfer, and the cumulative total amount
7 transferred to the registrant by the conduit for the calendar year.

8 SECTION 11. 11.06 (3) (b) of the statutes is repealed.

9 SECTION 12. 11.06 (3r) of the statutes is repealed.

SECTION 13. 11.06 (3w) ~~(4)~~ of the statutes is repealed.

SECTION 14. 11.06 (7m) (a) of the statutes is amended to read:

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

✓
10
11
18-10

Q

1 such candidate's opponents exceeding the applicable amounts specified in s. 11.26 ~~(2)~~
2 (1) and (1m), except as authorized in par. (c).

3 SECTION 15. 11.06 (7m) (b) of the statutes is amended to read:

4 11.06 (7m) (b) If the committee has already made contributions in excess of the
5 applicable amounts specified in s. 11.26 ~~(2)~~ (1) or (1m) at the time it files an oath
6 under sub. (7), each candidate to whom contributions are made shall promptly return
7 a sufficient amount of contributions to bring the committee in compliance with this
8 subsection and the committee may not make any additional contributions in
9 violation of this subsection.

10 SECTION 16. 11.06 (11) (bm) of the statutes is created to read:

11 11.06 (11) (bm) The board shall prescribe a separate schedule for reporting
12 under s. 11.06 (1) by transferees of contributions transferred by conduits.

13 SECTION 17. 11.07 (5) of the statutes is amended to read:

14 11.07 (5) Any campaign treasurer or individual who knowingly receives a
15 contribution made by an unregistered nonresident in violation of this section may
16 not use or expend such contribution but shall immediately return it to the source or,
17 at the option of the campaign treasurer or individual, donate the contribution to a
18 charitable organization or to the common school fund or transfer the contribution to
19 the board for deposit in the Wisconsin election campaign fund.

20 SECTION 18. 11.09 (3) of the statutes is amended to read:

21 11.09 (3) Each registrant whose filing officer is the board, and who or which
22 makes disbursements in connection with elections for offices which serve or
23 referenda which affect only one county or portion thereof, except a candidate,
24 personal campaign committee, political party committee or other committee making
25 disbursements in support of or in opposition to a candidate for state senator,

1 representative to the assembly, court of appeals judge or circuit judge, shall file a
2 duplicate original of each financial report ~~filed~~ that the registrant files with the
3 board with the ~~county clerk or board of election commissioners of the county in which~~
4 ~~the elections~~ filing officer for each jurisdiction in connection with an election in which
5 the registrant ~~participates are held~~ makes disbursements. Such reports shall be
6 filed no later than the dates specified under s. 11.20 (2) and (4) for the filing of each
7 report with the board. This subsection does not apply to a registrant who or which
8 files reports under s. 11.21 (16).

9 SECTION 19. 11.12 (2) of the statutes is amended to read:

10 11.12 (2) Any anonymous contribution exceeding \$10 received by a campaign
11 or committee treasurer or by an individual under s. 11.06 (7) may not be used or
12 expended. The contribution shall be donated to the common school fund or to any
13 charitable organization or transferred to the board for deposit in the Wisconsin
14 election campaign fund, at the option of the treasurer.

15 SECTION 20. 11.12 (4) of the statutes is amended to read:

16 11.12 (4) Each registrant shall report contributions, disbursements and
17 incurred obligations in accordance with s. 11.20. Except as permitted under s. 11.06
18 (2), ~~(3)~~ and (3m), each report shall contain the information which is required under
19 s. 11.06 (1).

20 SECTION 21. 11.16 (2) of the statutes is amended to read:

21 11.16 (2) LIMITATION ON CASH CONTRIBUTIONS. Every contribution of money
22 exceeding \$50 shall be made by negotiable instrument or evidenced by an itemized
23 credit card receipt bearing on the face the name of the remitter. No treasurer may
24 accept a contribution made in violation of this subsection. The treasurer shall
25 promptly return the contribution, or shall donate it the contribution to the common

1 school fund or to a charitable organization or transfer the contribution to the board
2 for deposit in the Wisconsin election campaign fund in the event that the donor
3 cannot be identified.

4 SECTION 22. 11.19 (1) of the statutes is amended to read:

5 11.19 (1) Whenever any registrant disbands or determines that obligations will
6 no longer be incurred, and contributions will no longer be received nor disbursements
7 made during a calendar year, and the registrant has no outstanding incurred
8 obligations, the registrant shall file a termination report with the appropriate filing
9 officer. Such report shall indicate a cash balance on hand of zero at the end of the
10 reporting period and shall indicate the disposition of residual funds. Residual funds
11 may be used for any political purpose not prohibited by law, returned to the donors
12 in an amount not exceeding the original contribution, transferred to the board for
13 deposit in the Wisconsin election campaign fund or donated to a charitable
14 organization or the common school fund. The report shall be filed and certified as
15 were previous reports, and shall contain the information required by s. 11.06 (1). A
16 registrant to which s. 11.055 (1) applies shall pay the fee imposed under that
17 subsection with a termination report filed under this subsection. If a termination
18 report or suspension report under sub. (2) is not filed, the registrant shall continue
19 to file periodic reports with the appropriate filing officer, no later than the dates
20 specified in s. 11.20. This subsection does not apply to any registrant making an
21 indication under s. 11.05 (2r).

22 SECTION 23. 11.20 (2), (3) (a) and (b) of the statutes are amended to read:

23 11.20 (2) ~~Preprimary and~~ Unless, as of the 14th day preceding a primary or
24 other election at which a candidate seeks office, a candidate is required to file reports
25 under sub. (3) (be), each candidate who seeks office at a primary or other election, or

1 his or her personal campaign committee, shall file a preprimary and preelection
2 reports report under s. 11.06 (1), which shall be received by the appropriate filing
3 officer no earlier than 14 days and no later than 8 days preceding the primary and
4 the election. Each candidate who is required to file reports under sub. (3) (be), or his
5 or her personal campaign committee, shall file each preprimary and preelection
6 report under sub. (3) (be) so that the report is received by the appropriate filing officer
7 no earlier than the day after the end of the week to which the report pertains and no
8 later than the 5th day after the end of that week.

9 (3) (a) ~~A~~ Unless otherwise required under par. (be), a candidate or personal
10 campaign committee of a candidate at a primary shall file a preprimary and
11 preelection report. If a candidate for a nonpartisan state office at an election is not
12 required to participate in a primary, the candidate or personal campaign committee
13 of the candidate shall file a preprimary report at the time prescribed in sub. (2) or
14 (3) (be) preceding the date specified in s. 5.02 (20) or (22) for the holding of the
15 primary, were it to be required.

16 (b) ~~A~~ Unless otherwise required under par. (be), a candidate or personal
17 campaign committee of a candidate at an election shall file a preelection report.

18 **SECTION 24.** 11.20 (3) (be) of the statutes is created to read:

19 11.20 (3) (be) If a candidate, as of the end of any week before a primary or other
20 election at which the candidate seeks office, has received contributions or other
21 income in a total amount exceeding 20% of the disbursement level specified in s.
22 11.31 (1), as adjusted under s. 11.31 (9), for the office that the candidate seeks, the
23 candidate or his or her personal campaign committee shall file preprimary or
24 preelection reports for each week prior to the primary or other election for the office
25 that the candidate seeks.

1 **SECTION 25.** 11.20 (8) (intro.) of the statutes is amended to read:

2 11.20 (8) (intro.) Reports filed under subs. (2), (3) (be), (4) and (4m) shall include
3 all contributions received and transactions made as of the end of:

4 **SECTION 26.** 11.20 (8) (a) of the statutes is amended to read:

5 11.20 (8) (a) The 15th day preceding the primary or election in the case of the
6 preprimary and preelection report under sub. (2);

7 **SECTION 27.** 11.20 (8) (am) of the statutes is created to read:

8 11.20 (8) (am) The Saturday preceding the due date under sub. (2) in the case
9 of a preprimary or preelection report under sub. (3) (be).

10 **SECTION 28.** 11.20 (10) (a) of the statutes is amended to read:

11 11.20 (10) (a) Where a requirement is imposed under this section for the filing
12 of a financial report which is to be received by the appropriate filing officer no later
13 than a certain date, the requirement may be satisfied either by actual receipt of the
14 report by the prescribed time for filing at the office of the filing officer, or by filing a
15 report with the U.S. postal service by first class mail with sufficient prepaid postage,
16 addressed to the appropriate filing officer, no later than the 3rd day before the date
17 provided by law for receipt of such report.

18 **SECTION 29.** 11.21 (15) of the statutes is amended to read:

19 11.21 (15) Inform each candidate who files an application to become eligible to
20 receive a grant from the Wisconsin election campaign fund of the dollar amount of
21 the applicable disbursement limitation under s. 11.31 (1), adjusted as provided under
22 s. 11.31 (9), which applies to the office for which such person is a candidate. Failure
23 to receive the notice required by this subsection does not constitute a defense to a
24 violation of s. 11.27 (1) or 11.31.

25 **SECTION 30.** 11.21 (17) of the statutes is created to read:

NOT
INSERT 24-5

1 11.21 (17) No later than 24 hours after receiving any information electronically
2 under sub. (16), or if the information is received on a Saturday, Sunday, or holiday
3 specified in s. 230.35 (4) (a), no later than 24 hours after the beginning of the first
4 business day after receiving such information, post the information electronically for
5 public inspection on the Internet.

6 ~~SECTION 31. 11.21 (19) of the statutes is created to read:~~
7 11.21 (19) Review the operation of any system adopted by a county or 1st class
8 city to provide for public funding of campaigns for county or city offices and provide
9 its recommendations, if any, for extension of a similar system for financing
10 campaigns to other local offices to the appropriate standing committees of each house
11 of the legislature under s. 13.172 (3).

12 SECTION 32. 11.23 (2) of the statutes is amended to read:

13 11.23 (2) Any anonymous contribution exceeding \$10 received by an individual
14 or group treasurer may not be used or expended. The contribution shall be donated
15 to the common school fund or to any charitable organization or transferred to the
16 board for deposit in the Wisconsin election campaign fund, at the option of the
17 treasurer.

18 SECTION 33. 11.24 (1s) of the statutes is created to read:

19 11.24 (1s) (a) In this subsection, "federal candidate committee" means a
20 committee of an individual who seeks or sought election to the U.S. senate or house
21 of representatives designated by the individual under 2 USC 432 (e).

22 (b) ~~Except as authorized in ss. 11.16 (5), no individual who is a candidate, no~~
23 ~~personal campaign committee or former personal campaign committee of such an~~
24 ~~individual, and~~ no federal candidate committee may make a contribution to a
25 candidate ~~or~~ personal campaign committee ^{or support committee} from money or property that was

INS
24-17 ✓

1 received on behalf of that individual by the individual, by the personal campaign
2 committee or former personal campaign committee, or by the federal candidate
3 committee when the individual was seeking an office other than the office for which
4 the individual is currently a candidate.

5 ~~(c) No individual who was a candidate or who sought election to a national~~
6 ~~office, no personal campaign committee or former personal campaign committee of~~
7 ~~such an individual, and no federal candidate committee may make a contribution to~~
8 ~~a candidate or personal campaign committee from money or property that was~~
9 ~~received on behalf of that individual by the individual, by the personal campaign~~
10 ~~committee or former personal campaign committee, or by the federal candidate~~
11 ~~committee when the individual was a candidate or was seeking election to a national~~
12 ~~office.~~

FWS 10
25-11
FWS
25-12

13 SECTION 34. 11.25 (2) (am) ~~and (am)~~ of the statutes ^{is} ~~are~~ created to read:

14 11.25 (2) (am) ~~Except as authorized in s. 11.16 (5), no individual who is a~~
15 ~~candidate, no personal campaign committee or former personal campaign committee~~
16 ~~of such an individual, and no federal candidate committee, as defined in s. 11.24 (1s)~~

17 (a), may make a disbursement ~~for the purpose of influencing the election or~~
18 ~~nomination to election of that individual from money or property that was received~~
19 ~~on behalf of that individual, by the individual, by the personal campaign committee~~
20 ~~or former personal campaign committee, or by the federal candidate committee when~~
21 ~~the individual was seeking an office other than the office for which the individual is~~
22 ~~currently a candidate.~~

23 ~~(am) No individual who was a candidate or who sought election to a national~~
24 ~~office, no personal campaign committee or former personal campaign committee of~~
25 ~~such an individual, and no federal candidate committee, as defined in s. 11.24 (1s)~~

1 (a), may make a disbursement for the purpose of influencing the election or
 2 nomination to election of any candidate from money or property that was received
 3 on behalf of that individual, by the individual, by the personal campaign committee
 4 or former personal campaign committee, or by the federal candidate committee when
 5 the individual was a candidate or was seeking election to a national office.

6 SECTION 35. 11.25 (2) (b) of the statutes is amended to read:

7 11.25 (2) (b) Notwithstanding par. (a), a registrant may accept contributions
 8 and make disbursements from a campaign depository account for the purpose of
 9 ~~making expenditures in connection with a campaign for national office,~~ ^{except as} for payment
 10 of civil penalties incurred by the registrant under this chapter; or for payment of the
 11 expenses of nonpartisan campaigns to increase voter registration or participation.

12 Notwithstanding par. (a), a personal campaign committee or support committee may
 13 accept contributions and make disbursements from a campaign depository account
 14 for payment of inaugural expenses of an individual who is elected to state or local
 15 office. If such expenses are paid from contributions made to the campaign depository
 16 account, they are reportable under s. 11.06 (1) as disbursements. Otherwise, such
 17 expenses are not reportable under s. 11.06 (1). If contributions from the campaign
 18 depository account are used for such expenses, they are subject to s. 11.26.

19 SECTION 36. 11.26 (1) (intro.) of the statutes is amended to read:

20 11.26 (1) No ~~person~~ ^{Subject to sub. (10a) and except} as provided under subs. (1t), (9m), (10), ~~and (10a)~~ ^{and} no
 21 individual and no committee other than a political party committee or legislative
 22 campaign committee may make any contribution or contributions to a candidate for
 23 election or nomination to any of the following offices who has filed an affidavit under
 24 s. 11.31 (2m) and to any individual or committee under s. 11.06 (7) acting solely in

FNS
26 85

Prohib

provided
in
s.
11.24
(1w)

1 support of such a candidate or solely in opposition to the candidate's opponent to the
2 extent of more than a total of the amounts specified per candidate:

3 SECTION 37. 11.26 (1) (a) of the statutes is repealed.

4 SECTION 38. 11.26 (1) (ab), (ag) and (ar) of the statutes are created to read:

5 11.26 (1) (ab) Candidates for governor, \$10,000.

6 (ag) Candidates for attorney general, \$7,500.

7 (ar) Candidates for lieutenant governor, secretary of state, state treasurer,
8 state superintendent, or justice, \$5,000.

9 SECTION 39. 11.26 (1) (cc) to (d) of the statutes are repealed.

10 SECTION 40. 11.26 (1) (e) to (n) of the statutes are created to read:

11 11.26 (1) (e) Candidates for court of appeals judge and candidates for circuit
12 judge, district attorney, or local office in jurisdictions, districts, or circuits that have
13 a population of more than 500,000, as determined under s. 11.263, \$3,000.

14 (f) Candidates for circuit judge, district attorney, or local office in jurisdictions,
15 districts, or circuits that have a population of more than 300,000 but not more than
16 500,000, as determined under s. 11.263, \$2,000.

17 (g) Candidates for circuit judge, district attorney, or local office in jurisdictions,
18 districts, or circuits that have a population of more than 150,000 but not more than
19 300,000, as determined under s. 11.263, \$1,000.

20 (h) Candidates for circuit judge, district attorney, or local office in jurisdictions,
21 districts, or circuits that have a population of more than 75,000 but not more than
22 150,000, as determined under s. 11.263, \$750.

23 (i) Candidates for circuit judge, district attorney, or local office in jurisdictions,
24 districts, or circuits that have a population of more than 50,000 but not more than
25 75,000, as determined under s. 11.263, \$500.

1 (j) Candidates for circuit judge, district attorney, or local office in jurisdictions,
2 districts, or circuits that have a population of more than 30,000 but not more than
3 50,000, as determined under s. 11.263, \$400.

4 (k) Candidates for circuit judge, district attorney, or local office in jurisdictions,
5 districts, or circuits that have a population of more than 15,000 but not more than
6 30,000, as determined under s. 11.263, \$300.

7 (L) Candidates for circuit judge, district attorney, or local office in jurisdictions,
8 districts, or circuits that have a population of more than 5,000 but not more than
9 15,000, as determined under s. 11.263, \$200.

10 (m) Candidates for circuit judge, district attorney, or local office in jurisdictions,
11 districts, or circuits that have a population of more than 2,000 but not more than
12 5,000, as determined under s. 11.263, \$150.

13 (n) Candidates for circuit judge, district attorney, or local office in jurisdictions,
14 districts, or circuits that have a population of not more than 2,000, as determined
15 under s. 11.263, \$125.

16 SECTION 41. 11.26 (1m) of the statutes is created to read:

17 ~~11.26 (1m) as provided under subs. (1t), (9m), and (10a)~~ ^{Subject to sub. (10a) and except} ← PLAIN
18 and no committee other than a political party committee or legislative campaign
19 committee may make any contribution or contributions to a candidate for election or
20 nomination to any of the following offices who has not filed an affidavit under s. 11.31
21 (2m) and to any individual or committee under s. 11.06 (7) acting solely in support
22 of such a candidate or solely in opposition to the candidate's opponent to the extent
23 of more than a total of the amounts specified per candidate:

24 (ab) Candidates for governor, \$5,000.

25 (ag) Candidates for attorney general, \$3,750.

- 1 (ar) Candidates for lieutenant governor, secretary of state, state treasurer,
2 state superintendent, or justice, \$2,500.
- 3 (b) Candidates for state senator, \$500.
- 4 (c) Candidates for representative to the assembly, \$250.
- 5 (e) Candidates for court of appeals judge and candidates for circuit judge,
6 district attorney, or local office in jurisdictions, districts, or circuits that have a
7 population of more than 500,000, as determined under s. 11.263, \$1,500.
- 8 (f) Candidates for circuit judge, district attorney, or local office in jurisdictions,
9 districts, or circuits that have a population of more than 300,000 but not more than
10 500,000, as determined under s. 11.263, \$1,000.
- 11 (g) Candidates for circuit judge, district attorney, or local office in jurisdictions,
12 districts, or circuits that have a population of more than 150,000 but not more than
13 300,000, as determined under s. 11.263, \$500.
- 14 (h) Candidates for circuit judge, district attorney, or local office in jurisdictions,
15 districts, or circuits that have a population of more than 75,000 but not more than
16 150,000, as determined under s. 11.263, \$375.
- 17 (i) Candidates for circuit judge, district attorney, or local office in jurisdictions,
18 districts, or circuits that have a population of more than 50,000 but not more than
19 75,000, as determined under s. 11.263, \$250.
- 20 (j) Candidates for circuit judge, district attorney, or local office in jurisdictions,
21 districts, or circuits that have a population of more than 30,000 but not more than
22 50,000, as determined under s. 11.263, \$200.
- 23 (k) Candidates for circuit judge, district attorney, or local office in jurisdictions,
24 districts, or circuits that have a population of more than 15,000 but not more than
25 30,000, as determined under s. 11.263, \$150.

1 (L) Candidates for circuit judge, district attorney, or local office in jurisdictions,
2 districts, or circuits that have a population of more than 5,000 but not more than
3 15,000, as determined under s. 11.263, \$100.

4 (m) Candidates for circuit judge, district attorney, or local office in jurisdictions,
5 districts, or circuits that have a population of more than 2,000 but not more than
6 5,000, as determined under s. 11.263, \$75.

7 (n) Candidates for circuit judge, district attorney, or local office in jurisdictions,
8 districts, or circuits that have a population of not more than 2,000, as determined
9 under s. 11.263, \$62.50.

10 SECTION 42. 11.26 (1t) of the statutes is created to read:

11 11.26 (1t) The limitations under sub. (1m) apply to any candidate who files an
12 affidavit under s. 11.31 (2m) (a) but who the board determines is ineligible to receive
13 a grant from the Wisconsin election campaign fund, who withdraws his or her
14 application for a grant under s. 11.50 (2) (h), or to whom s. 11.50 (2) (i) applies, unless
15 the candidate subsequently files an affidavit under s. 11.31 (2m) (b). If a candidate
16 files an affidavit under s. 11.31 (2m) (b), the limitations under sub. (1) apply to that
17 candidate beginning on the date that the affidavit is filed. Contributions made before
18 the date on which a limitation changes under this subsection are lawful if the
19 contributions were lawful at the time they were made.

20 SECTION 43. 11.26 (2) of the statutes is repealed.

21 SECTION 44. 11.26 (3) of the statutes is amended to read:

22 11.26 (3) The contribution limitations of subs. (1) and ~~(2)~~ (1m) apply
23 cumulatively to the entire primary and election campaign in which a candidate
24 participates, whether or not there is a contested primary election. The total

1 limitation may be apportioned in any manner desired between the primary and
2 election. All moneys cumulate regardless of the time of contribution.

3 SECTION 45. 11.26 (4) of the statutes is amended to read:

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

9 SECTION 46. 11.26 (5) of the statutes is amended to read:

10 11.26 (5) The contribution limits provided in subs. (1), (1m), and (4) do not apply
11 to a candidate who makes any contribution or contributions to his or her own
12 campaign for office from the candidate's personal funds or property or the personal
13 funds or property which are owned jointly or as marital property with the candidate's
14 spouse, with respect to any contribution or contributions made to that candidate's
15 campaign only. A candidate's personal contributions shall be deposited in his or her
16 campaign depository account and reported in the normal manner.

17 SECTION 47. 11.26 (6) of the statutes is amended to read:

18 11.26 (6) When a candidate adopts a preexisting support committee as his or
19 her personal campaign committee, the support committee is deemed to have been the
20 same committee as the candidate's personal campaign committee for purposes of the
21 application of subs. (1), ~~(2)~~, (1m), and (9). The limitations prescribed in subs. ~~(2)~~ (1),
22 (1m), and (9) do not apply to the transfer of contributions which is made at the time
23 of such adoption, but do apply to the contributions which have been made by any
24 other committee to the support committee at the time of adoption.

25 SECTION 48. 11.26 (8) of the statutes is amended to read:

strike

Subject to sub. (10a), no

1 11.26 (8) (a) ~~No~~ state political party as defined in s. 5.02 (13) committee
 2 registered under s. 11.05, together with any of its state subunits and state affiliates,
 3 may receive more than a total of \$150,000 \$250,000 in value of its contributions in
 4 any biennium from all other committees, excluding contributions from legislative
 5 campaign committees and transfers between party committees of the party the state
 6 political party committee, its state subunits, and state affiliates. In this paragraph,
 7 a "biennium commences" means the time period commencing with January 1 of each
 8 odd-numbered year and ends ending with December 31 of each even-numbered
 9 year. ~~The limitation imposed under this paragraph is subject to adjustment under~~

sub. (10a).

Subject to sub. (10a), no

strike

10 (b) ~~No~~ such state political party committee registered under s. 11.05, together
 11 with any of its state subunits and state affiliates, may receive more than a total of
 12 \$6,000 \$10,000 in value of its contributions in any calendar year from any specific
 13 committee or its that specific committee's subunits or affiliates, excluding
 14 contributions from legislative campaign committees and transfers between the state
 15 political party committees committee, its state subunits, and state affiliates. ~~The~~

~~limitation imposed under this paragraph is subject to adjustment under sub. (10a)~~

strike

Subject to sub. (10a), no

16 (c) ~~No~~ committee, other than a political party committee or legislative
 17 campaign committee, may make any contribution or contributions, directly or
 18 indirectly, to a political party under s. 5.02 (13) in a calendar year exceeding a total
 19 value of \$6,000 \$10,000. ~~The limitation imposed under this paragraph is subject to~~
 20 ~~adjustment under sub. (10a)~~

~~adjustment under sub. (10a)~~

and (a)(1)

SECTION 49. 11.26 (8) (ag) ~~and~~ (ar) of the statutes are created to read:

Subject to

21 11.26 (8) (ag) ~~as provided under~~ sub. (10a), no political party committee,
 22 other than a state political party committee registered under s. 11.05, a national
 23
 24
 25

1 political party committee, or a state or national subunit or state or national affiliate
2 of such a committee, may receive more than a total of the following amounts of
3 contributions in any biennium, as defined in par. (a), from all other committees,
4 excluding contributions from legislative campaign committees and transfers
5 between the committee, its subunits, and non-state affiliates:

6 1. \$75,000, if the committee operates primarily in a county with a population
7 of more than 350,000, as determined under s. 11.263.

8 2. \$50,000, if the committee operates primarily in a county with a population
9 of more than 100,000 but not more than 350,000, as determined under s. 11.263.

10 3. \$25,000, if the committee operates primarily in a county with a population
11 of not more than 100,000, as determined under s. 11.263.

12 (ar) ~~Except as provided under~~ ^{subject to} sub. (10a), no legislative campaign committee
13 may receive more than a total of \$150,000 in value of contributions in any biennium,
14 as defined in par. (a), from all other committees. ~~Except as provided under~~ ^{subject to} sub. (10a),
15 no legislative campaign committee may receive more than a total of \$6,000 in value
16 of contributions in any calendar year from any specific committee or its subunits or
17 affiliates, excluding contributions from legislative campaign committees and
18 political party committees.

19 SECTION 50. 11.26 (9) (a) of the statutes is amended to read:

20 11.26 (9) (a) ~~No~~ Except as provided in sub. (9m), no individual who is a
21 candidate for state or local office may receive and accept more than 65% of the value
22 of the total disbursement level determined under s. 11.31 (1), adjusted as provided
23 under s. 11.31 (9), for the office for which he or she is a candidate during any primary
24 and election campaign combined from all committees subject to a filing requirement,
25 including political party and legislative campaign committees.

JWS
33-18

1 **SECTION 51.** 11.26 (9) (b) of the statutes is amended to read:

2 11.26 (9) (b) No individual who is a candidate for state or local office may receive
3 and accept more than ~~45%~~ 25% of the value of the total disbursement level
4 determined under s. 11.31 (1), adjusted as provided under s. 11.31 (9), for the office
5 for which he or she is a candidate during any primary and election campaign
6 combined from all committees other than political party and legislative campaign
7 committees subject to a filing requirement.

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

9 11.26 (9m) If s. 11.31 (3n) or (3p) applies to a candidate in any campaign or if
10 the board issues a determination under s. 11.31 (3p) applicable to a candidate in any
11 campaign, the limitations prescribed in sub. (1) and (1m) do not apply to that
12 candidate. That candidate is subject to the limitations prescribed in subs. (1) and
13 (1m) in that campaign in amounts that are 200% of the amounts specified in sub. (1),
14 and (1m), and the candidate may receive and accept contributions from political
15 party and legislative campaign committees in that campaign in an aggregate amount
16 not exceeding 65% of the value of the total disbursement level determined under s.
17 11.31 (1), as adjusted under s. 11.31 (9), for the office for which he or she is a candidate
18 during the primary and election combined, in addition to contributions accepted by
19 the candidate from other committees.

20 **SECTION 53.** 11.26 (10) of the statutes is amended to read:

21 11.26 (10) No candidate for state office who files ~~a sworn statement and an~~
22 application to receive a grant from the Wisconsin election campaign fund and an
23 affidavit under s. 11.31 (2m) (a) may make contributions of more than 200% of the
24 amounts applicable amount specified in sub. (1) to the candidate's own campaign
25 from the candidate's personal funds or property or the personal funds or property

1 which are owned jointly or as marital property with the candidate's spouse, unless
2 the board determines that the candidate is not eligible to receive a grant, the
3 candidate withdraws his or her application under s. 11.50 (2) (h), or s. 11.31 (3n) or
4 11.50 (2) (i) applies to the candidate. For purposes of this subsection, any
5 contribution received by a candidate or his or her personal campaign committee from
6 a committee which is registered with the federal elections commission as the
7 authorized committee of the candidate under 2 USC 432 (e) shall be treated as a
8 contribution made by the candidate to his or her own campaign. The contribution
9 limit of sub. (4) applies to amounts contributed by such a candidate personally to the
10 candidate's own campaign and to other campaigns, except that a candidate may
11 exceed the limitation if authorized under this subsection to contribute more than the
12 amount specified to the candidate's own campaign, up to the amount of the
13 limitation.

14 SECTION 54. 11.26 (10a) of the statutes is created to read:

15 11.26 (10a) (a) In this subsection, "consumer price index" means the average
16 of the consumer price index over each 12-month period, all items, U.S. city average,
17 as determined by the bureau of labor statistics of the U.S. department of labor.

18 (b) The dollar amounts of the limitations under subs. (1), (1m), (4), and (8) are
19 subject to a quadrennial adjustment to be determined by rule of the board in
20 accordance with this subsection. To determine the adjustment, the board shall, in
21 each year that the adjustment is made, calculate the percentage difference between
22 the consumer price index for the 12-month period ending on December 31 of the
23 preceding year and the consumer price index for calendar year 2005. Beginning in
24 2006 and every 4 years thereafter, the board shall multiply the amount of each
25 limitation under subs. (1), (1m), (4), and (8) by the percentage difference in the

1 consumer price indices. The board shall adjust the amount of each limitation to
2 substitute that result for the existing amount to the extent required to reflect any
3 difference, rounded to the nearest multiple of \$5. The amount so determined shall
4 then be in effect until a subsequent rule is promulgated under this subsection.
5 Notwithstanding s. 227.24 (1) (a), (2) (b), and (3), determinations under this
6 subsection may be promulgated as an emergency rule under s. 227.24 without
7 providing evidence that the emergency rule is necessary for the public peace, health,
8 safety, or welfare and without a finding of emergency.

9 SECTION 55. 11.26 (15) of the statutes is amended to read:

10 11.26 (15) The fact that 2 or more committees, other than personal campaign
11 committees, utilize common policies and practices concerning the endorsement of
12 candidates or agree to make contributions only to such endorsed candidates does not
13 affect the right of each committee independently to make contributions up to the
14 applicable amount specified under sub. ~~(2)~~ (1) or (1m).

15 SECTION 56. 11.26 (17) (a) of the statutes is amended to read:

16 11.26 (17) (a) For purposes of application of ~~the limitations imposed in~~ subs.
17 (1), ~~(2)~~ (1m), (9), (9m), and (10), the "campaign" of a candidate begins and ends at the
18 times specified in this subsection.

19 SECTION 57. 11.263 of the statutes is created to read:

20 **11.263 Determination of population amounts.** (1) The board shall publish
21 in the Wisconsin administrative register the population of each county and the
22 population of each jurisdiction, district, or circuit to which s. 11.26 (1) (e) to (n), (1m)
23 (e) to (n), or (8) (ag) or 11.31 (1) (i) to (s) applies. The board shall base the population
24 figures on the results of the most recent federal decennial census of the population
25 and any special federal census covering the entire jurisdiction, district, or circuit.

1 (2) If a jurisdiction, district, or circuit for which the board is required to publish
2 population figures under sub. (1) is not comprised of whole census blocks, the board,
3 in determining the population figure under sub. (1), shall use the following
4 procedure:

5 (a) For each census block that is only partly within the jurisdiction, district, or
6 circuit, the board shall divide the area of that portion of the census block that is
7 outside of the jurisdiction, district, or circuit in square miles by the area of the entire
8 census block in square miles.

9 (b) The board shall multiply the quotient determined under par. (a) by the total
10 population for the applicable census block, based upon the results of the most recent
11 federal decennial census of the population and any special census covering the entire
12 jurisdiction, district, or circuit.

13 (c) The board shall subtract the product determined under par. (b) from the
14 total population for the applicable census block, based upon the results of the most
15 recent federal decennial census of the population and any special census covering the
16 entire jurisdiction, district, or circuit. The board shall use the result determined
17 under this paragraph as the population of that portion of the census block that is
18 within the jurisdiction, district, or circuit, in determining the applicable population
19 figure under sub. (1).

20 (3) The clerk of every municipality and the department of administration shall
21 provide the board with any information the board requests in the execution of its
22 duties under this section.

23 **SECTION 58.** 11.265 (2) of the statutes is repealed.

24 **SECTION 59.** 11.30 (4) of the statutes is amended to read:

1 11.30 (4) No owner or other person with a financial interest in a
2 communications medium may utilize such medium in support of or in opposition to
3 a candidate or referendum except as provided in this chapter.

4 **(4m)** This chapter shall not be construed to restrict fair coverage of bona fide
5 news stories, interviews with candidates and other politically active individuals,
6 editorial comment or endorsement. Such activities need not be reported as a
7 contribution or disbursement.

8 **SECTION 60.** 11.31 (1) (intro.) of the statutes is amended to read:

9 11.31 (1) SCHEDULE. (intro.) The following levels of disbursements are
10 established with reference to the candidates listed below. The levels are subject to
11 adjustment under sub. (9). Except as provided in sub. (2), such levels do not operate
12 to restrict the total amount of disbursements which are made or authorized to be
13 made by any candidate in any primary or other election.

14 **SECTION 61.** 11.31 (1) (a) to (c) of the statutes are amended to read:

15 11.31 (1) (a) Candidates for governor, ~~\$1,078,200~~ \$3,000,000.

16 (b) Candidates for lieutenant governor, ~~\$323,475~~ \$400,000.

17 (c) Candidates for attorney general, ~~\$539,000~~ \$750,000.

18 **SECTION 62.** 11.31 (1) (cm) of the statutes is created to read:

19 11.31 (1) (cm) Candidates for justice, \$400,000.

20 **SECTION 63.** 11.31 (1) (d) of the statutes is amended to read:

21 11.31 (1) (d) Candidates for secretary of state, state treasurer, justice or state
22 superintendent, ~~\$215,625~~ \$350,000.

23 **SECTION 64.** 11.31 (1) (dm) of the statutes is repealed.

24 **SECTION 65.** 11.31 (1) (e) and (f) of the statutes are amended to read:

1 11.31 (1) (e) Candidates for state senator, ~~\$34,500 total in the primary and~~
2 ~~election, with disbursements not exceeding \$21,575 for either the primary or the~~
3 ~~election~~ \$125,000.

4 (f) Candidates for representative to the assembly, ~~\$17,250 total in the primary~~
5 ~~and election, with disbursements not exceeding \$10,775 for either the primary or the~~
6 ~~election~~ \$50,000.

7 **SECTION 66.** 11.31 (1) (fm) to (h) of the statutes are repealed.

8 **SECTION 67.** 11.31 (1) (i) to (n) of the statutes are created to read:

9 11.31 (1) (i) Candidates for court of appeals judge and candidates for circuit
10 judge, district attorney, or local office in jurisdictions, districts, or circuits that have
11 a population of more than 500,000, as determined under s. 11.263, \$400,000.

12 (j) Candidates for circuit judge, district attorney, or local office in jurisdictions,
13 districts, or circuits that have a population of more than 300,000 but not more than
14 500,000, as determined under s. 11.263, \$300,000.

15 (k) Candidates for circuit judge, district attorney, or local office in jurisdictions,
16 districts, or circuits that have a population of more than 150,000 but not more than
17 300,000, as determined under s. 11.263, \$200,000.

18 (L) Candidates for circuit judge, district attorney, or local office in jurisdictions,
19 districts, or circuits that have a population of more than 75,000 but not more than
20 150,000, as determined under s. 11.263, \$115,000.

21 (m) Candidates for circuit judge, district attorney, or local office in jurisdictions,
22 districts, or circuits that have a population of more than 50,000 but not more than
23 75,000, as determined under s. 11.263, \$67,500.

1 (n) Candidates for circuit judge, district attorney, or local office in jurisdictions,
2 districts, or circuits that have a population of more than 30,000 but not more than
3 50,000, as determined under s. 11.263, \$40,000.

4 SECTION 68. 11.31 (1) (p) to (s) of the statutes are created to read:

5 11.31 (1) (p) Candidates for circuit judge, district attorney, or local office in
6 jurisdictions, districts, or circuits that have a population of more than 15,000 but not
7 more than 30,000, as determined under s. 11.263, \$25,000.

8 (q) Candidates for circuit judge, district attorney, or local office in jurisdictions,
9 districts, or circuits that have a population of more than 5,000 but not more than
10 15,000, as determined under s. 11.263, \$10,000.

11 (r) Candidates for circuit judge, district attorney, or local office in jurisdictions,
12 districts, or circuits that have a population of more than 2,000 but not more than
13 5,000, as determined under s. 11.263, \$3,500.

14 (s) Candidates for circuit judge, district attorney, or local office in jurisdictions,
15 districts, or circuits that have a population of not more than 2,000, as determined
16 under s. 11.263, \$1,500.

17 SECTION 69. 11.31 (2) of the statutes is amended to read:

18 11.31 (2) LIMITATION IMPOSED. No candidate for state office at a spring or general
19 election who files ~~a sworn statement and an~~ application to receive a grant from the
20 Wisconsin election campaign fund and an affidavit under sub. (2m) (a) may make or
21 authorize total disbursements from the his or her campaign treasury in any
22 campaign to the extent of more than the amount prescribed in sub. (1), adjusted as
23 provided under sub. (9), unless the board determines that the candidate is not
24 eligible to receive a grant, the candidate withdraws his or her application under s.
25 11.50 (2) (h), or sub. (3n) or (3p) or s. 11.50 (2) (i) applies to that candidate. No

1 candidate for state office at a special election who files ~~a sworn statement and an~~
 2 application to receive a grant from the Wisconsin election campaign fund and an
 3 affidavit under sub. (2m) (a) may make or authorize total disbursements from the his
 4 or her campaign treasury in any campaign to the extent of more than the amount
 5 prescribed under sub. (1), adjusted as provided under sub. (9), for the preceding
 6 spring or general election for the same office, unless the board determines that the
 7 candidate is not eligible to receive a grant, the candidate withdraws his or her
 8 application under s. 11.50 (2) (h), or s. 11.31 (3n) or (3p) or 11.50 (2) (i) applies to that
 9 candidate.

10 SECTION 70. 11.31 (2m) (title) of the statutes is amended to read:

11 11.31 (2m) (title) ~~VOLUNTARY LIMITATION~~ AFFIDAVIT OF ADHERENCE TO LIMITATIONS.

12 SECTION 71. 11.31 (2m) of the statutes is renumbered 11.31 (2m) (b) and
 13 amended to read:

14 11.31 (2m) (b) Any candidate to whom sub. (2) and s. 11.26 (10) do not apply
 15 may file an affidavit with his or her filing officer affirming that he or she has adhered
 16 and will adhere to the limitations imposed under sub. (2) and s. 11.26 (10) during the
 17 entire campaign. These limitations apply unless the candidate withdraws the
 18 affidavit by notifying his or her filing officer in writing no later than the 7th day after
 19 the date of the primary in which the person filing the affidavit is a candidate, or the
 20 7th day after the date that the primary would be held, if no primary is required, or
 21 unless sub. (3n) or (3p) applies to that candidate.

22 SECTION 72. 11.31 (2m) (a) ^{and (c)} of the statutes ^{are} created to read:

23 11.31 (2m) (a) Each candidate who files an application to receive a grant from
 24 the Wisconsin election campaign fund shall file an affidavit with the board affirming
 25 that the candidate, and his or her authorized agents, have complied with the

1 limitations imposed under sub. (2) and s. 11.26 at all times during which the
2 limitations have applied to his or her candidacy and will continue to comply with the
3 limitations at all times during which the limitations apply to his or her candidacy,
4 unless the board determines that the candidate is not eligible to receive a grant from
5 the fund, the candidate withdraws his or her application for a grant under s. 11.50
6 (2) (h), or sub. (3n) or (3p) or s. 11.50 (2) (i) applies.

7
8 **SECTION 73.** 11.31 (3) of the statutes is amended to read:

9 **11.31 (3) GUBERNATORIAL CAMPAIGNS.** For purposes of compliance with the
10 limitations imposed under sub. (2), candidates for governor and lieutenant governor
11 of the same political party who both accept grants from the Wisconsin election
12 campaign fund may agree to combine disbursement levels under sub. (1) (a) and (b),
13 adjusted as provided under sub. (9), and reallocate the total level between them. The
14 candidates shall each inform the board of any such agreement.

15 **SECTION 74.** 11.31 (3m) of the statutes is repealed.

16 **SECTION 75.** 11.31 (3n) of the statutes is created to read:

17 **11.31 (3n) DISBURSEMENTS BY OPPOSING CANDIDATES; EXCEPTION.** If a candidate
18 for state office in any campaign determines that an opposing candidate who has not
19 filed an affidavit under sub. (2m) has made disbursements exceeding the amount of
20 the disbursement level applicable to that candidate under sub. (1), as adjusted under
21 sub. (9), then that candidate and each of his or her opponents may make additional
22 contributions to his or her own campaign exceeding the amount authorized under s.
23 11.26 (10) and may make additional disbursements in that campaign exceeding the
24 amount authorized under sub. (1), as adjusted under sub. (9), in an amount
25 equivalent to the lesser of the total contributions made by the opposing candidate to
his or her own campaign or the amount by which the total disbursements made by

JNS
42-6

1 the opposing candidate exceed the disbursement level applicable to that candidate
2 under sub. (1), as adjusted under sub. (9), as reported to the board by the opposing
3 candidate or his or her personal campaign committee. In addition, contributions to
4 that candidate and to each of his or her opponents may be made as authorized under
5 s. 11.26 (9m).

6 **SECTION 76.** 11.31 (3p) of the statutes is created to read:

7 **11.31 (3p) INDEPENDENT EXPENDITURES; EXCEPTION.** If a candidate for state office
8 has filed an affidavit under sub. (2m) and each of the candidate's opponents whose
9 names are certified under s. 7.08 (2) (a) or 8.50 (1) (d) to appear on the ballot in
10 opposition to the candidate have filed affidavits under sub. (2m), and the candidate
11 determines that one or more independent expenditures have been made for the
12 purpose of making one or more communications in opposition to his or her candidacy,
13 other than for the purpose of making a communication described in s. 11.29 or 11.30
14 (4m), the candidate may file a sworn statement to this effect with the board on a form
15 prescribed by rule of the board for this purpose. The statement may be made by any
16 individual who has personal knowledge that an independent expenditure for the
17 purpose of making such a communication in opposition to the candidate has been
18 made. Upon filing of this statement with the board in accordance with applicable
19 requirements, the board shall, within 24 hours of receiving the statement, issue a
20 determination that the candidate and each of his or her opponents are not bound by
21 the limitation imposed under sub. (2) or by any limitation upon disbursements
22 agreed to under sub. (2m), and that contributions to the candidate may be made as
23 authorized under s. 11.26 (9m). The board shall immediately file a written copy of
24 its determination with each of the candidates to whom the determination applies.

25 **SECTION 77.** 11.31 (4) of the statutes is repealed.

1 **SECTION 78.** 11.31 (9) of the statutes is created to read:

2 **11.31 (9) ADJUSTMENT OF DISBURSEMENT LEVELS.** (a) In this subsection,
3 "consumer price index" means the average of the consumer price index over each
4 12-month period, all items, U.S. city average, as determined by the bureau of labor
5 statistics of the U.S. department of labor.

6 (b) The dollar amounts of all disbursement limitations specified in sub. (1) are
7 subject to a cost-of-living adjustment to be determined by rule of the board in
8 accordance with this subsection. To determine the adjustment, the board shall
9 calculate the percentage difference between the consumer price index for the
10 12-month period ending on December 31 of each odd-numbered year and the
11 consumer price index for calendar year 2003. For each biennium, the board shall
12 adjust the disbursement limitations specified under sub. (1) by that percentage to the
13 extent required to reflect any difference, rounded to the nearest multiple of \$25,
14 which amount shall be in effect until a subsequent rule is promulgated under this
15 subsection. Notwithstanding s. 227.24 (1) (a), (2) (b), and (3), determinations under
16 this subsection may be promulgated as an emergency rule under s. 227.24 without
17 providing evidence that the emergency rule is necessary for the public peace, health,
18 safety, or welfare, and without a finding of emergency.

19 **SECTION 79.** 11.38 (6) of the statutes is amended to read:

20 **11.38 (6)** Any individual or campaign treasurer who receives funds in violation
21 of this section shall promptly return such funds to the contributor or, donate the
22 funds to the common school fund or a charitable organization, or transfer the funds
23 to the board for deposit in the Wisconsin election campaign fund, at the treasurer's
24 option.

25 **SECTION 80.** 11.50 (1) (a) 1. (intro.) of the statutes is created to read:

1 11.50 (1) (a) 1. (intro.) For purposes of qualification for a grant from the general
2 account:

INS
45-3

~~SECTION 81. 11.50 (1) (a) 1. of the statutes is renumbered 11.50 (1) (a) 1. a.~~

4 SECTION 82. 11.50 (1) (a) 2. of the statutes is renumbered 11.50 (1) (a) 1. b. and
5 amended to read:

6 11.50 (1) (a) 1. b. With respect to a special election, an individual who is certified
7 under s. 8.50 (1) (d) as a candidate in a special election for state superintendent, or
8 an individual who is certified under s. 8.50 (1) (d) as a candidate in a special election

9 for any state office, except district attorney, on the ballot or column of a party whose
10 candidate for the same office at the preceding general election received at least ~~6%~~ ^{20%} ^{score}

11 of the vote cast for all candidates on all ballots for the office, or an individual who has
12 been lawfully appointed and certified to replace either such individual on the ballot

13 at a special election, or an individual who receives at least ~~6%~~ ^{20%} ^{score} of the vote cast for all
14 candidates on all ballots for any state office, except district attorney, at a partisan

15 special election; and who qualifies for a grant under sub. (2). Where the boundaries
16 of a district in which an individual seeks office have been changed since the preceding

17 general election such that it is not possible to calculate the exact number of votes that
18 are needed by that individual to qualify as an eligible candidate prior to an election

19 ~~under this subdivision~~, the number of votes cast for all candidates for the office at the
20 preceding general election in each ward, combination of wards or municipality which

21 is wholly contained within the boundaries of the newly formed district shall be
22 calculated. If the candidate of the political party on whose ballot or column the

23 individual appears in the newly formed district obtained at least ~~6%~~ ^{20%} ^{score} of the number
24 of votes calculated, the individual is deemed to qualify as an eligible candidate prior

25 to the election ~~under this subdivision~~.

1 **SECTION 83.** 11.50 (1) (a) 2m. of the statutes is created to read:

2 11.50 (1) (a) 2m. For purposes of qualification for a grant from a political party
3 account, an individual who is certified under s. 7.08 (2) (a) or 8.50 (1) (d) in the general
4 election or a special election as the candidate of an eligible political party for a state
5 office, other than district attorney, or an individual who has been lawfully appointed
6 and certified to replace such an individual on the ballot at the general or a special
7 election and who has qualified for a grant under sub. (2).

8 **SECTION 84.** 11.50 (1) (am) of the statutes is created to read:

9 11.50 (1) (am) “Eligible political party” means any of the following:

10 1. A party qualifying under s. 5.62 (1) (b) for a separate ballot or one or more
11 separate columns or rows on a ballot for the period beginning on the date of the
12 preceding general election and ending on the day before the general election that
13 follows that election.

14 2. A party qualifying under s. 5.62 (2) for a separate ballot or one or more
15 separate columns or rows on a ballot for the period beginning on the preceding June
16 1, or if that June 1 is in an odd-numbered year, the period beginning on June 1 of the
17 preceding even-numbered year, and ending on May 31 of the 2nd year following that
18 June 1.

19 **SECTION 85.** 11.50 (1) (bm) and (cm) of the statutes are created to read:

20 11.50 (1) (bm) “General account” means the account in the fund created under
21 sub. (2w).

22 (cm) “Political party account” means an account in the fund created under sub.
23 (2s).

24 **SECTION 86.** 11.50 (2) (a) of the statutes is amended to read:

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

17 SECTION 87. 11.50 (2) (b) 4. of the statutes is amended to read:

18 11.50 (2) (b) 4. The financial reports filed by or on behalf of the candidate as
19 of the date of the spring or September primary, or the date that the special primary
20 is or would be held, if required, indicate that his or her ~~statement~~ affidavit filed with
21 the application under ~~par. (a) s. 11.31 (2m) (a)~~ is true; and

22 SECTION 88. 11.50 (2) (b) 5. of the statutes is amended to read:

23 11.50 (2) (b) 5. The financial reports filed by or on behalf of the candidate as
24 of the date of the spring or September primary, or the date that the special primary
25 is or would be held, if required, indicate that the candidate has received an amount

1 ~~equal to at least the amount provided in this subdivision~~ 5% of the applicable
2 authorized disbursement limitation, as determined under s. 11.31 (1) and adjusted
3 as provided under s. 11.31 (9), from contributions of money, other than loans, made
4 by individuals who reside in this state and, in the case of a candidate for other than
5 a statewide office, by individuals at least 50% of whom reside in a county having
6 territory within the district in which the candidate seeks office, which contributions
7 have been received during the period ending on the date of the spring primary and
8 July 1 preceding such date in the case of candidates at the spring election, or the date
9 of the September primary and January 1 preceding such date in the case of
10 candidates at the general election, or the date that a special primary will or would
11 be held, if required, and 90 days preceding such date or the date a special election
12 is ordered, whichever is earlier, in the case of ~~special election candidates~~ at a special
13 election, which contributions are in the aggregate amount of \$100 or less, and which
14 contributions are fully identified and itemized as to the exact source thereof. A
15 contribution received from a conduit which is identified by the conduit as originating
16 from an individual shall be considered a contribution made by the individual. Only
17 the first \$100 of an aggregate contribution of more than \$100 may be counted toward
18 the required percentage. ~~For a candidate at the spring or general election for an~~
19 ~~office identified in s. 11.26 (1) (a) or a candidate at a special election, the required~~
20 ~~amount to qualify for a grant is 5% of the candidate's authorized disbursement~~
21 ~~limitation under s. 11.31. For any other candidate at the general election, the~~
22 ~~required amount to qualify for a grant is 10% of the candidate's authorized~~
23 ~~disbursement limitation under s. 11.31.~~

24 SECTION 89. 11.50 (2) (f) of the statutes is amended to read:

1 11.50 (2) (f) The board shall inform each candidate in writing of the approval
2 or disapproval of the candidate's application, as promptly as possible after the date
3 of the spring primary, September primary, special primary, or date that the primary
4 would be held, if required. With respect to a candidate at a special election who
5 applies for a postelection grant under sub. (1) (a) 2. 1. b., the board shall inform the
6 candidate in writing of the conditional approval or disapproval of the candidate's
7 application at the same time.

8 **SECTION 90.** 11.50 (2) (g) of the statutes is amended to read:

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

17 **SECTION 91.** 11.50 (2) (h) of the statutes is amended to read:

18 11.50 (2) (h) An eligible candidate who files an application under par. (a) may
19 file a written withdrawal of the application. A withdrawal of an application may be
20 filed with the board no later than the 7th day after the day of the primary in which
21 the person withdrawing the application is a candidate or the 7th day after the date
22 that the primary would be held, if required. If an application is withdrawn in
23 accordance with this paragraph, the person withdrawing the application is no longer
24 bound by the ~~statement~~ affidavit filed under ~~par. (a) s. 11.31 (2m) (a)~~ after the date
25 of the withdrawal.

1 **SECTION 92.** 11.50 (2) (i) of the statutes is amended to read:

2 11.50 (2) (i) Notwithstanding par. (g), if an eligible candidate at the spring
3 election or a special nonpartisan election who accepts a grant is opposed by one or
4 more candidates in the election, or if an eligible candidate at the general election or
5 a special partisan election who accepts a grant is opposed by one or more candidates
6 in the election who receive at least 6% of the vote cast for all candidates for the same
7 office on all ballots at the September primary or a special partisan primary if a
8 primary was held, and in either case if any such opponent of the eligible candidate
9 does not accept a grant under this section in whole or in part, the eligible candidate
10 is not bound by the pledge made in his or her application to adhere to the contribution
11 limitations prescribed in s. 11.26 and the disbursement limitation prescribed under
12 s. 11.31 (2), unless each such opponent files an affidavit of voluntary compliance
13 under s. 11.31 (2m) (b) and s. 11.31 (3n) and (3p) do not apply to the candidate.

14 **SECTION 93.** 11.50 (2s) of the statutes is created to read:

15 11.50 (2s) POLITICAL PARTY ACCOUNTS. (a) The state chairperson of each eligible
16 political party may, by written request to the board, provide for the establishment
17 or discontinuance of an account within the fund for that political party. Each political
18 party account consists of all moneys designated by individuals for deposit in that
19 account under s. 71.10 (3) (a).

20 (b) From the account of each eligible political party, the board shall apportion
21 moneys to an account for each office in the same proportion that moneys are
22 apportioned under sub. (4). Within each account, the board shall apportion available
23 moneys to eligible candidates representing that party who qualify to receive grants.
24 If there are insufficient moneys available to finance payment of the full amount of
25 the grant for which a candidate for legislative office qualifies, the board shall prorate

1 available moneys within the account for each legislative office. Whenever an eligible
2 candidate representing an eligible political party receives a grant, the state
3 treasurer shall first make payment of the grant from the political party account of
4 that party, to the extent that sufficient moneys are available in that account to make
5 payment of the grant.

6 (c) If a political party for which an account is established under this subsection
7 ceases to be an eligible political party, the board shall transfer the unencumbered
8 balance of that account to the general account.

9 SECTION 94. 11.50 (2w) of the statutes is created to read:

10 11.50 (2w) GENERAL ACCOUNT. There is established a general account within
11 the fund consisting of all moneys designated by individuals for deposit in that
12 account under s. 71.10 (3) (a), all moneys transferred to that account under sub. (2s)
13 (c), and all moneys deposited in the fund under ss. 8.35 (4) (a), 11.07 (5), 11.12 (2),
14 11.16 (2), 11.19 (1), 11.23 (2), and 11.38 (6).

15 SECTION 95. 11.50 (3) (a) 1. of the statutes is renumbered 11.50 (3) (a) 2m. and
16 amended to read:

17 ~~the state treasurer shall transfer an amount sufficient to finance payment of~~ ^{strike} After making any transfer required under subd. 1m. if
18 ~~following year, 8% of the fund shall be placed in a superintendency account. From~~ the full
19 ~~this account, an equal amount shall be disbursed to the campaign depository account~~ amount
20 ~~of each eligible candidate by the state treasurer. Any unencumbered balance in the~~ of the
21 ~~superintendency account after an election for the office of state superintendent is~~ grants
22 ~~held shall revert to the general account.~~ authorized
under
sub.
(9) (a)

23 SECTION 96. 11.50 (3) (a) 2. of the statutes is renumbered 11.50 (3) (a) 1m. and
24 amended to read:

for
candidates
for the office
of state
superintendent
to

1 11.50 (3) (a) 1m. If an election for justice is scheduled in the following year, 8%
 2 of the fund, an amount sufficient to finance payment of the full amount of the grants
 3 authorized under sub. (9) (b) for candidates for the office of justice shall be placed in
 4 a supreme court account. From this account, an equal amount shall be disbursed to
 5 the campaign depository account of each eligible candidate by the state treasurer.
 6 Any unencumbered balance in the supreme court account after an election for the
 7 office of justice is held shall revert to the general account.

8 SECTION 97. 11.50 (3) (b) of the statutes is amended to read:

9 11.50 (3) (b) If a vacancy occurs in the office of justice after August 15 in any
 10 year and an election is scheduled to fill the vacancy at the spring election in the
 11 following year, the state treasurer shall transfer an amount sufficient to finance
 12 payment of the full amount of the grants authorized under sub. (9) (b) for candidates
 13 for the office of justice to the supreme court account. If a vacancy occurs in the office
 14 of state superintendent or justice after August 15 in any year and an election is
 15 scheduled to fill the vacancy at the spring election in the following year, the state
 16 treasurer shall transfer an amount not exceeding 8% of the moneys transferred to
 17 the fund on the preceding August 15 to the superintendency account for the office in
 18 which the vacancy occurs, such. The moneys to shall be drawn transferred from any
 19 account within the accounts created under sub. (4) in the amount or amounts
 20 specified by the board.

21 SECTION 98. 11.50 (4m) of the statutes is created to read:

22 11.50 (4m) PAYMENT OF GRANT AMOUNTS. The state treasurer shall make
 23 payment of each grant to an eligible candidate from the political party account of that
 24 candidate's political party, if any, if there are sufficient moneys in that account to
 25 make full payment of the grant, and then from the general account. The amount of

2
3

16
17

20
21
22

Supreme
court
account

Under
sub. (9) (a)
for candidates
for the office of
state
superintendent

1 each grant is the amount specified in sub. (9), except as provided in sub. (10) and
2 except that if there are insufficient moneys in the appropriate account within the
3 general account to make payment of the full amount of the grant for which a
4 candidate qualifies, the board shall prorate the available moneys in the appropriate
5 account to all candidates who qualify to receive a grant from that account.

6 SECTION 99. 11.50 (5) of the statutes is amended to read:

7 11.50 (5) TIME OF DISBURSEMENT. The state treasurer shall make the
8 disbursements of grants under sub. (9) to the campaign depository account of each
9 eligible candidate ~~under subs. (3) and (4)~~ by the end of the 3rd business day following
10 notice from the board under s. 7.08 (2) (c) or (cm). Eligible candidates for governor
11 and lieutenant governor of the same political party may combine accounts if desired.

12 SECTION 100. 11.50 (6) of the statutes is amended to read:

13 11.50 (6) EXCESS MONEYS. If the amounts which are to be apportioned to each
14 eligible candidate ~~under subs. (3) and (4)~~ are more than the amount which a
15 candidate may accept under sub. (9), or more than the amount which a candidate
16 elects to accept under sub. (10), the excess moneys shall be retained in the fund.

17 SECTION 101. 11.50 (9) of the statutes is renumbered 11.50 (9) (a) and amended
18 to read:

19 11.50 (9) (a) The Except as provided in pars. (c) and (d), the total grant available
20 to an eligible candidate for an office other than the office of justice may not exceed
21 that amount which, when added to all other contributions accepted from sources
22 other than individuals, political party committees and legislative campaign
23 committees, is equal to ~~45%~~ 25% of the disbursement level specified for the applicable
24 office under s. 11.31 (1), adjusted as provided under s. 11.31 (9).

1 (e) The board shall scrutinize accounts and reports and records kept under this
2 chapter to assure that applicable limitations under ss. 11.26 (9) and 11.31 are not
3 exceeded and any violation is reported.

4 (f) No candidate or campaign treasurer may accept grants exceeding the
5 amount authorized by this subsection.

6 **SECTION 102.** 11.50 (9) (b) to (d) of the statutes are created to read:

7 11.50 (9) (b) Except as provided in pars. (c) and (d), the total grant available
8 to an eligible candidate for the office of justice may not exceed that amount which,
9 when added to all other contributions accepted from sources other than individuals,
10 political party committees, and legislative campaign committees, is equal to 65% of
11 the disbursement level specified for that office under s. 11.31 (1), as adjusted under
12 s. 11.31 (9).

13 (c) If, at the time that the board transmits notice of grant eligibility to the state
14 treasurer under s. 7.08 (2) (c) or (cm), an eligible candidate has a balance in his or
15 her campaign depository account that exceeds 50% of the disbursement level
16 specified under s. 11.31 (1), as adjusted under s. 11.31 (9), for the office that the
17 candidate seeks, the amount of the grant payable to the candidate is 50% of the
18 amount otherwise payable under par. (a) or (b).

19 (d) If an eligible candidate does not have an opponent whose application to
20 receive a grant has been approved by the board, the amount of the grant payable to
21 the candidate is 50% of the amount otherwise payable under par. (a) or (b), unless
22 the amount of the grant is subject to reduction under par. (c).

23 **SECTION 103.** 11.50 (10m) of the statutes is amended to read:

24 11.50 (10m) RETURN OF GRANTS. An individual who receives a grant prior to an
25 election in which he or she is a candidate and who desires to return any portion of

1 the grant shall return that portion no later than the 2nd Tuesday in October
2 preceding a general election, the 4th Tuesday preceding a spring election or the 3rd
3 Tuesday preceding a special election. A candidate who returns all or any portion of
4 a grant under this subsection remains bound by the candidate's statement affidavit
5 filed under sub. (2) (a) s. 11.31 (2m) (a).

6 SECTION 104. 11.50 (11) (e) of the statutes is amended to read:

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

11 SECTION 105. 11.50 (14) of the statutes is created to read:

12 11.50 (14) CERTIFICATIONS TO SECRETARY OF REVENUE. (a) In each
13 even-numbered year, the board shall certify to the secretary of revenue:

14 1. No later than July 1, the name of each political party that qualifies under
15 sub. (1) (am) 1. as an eligible political party as of the preceding June 1 and whose
16 state chairperson has filed a request to establish an account for the party under sub.
17 (2s) (a).

18 2. No later than December 15, the name of each political party that qualifies
19 under sub. (1) (am) 2. as an eligible political party as of the date of the preceding
20 general election.

21 (b) In each certification under this subsection, the board shall specify the
22 expiration date of the certification.

23 SECTION 106. 11.51 of the statutes is created to read:

24 11.51 ~~Public grants to candidates for county and 1st class city offices.~~

25 ~~The board shall certify to the secretary of revenue the name of each political party that qualifies under sub. (1) (am) 1. as an eligible political party as of the preceding June 1 and whose state chairperson has filed a request to establish an account for the party under sub. (2s) (a).~~ any county ~~or 1st class city~~ city,
↑
comma

B Campaign financing by local governments

SECTION 106

village, or town

village, or town

village, or town

1 may, by ordinance, provide appropriations to pay for any lawful disbursements made
2 by a candidate for county ~~city~~ office, respectively. The ordinance may impose
3 reasonable qualifications for candidates to receive funding from the county ~~city~~.

4 The ordinance ~~may~~ ^{small} require any candidate, as a condition ^{of receiving} ~~precedent to receipt of~~
5 funding, to ^{agree to} ~~make~~ no disbursements ~~for~~ contributions to his or her own campaign for
6 office exceeding ^{the} ~~an~~ aggregate amount ~~or value~~ ^{exceeding the aggregate amount specified under s. 11.31(1) for the applicable} specified ~~in or~~ ^{office, as adjusted under s. 11.31(9),} under the ordinance ^{and to make no}.

7 The ordinance may provide for a civil penalty for any violation of the ordinance or
8 an agreement entered into under the ordinance not exceeding the penalty that would
9 apply for the same offense under s. 11.60.

10 SECTION 107. 11.60 (1) and (2) of the statutes are amended to read:

11 11.60 (1) Any person, including any committee or group, who violates this
12 chapter may be required to forfeit not more than \$500 \$1,500 for each violation.

13 (2) In addition to the penalty under sub. (1), any person, including any
14 committee or group, who is delinquent in filing a report required by this chapter may
15 be required to forfeit not more than \$50 \$150 or ~~one percent~~ 3% of the annual salary
16 of the office for which the candidate is being supported or opposed, whichever is
17 greater, for each day of delinquency.

18 SECTION 108. 11.61 (1) of the statutes is amended to read:

19 11.61 (1) (a) Whoever intentionally violates s. 11.05 (1), (2), (2g) or (2r), 11.07
20 (1) or (5), 11.10 (1), 11.12 (5), 11.23 (6) or 11.24 (1) may be fined not more than \$10,000
21 \$30,000 or imprisoned for not more than ~~4~~ 13 years and 6 months or both.

22 (b) Whoever intentionally violates s. 11.25, 11.26, 11.27 (1), 11.30 (1) or 11.38
23 where the intentional violation does not involve a specific figure, or where the
24 intentional violation concerns a figure which exceeds \$100 in amount or value may

1 be fined not more than ~~\$10,000~~ \$30,000 or imprisoned for not more than ~~4~~ 13 years
2 and 6 months or both.

3 (c) Whoever intentionally violates any provision of this chapter other than
4 those provided in par. (a) and whoever intentionally violates any provision under par.
5 (b) where the intentional violation concerns a specific figure which does not exceed
6 \$100 in amount or value may be fined not more than ~~\$1,000~~ \$3,000 or imprisoned for
7 not more than ~~6 months~~ one year in the county jail or both.

8 **SECTION 109.** 11.66 of the statutes is renumbered 11.66 (1) and amended to
9 read:

10 11.66 (1) Any elector may sue for injunctive relief to compel compliance with
11 this chapter. Before commencing any action concerning ~~a~~ an election for state office
12 or a statewide referendum, an elector shall file a verified complaint with the
13 executive director of the board alleging such facts as are within his or her knowledge
14 to show probable cause to believe that a violation has occurred or is proposed to occur.
15 The verified complaint shall include a notice that the elector intends to seek relief
16 under this section. If the board fails to commence an action within 10 days of the
17 filing of the complaint, the elector may commence an action.

18 (2) Separate from any other bond which may be required by the court, the
19 elector may be required to post a surety bond in an amount determined by the court
20 sufficient to cover the actual costs, including reasonable attorney fees, of both
21 parties. If the elector's action is not successful, he or she shall pay the costs of the
22 action.

23 **SECTION 110.** 25.42 of the statutes is amended to read:

24 **25.42 Wisconsin election campaign fund.** All moneys appropriated under
25 s. 20.855 (4) (b) together with all moneys deposited under ss. 8.35 (4) (a), 11.07 (5),

Ans
57-7

~~11.12 (2), 11.16 (2), 11.19 (1), 11.23 (2), and 11.38 (6)~~

1 11.12 (2), 11.16 (2), 11.19 (1), 11.23 (2), and 11.38 (6), all moneys reverting to the state
2 under s. 11.50 (8) and all gifts, bequests and devises received under s. 11.50 (13)
3 constitute the Wisconsin election campaign fund, to be expended for the purposes of
4 s. 11.50. All moneys in the fund not disbursed by the state treasurer shall continue
5 to accumulate indefinitely.

6 **SECTION 111.** 71.05 (6) (a) 15. of the statutes is amended to read:

7 71.05 (6) (a) 15. The amount of the credits computed under s. 71.07 (2dd), (2de),
8 (2di), (2dj), (2dL), (2dr), (2ds), (2dx) ~~and~~, (3s) ~~and~~ (5d) and not passed through by a
9 partnership, limited liability company or tax-option corporation that has added that
10 amount to the partnership's, company's or tax-option corporation's income under s.
11 71.21 (4) or 71.34 (1) (g).

12 **.SECTION 112.** 71.07 (5d) of the statutes is created to read:

13 71.07 (5d) CANDIDATE ACCESS CREDIT. (a) In this subsection:

14 1. "Access" means providing print space or broadcast time to a candidate alone,
15 without exercising editorial control over the content of the candidate's message and
16 without charging anyone for providing such print space or broadcast time.

17 2. "Candidate" means an individual whose name is certified under s. 7.08 (2)
18 (a) or 8.50 (1) (d) to appear as a candidate for state office on the ballot at a general,
19 spring, or special election.

20 3. "Claimant" means a sole proprietor, a partner, a member of a limited liability
21 company, or a shareholder of a tax option corporation who files a claim under this
22 subsection.

23 4. "Communication ~~media~~ ^{medium}" ~~has the meaning given in s. 11.01 (5)~~ means a newspaper, periodical, commercial
24 billboard, or radio or television station, including a community antenna television station.

25 (b) A claimant may claim as a credit against the tax imposed under s. 71.02 an amount equal to the amount the claimant paid or incurred in the taxable year to

who is subject to the limitations described in an affidavit filed
under s. 11-31 (2m)

1 grant a candidate ^{medium} access to a communications ~~media~~ that is located in this state and
2 controlled by the claimant, up to a maximum credit of \$10,000. ✓

3 (c) The carry-over provisions of s. 71.28 (4) (e) and (f), as they apply to the credit
4 under s. 71.28 (4), apply to the credit under this subsection.

5 (d) Partnerships, limited liability companies, and tax-option corporations may
6 not claim the credit under this subsection, but the eligibility for, and the amount of,
7 the credit are based on the amount paid or incurred under par. (b). A partnership,
8 limited liability company, or tax-option corporation shall compute the amount of
9 credit that each of its partners, members, or shareholders may claim and shall
10 provide that information to each of them. Partners, members of limited liability
11 companies, and shareholders of tax-option corporations may claim the credit in
12 proportion to their ownership interest.

13 (e) Section 71.28 (4) (g) and (h), as it applies to the credit under s. 71.28 (4),
14 applies to the credit under this subsection.

15 **SECTION 113.** 71.07 (6s) of the statutes is created to read:

16 **71.07 (6s) CAMPAIGN FUND TAX CREDIT.** (a) *Definitions.* In this subsection:

- 17 1. "Claimant" means an individual who makes a designation.
18 2. "Designation" means an amount designated under s. 71.10 (3) (a).

19 (b) *Filing claims.* Subject to the limitations and conditions provided in this
20 subsection, a claimant may claim as a credit against the tax imposed under s. 71.02,
21 up to the amount of those taxes, for the taxable year to which the income tax return
22 relates, an amount equal to the claimant's designation.

23 (c) *Limitations and conditions.* 1. No credit may be allowed under this
24 subsection unless it is claimed within the time period under s. 71.75 (2).

1 2. Part-year residents and nonresidents of this state are not eligible for the
2 credit under this subsection.

3 3. If both spouses of a married couple meet the definition of claimant under par.
4 (a) 1., each spouse may claim the credit under this subsection.

5 (d) *Administration.* Subsection (9e) (d), to the extent that it applies to the credit
6 under that subsection, applies to the credit under this subsection.

7 **SECTION 114.** 71.10 (3) (a) of the statutes is amended to read:

8 71.10 (3) (a) Every individual filing an income tax return who has a tax liability
9 or is entitled to a tax refund may designate \$1 up to \$5 for transfer to the Wisconsin
10 election campaign fund for the use of eligible candidates under s. 11.50. If the
11 individuals filing a joint return have a tax liability or are entitled to a tax refund,
12 each individual may make a designation of \$1 up to \$5 under this subsection. Each
13 individual making a designation shall indicate whether the amount designated by
14 that individual shall be placed in the general account for the use of all eligible
15 candidates for state office, or in the account of an eligible political party whose name
16 is certified to the secretary of revenue under s. 11.50 (14). If an individual does not
17 indicate that the amount of his or her designation shall be placed in the account of
18 a particular eligible political party, that amount shall be placed in the general
19 account.

20 **SECTION 115.** 71.10 (3) (b) of the statutes is amended to read:

21 71.10 (3) (b) The secretary of revenue shall provide a place for ~~these~~
22 designations under par. (a) on the face of the individual income tax return and shall
23 provide next to that place a statement that a designation will ~~not~~ increase tax
24 liability. Annually on August 15, and that the amount of a designation may be
25 claimed as a credit under s. 71.07 (6s). No later than 60 days after the completion

1 of each calendar quarter, the secretary of revenue shall certify to the elections board,
2 the department of administration and the state treasurer ~~under s. 11.50~~ the total
3 amount of designations made on returns processed by the department of revenue
4 during the preceding fiscal year quarter and the amount of designations made
5 during that quarter for the general account and for the account of each eligible
6 political party. If any individual designates an amount greater than the amount
7 authorized under par. (a) or attempts to place any condition or restriction upon a
8 designation not authorized under par. (a), that individual is deemed not to have made
9 a designation on his or her tax return.

10 **SECTION 116.** 71.10 (4) (cs) of the statutes is created to read:

11 71.10 (4) (cs) The campaign fund tax credit under s. 71.07 (6s).

12 **SECTION 117.** 71.10 (4) (dw) of the statutes is created to read:

13 71.10 (4) (dw) Candidate access credit under s. 71.07 (5d).

14 **SECTION 118.** 71.21 (4) of the statutes is amended to read:

15 71.21 (4) Credits computed by a partnership under s. 71.07 (2dd), (2de), (2di),
16 (2dj), (2dL), (2ds), (2dx) ~~and~~, (3s), and (5d) and passed through to partners shall be
17 added to the partnership's income.

18 **SECTION 119.** 71.26 (2) (a) of the statutes is amended to read:

19 71.26 (2) (a) *Corporations in general.* The "net income" of a corporation means
20 the gross income as computed under the internal revenue code as modified under
21 sub. (3) minus the amount of recapture under s. 71.28 (1di) plus the amount of credit
22 computed under s. 71.28 (1) and (3) to (5) plus the amount of the credit computed
23 under s. 71.28 (1dd), (1de), (1di), (1dj), (1dL), (1ds) ~~and~~, (1dx), and (5d) and not passed
24 through by a partnership, limited liability company or tax-option corporation that
25 has added that amount to the partnership's, limited liability company's or tax-option

1 corporation's income under s. 71.21 (4) or 71.34 (1) (g) plus the amount of losses from
 2 the sale or other disposition of assets the gain from which would be wholly exempt
 3 income, as defined in sub. (3) (L), if the assets were sold or otherwise disposed of at
 4 a gain and minus deductions, as computed under the internal revenue code as
 5 modified under sub. (3), plus or minus, as appropriate, an amount equal to the
 6 difference between the federal basis and Wisconsin basis of any asset sold,
 7 exchanged, abandoned or otherwise disposed of in a taxable transaction during the
 8 taxable year, except as provided in par. (b) and s. 71.45 (2) and (5).

9 **SECTION 120.** 71.28 (5d) of the statutes is created to read:

10 **71.28 (5d) CANDIDATE ACCESS CREDIT.** (a) In this subsection:

11 1. "Access" means providing print space or broadcast time to a candidate alone,
 12 without exercising editorial control over the content of the candidate's message and
 13 without charging anyone for providing such print space or broadcast time.

14 2. "Candidate" means an individual whose name is certified under s. 7.08 (2)
 15 (a) or 8.50 (1) (d) to appear as a candidate for state office on the ballot at a general,
 16 spring, or special election.

17 3. "Claimant" means a person who files a claim under this subsection.

18 4. "Communications ~~media~~ ^{medium} has the meaning given in s. 71.07 (5d) (a) 4.
~~has the meaning given in s. 11.01 (5).~~

19 (b) A claimant may claim as a credit against the tax imposed under s. 71.23 an
 20 amount equal to the amount the claimant paid or incurred in the taxable year to
 21 grant a candidate ^{who is subject to the limitations described in an affidavit filed under s. 11.31 (2m)} access to a communications ^{medium} ~~media~~ that is located in this state and
 22 controlled by the claimant, up to a maximum credit of \$10,000.

23 (c) The carry-over provisions of sub. (4) (e) and (f), as they apply to the credit
 24 under sub. (4), apply to the credit under this subsection.

1 (d) Partnerships, limited liability companies, and tax-option corporations may
2 not claim the credit under this subsection, but the eligibility for, and the amount of,
3 the credit are based on the amount paid or incurred under par. (b). A partnership,
4 limited liability company, or tax-option corporation shall compute the amount of
5 credit that each of its partners, members, or shareholders may claim and shall
6 provide that information to each of them. Partners, members of limited liability
7 companies, and shareholders of tax-option corporations may claim the credit in
8 proportion to their ownership interest.

9 (e) Subsection (4) (g) and (h), as it applies to the credit under sub. (4), applies
10 to the credit under this subsection.

11 **SECTION 121.** 71.30 (3) (dm) of the statutes is created to read:

12 71.30 (3) (dm) Candidate access credit under s. 71.28 (5d).

13 **SECTION 122.** 71.34 (1) (g) of the statutes is amended to read:

14 71.34 (1) (g) An addition shall be made for credits computed by a tax-option
15 corporation under s. 71.28 (1dd), (1de), (1di), (1dj), (1dL), (1ds), (1dx) and, (3), and
16 (5d) passed through to shareholders.

17 **SECTION 123.** 71.45 (2) (a) 10. of the statutes is amended to read:

18 71.45 (2) (a) 10. By adding to federal taxable income the amount of credit
19 computed under s. 71.47 (1dd) to (1dx) and (5d) and not passed through by a
20 partnership, limited liability company or tax-option corporation that has added that
21 amount to the partnership's, limited liability company's or tax-option corporation's
22 income under s. 71.21 (4) or 71.34 (1) (g) and the amount of credit computed under
23 s. 71.47 (1), (3), (4) and (5).

24 **SECTION 124.** 71.47 (5d) of the statutes is created to read:

25 71.47 (5d) CANDIDATE ACCESS CREDIT. (a) In this subsection:

1 1. "Access" means providing print space or broadcast time to a candidate alone,
2 without exercising editorial control over the content of the candidate's message and
3 without charging anyone for providing such print space or broadcast time.

4 2. "Candidate" means an individual whose name is certified under s. 7.08 (2)
5 (a) or 8.50 (1) (d) to appear as a candidate for state office on the ballot at a general,
6 spring, or special election.

7 3. "Claimant" means a person who files a claim under this subsection.

8 4. "Communications ~~media~~" ^{Medium" has the meaning given in s. 71.07(5d)(a) 4.} ~~has the meaning given in s. 11.01(5).~~

9 (b) A claimant may claim as a credit against the tax imposed under s. 71.43 an
10 amount equal to the amount the claimant paid or incurred in the taxable year to
11 grant a candidate ^{who is subject to the limitations described in an affidavit filed under s. 11.31(2m)} ~~access to a communications~~ ^{medium} ~~media~~ that is located in this state and
12 controlled by the claimant, up to a maximum credit of \$10,000.

13 (c) The carry-over provisions of s. 71.28 (4) (e) and (f), as they apply to the credit
14 under s. 71.28 (4), apply to the credit under this subsection.

15 (d) Partnerships, limited liability companies, and tax-option corporations may
16 not claim the credit under this subsection, but the eligibility for, and the amount of,
17 the credit are based on the amount paid or incurred under par. (b). A partnership,
18 limited liability company, or tax-option corporation shall compute the amount of
19 credit that each of its partners, members, or shareholders may claim and shall
20 provide that information to each of them. Partners, members of limited liability
21 companies, and shareholders of tax-option corporations may claim the credit in
22 proportion to their ownership interest.

23 (e) Section 71.28 (4) (g) and (h), as it applies to the credit under s. 71.28 (4),
24 applies to the credit under this subsection.

25 SECTION 125. 71.49 (1) (dm) of the statutes is created to read:

1 71.49 (1) (dm) Candidate access credit under s. 71.47 (5d).

2 **SECTION 126.** 77.92 (4) of the statutes is amended to read:

3 77.92 (4) “Net business income”, with respect to a partnership, means taxable
4 income as calculated under section 703 of the Internal Revenue Code; plus the items
5 of income and gain under section 702 of the Internal Revenue Code, including taxable
6 state and municipal bond interest and excluding nontaxable interest income or
7 dividend income from federal government obligations; minus the items of loss and
8 deduction under section 702 of the Internal Revenue Code, except items that are not
9 deductible under s. 71.21; plus guaranteed payments to partners under section 707
10 (c) of the Internal Revenue Code; plus the credits claimed under s. 71.07 (2dd), (2de),
11 (2di), (2dj), (2dL), (2dr), (2ds), (2dx) and (3s), and (5d); and plus or minus, as
12 appropriate, transitional adjustments, depreciation differences and basis
13 differences under s. 71.05 (13), (15), (16), (17) and (19); but excluding income, gain,
14 loss and deductions from farming. “Net business income”, with respect to a natural
15 person, estate or trust, means profit from a trade or business for federal income tax
16 purposes and includes net income derived as an employee as defined in section 3121
17 (d) (3) of the Internal Revenue Code.

18 **SECTION 127. Nonstatutory provisions.**

19 (1) WISCONSIN ELECTION CAMPAIGN FUND BALANCE TRANSFER. The balance in the
20 Wisconsin election campaign fund on the effective date of this subsection is credited
21 to the general account of the Wisconsin election campaign fund established under
22 section 11.50 (2w) of the statutes, as created by this act.

23 **SECTION 128. Initial applicability.**

✓
PWS
65-17

1 ~~(1)~~ REGISTRATION BY NONRESIDENT REGISTRANTS. The treatment of section 11.05
2 (3) (r) of the statutes first applies to registration statements filed on the effective date
3 of this subsection.

4 ~~(2)~~ CONTRIBUTIONS TRANSFERRED BY CONDUITS. The treatment of section 11.06 (1)
5 (dm) and (11) (bm) of the statutes first applies to reporting periods for continuing
6 reports under section 11.20 (4) of the statutes that begin on the effective date of this
7 subsection.

8 ~~(3)~~ COST OF LIVING ADJUSTMENTS.

9 (a) The treatment of section 11.26 (10a) of the statutes first applies to
10 adjustments for the 4-year period beginning on January 1, 2006.

11 (b) The treatment of section 11.31 (9) of the statutes first applies to adjustments
12 for the biennium beginning on January 1, 2004.

13 ~~(4)~~ CAMPAIGN FUND TAX CREDIT. The treatment of sections 71.07 (6s) and 71.10
14 (3) (a) and (b) and (4) (cs) of the statutes first applies to taxable years^{he} beginning on
15 January 1 of the year in which this subsection takes effect, except that if this
16 subsection takes effect after July 31, the treatment of sections 71.07 (6s) and 71.10
17 (3) (a) and (b) and (4) (cs) of the statutes first applies to taxable years beginning on
18 January 1 of the year following the year in which this subsection takes effect. 2002

19 ~~(5)~~ CANDIDATE ACCESS CREDIT. The treatment of sections 71.05 (6) (a) 15., 71.07
20 (5d), 71.10 (4) (dw), 71.21 (4), 71.26 (2) (a), 71.28 (5d), 71.30 (3) (dm), 71.34 (1) (g),
21 71.45 (2) (a) 10., 71.47 (5d), 71.49 (1) (dm), and 77.92 (4) of the statutes first applies
22 to taxable years beginning on January 1 of the year in which this subsection takes
23 effect, except that if this subsection takes effect after July 31 the treatment of
24 sections 71.05 (6) (a) 15., 71.07 (5d), 71.10 (4) (dw), 71.21 (4), 71.26 (2) (a), 71.28 (5d),
25 71.30 (3) (dm), 71.34 (1) (g), 71.45 (2) (a) 10., 71.47 (5d), 71.49 (1) (dm), and 77.92 (4)

1 of the statutes first applies to taxable years beginning on January 1 of the year after
2 the or year in which this subsection takes effect.

3 (END)