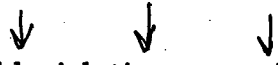


BILL



1

committees other than political party ~~and legislative campaign~~ committees subject to a filing requirement.

2

3

SECTION 63. 11.26 (9m) of the statutes is created to read:

4

11.26 (9m) If s. 11.31 (3n) or (3p) applies to a candidate in any campaign or if the board ^{or another filing officer} issues a determination under s. 11.31 ~~(3n)~~ ^{(3r) or (3s)} applicable to a candidate in any

5

6

campaign, the limitations ~~prescribed in sub. (1), (1m), and (2) do not apply to that~~

7

~~candidate. That candidate is subject to the limitations prescribed in subs. (1), (1m),~~

8

~~and (2) in that campaign ~~to amounts that~~ are 200% of the amounts specified in sub. ^{or} ~~and (2)~~ ^{committee}~~

9

(1), (1m), and (2), and the candidate may receive and accept contributions from

10

political party ~~and legislative campaign~~ committees in that campaign in an

11

aggregate amount not exceeding 65% of the value of the total disbursement level

12

determined under s. 11.31 (1), as adjusted under s. 11.31 (9), for the office for which

13

he or she is a candidate during the primary and election combined, in addition to

14

contributions accepted by the candidate from other committees.

15

SECTION 64. 11.26 (10) of the statutes is amended to read:

16

11.26 (10) No candidate for state office who files ~~a sworn statement and an~~ ^{or more}

17

application to receive a grant from the Wisconsin election campaign fund ~~and an~~ ^{of the}

18

~~affidavit under s. 11.31 (2m) (a) may make contributions of more than 200% of the~~ ^{candidate}

19

amounts applicable amount specified in sub. (1) to the candidate's own campaign

20

from the candidate's personal funds or property or the personal funds or property

21

which are owned jointly or as marital property with the candidate's spouse, unless

22

the board determines that the candidate is not eligible to receive a grant, the

23

candidate withdraws his or her application under s. 11.50 (2) (h), or s. 11.31 (3n) or

24

11.50 (2) (i) applies to the candidate. For purposes of this subsection, any

25

contribution received by a candidate or his or her personal campaign committee from

or committee that is required to file a statement under s. 11.06(7) acting solely in opposition to that candidate or solely in support of one or more opponents of the candidate

BILL

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

9 **SECTION 65.** 11.26 (10a) of the statutes is created to read:

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

13 (b) The dollar amounts of the limitations under subs. (1), (1m), (2), (4), and (8)
14 are subject to a quadrennial adjustment to be determined by rule of the board in
15 accordance with this subsection. To determine the adjustment, the board shall, in
16 each year that the adjustment is made, calculate the percentage difference between
17 the consumer price index for the 12-month period ending on December 31 of the
18 preceding year and the consumer price index for calendar year 2001. Beginning in
19 2006 and every 4 years thereafter, the board shall multiply the amount of each
20 limitation under subs. (1), (1m), (2), (4), and (8) by the percentage difference in the
21 consumer price indices. The board shall adjust the amount of each limitation to
22 substitute that result for the existing amount to the extent required to reflect any
23 difference, rounded to the nearest multiple of \$5. The amount so determined shall
24 then be in effect until a subsequent rule is promulgated under this subsection.
25 Notwithstanding s. 227.24 (1) (a), (2) (b), and (3), determinations under this

BILL

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

4 **SECTION 66.** 11.26 (15) of the statutes is amended to read:

5 11.26 (15) The fact that 2 or more committees, other than personal campaign
6 committees, utilize common policies and practices concerning the endorsement of
7 candidates or agree to make contributions only to such endorsed candidates does not
8 affect the right of each committee independently to make contributions up to the
9 applicable amount specified under sub. (1), (1m), or (2).

10 **SECTION 67.** 11.26 (17) (a) of the statutes is amended to read:

11 11.26 (17) (a) For purposes of application of ~~the limitations imposed in~~ subs.
12 (1), (1m), (2), (9), (9m), and (10), the "campaign" of a candidate begins and ends at
13 the times specified in this subsection.

14 **SECTION 68.** 11.263 of the statutes is created to read:

15 **11.263 Determination of population amounts.** (1) The board shall publish
16 in the Wisconsin administrative register the population of each county and the
17 population of each jurisdiction, district, or circuit to which s. 11.26 (1) (e) to (n), (1m)
18 (e) to (n), or (8) (ag) or 11.31 (1) (i) to (s) applies. The board shall base the population
19 figures on the results of the most recent federal decennial census of the population
20 and any special federal census covering the entire jurisdiction, district, or circuit.

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

BILL

1 (a) For each census block that is only partly within the jurisdiction, district, or
2 circuit, the board shall divide the area of that portion of the census block that is
3 outside of the jurisdiction, district, or circuit in square miles by the area of the entire
4 census block in square miles.

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

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

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

19 **SECTION 69.** 11.265 (2) of the statutes is repealed.

20 **SECTION 70.** 11.30 (4) of the statutes is amended to read:

21 11.30 (4) No owner or other person with a financial interest in a
22 communications medium may utilize such medium in support of or in opposition to
23 a candidate or referendum except as provided in this chapter.

24 **(4m)** This chapter shall not be construed to restrict fair coverage of bona fide
25 news stories, interviews with candidates and other politically active individuals,

BILL**SECTION 70**

1 editorial comment or endorsement. Such activities need not be reported as a
2 contribution or disbursement.

3 **SECTION 71.** 11.31 (1) (intro.) of the statutes is amended to read:

4 11.31 (1) SCHEDULE. (intro.) The following levels of disbursements are
5 established with reference to the candidates listed below. The levels are subject to
6 adjustment under sub. (9). Except as provided in sub. (2), such levels do not operate
7 to restrict the total amount of disbursements which are made or authorized to be
8 made by any candidate in any primary or other election.

9 **SECTION 72.** 11.31 (1) (a) to (c) of the statutes are amended to read:

10 11.31 (1) (a) Candidates for governor, ~~\$1,078,200~~ \$2,750,000.

11 (b) Candidates for lieutenant governor, ~~\$323,475~~ \$250,000.

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

13 **SECTION 73.** 11.31 (1) (cg) and (cr) of the statutes are created to read:

14 11.31 (1) (cg) Candidates for justice, \$400,000.

15 (cr) Candidates for state superintendent, ~~\$300,000~~ \$400,000.

16 **SECTION 74.** 11.31 (1) (d) of the statutes is amended to read:

17 11.31 (1) (d) Candidates for secretary of state, or state treasurer, ~~justice or state~~
18 ~~superintendent~~, ~~\$215,625~~ \$300,000.

19 **SECTION 75.** 11.31 (1) (dm) of the statutes is repealed.

20 **SECTION 76.** 11.31 (1) (e) and (f) of the statutes are amended to read:

21 11.31 (1) (e) Candidates for state senator, ~~\$34,500 total in the primary and~~
22 ~~election, with disbursements not exceeding \$21,575 for either the primary or the~~
23 ~~election~~ \$112,500.

BILL

STET: do not delete; typed leave as

1 (f) Candidates for representative to the assembly, \$17,250 total in the primary
2 and election, with disbursements not exceeding \$10,775 for either the primary or the
3 election \$45,000.

4 **SECTION 77.** 11.31 (1) (fm) to (h) of the statutes are repealed.

5 **SECTION 78.** 11.31 (1) (i) to (n) of the statutes are created to read:

6 11.31 (1) (i) Candidates for court of appeals judge ~~and candidates for~~ circuit
7 judge, district attorney, ~~or local office~~ in jurisdictions, districts, or circuits that have
8 a population of more than 500,000, as determined under s. 11.263, \$400,000.

9 (j) Candidates for circuit judge, district attorney, ~~or local office~~ in jurisdictions,
10 districts, or circuits that have a population of more than 300,000 but not more than
11 500,000, as determined under s. 11.263, \$300,000.

12 (k) Candidates for circuit judge, district attorney, ~~or local office~~ in jurisdictions,
13 districts, or circuits that have a population of more than 150,000 but not more than
14 300,000, as determined under s. 11.263, \$200,000.

15 (L) Candidates for circuit judge, district attorney, ~~or local office~~ in jurisdictions,
16 districts, or circuits that have a population of more than 75,000 but not more than
17 150,000, as determined under s. 11.263, \$115,000.

18 (m) Candidates for circuit judge, district attorney, ~~or local office~~ in jurisdictions,
19 districts, or circuits that have a population of more than 50,000 but not more than
20 75,000, as determined under s. 11.263, \$67,500.

21 (n) Candidates for circuit judge, district attorney, ~~or local office~~ in jurisdictions,
22 districts, or circuits that have a population of more than 30,000 but not more than
23 50,000, as determined under s. 11.263, \$40,000.

24 **SECTION 79.** 11.31 (1) (p) to (r) of the statutes are created to read:

BILL

SECTION 79

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

4 (q) Candidates for circuit judge, district attorney, ^{or} ~~or local office~~ in jurisdictions,
 5 districts, or circuits that have a population of more than 5,000 but not more than
 6 15,000, as determined under s. 11.263, \$10,000.

7 (r) Candidates for circuit judge, district attorney, ^{or} ~~or local office~~ in jurisdictions,
 8 districts, or circuits that have a population of more than 2,000 but not more than
 9 5,000, as determined under s. 11.263, \$3,500.

10 (s) Candidates for circuit judge, district attorney, ^{or} ~~or local office~~ in jurisdictions,
 11 districts, or circuits that have a population of not more than 2,000, as determined
 12 under s. 11.263, \$1,500.

13-12
 18-12

13 **SECTION 80.** 11.31 (2) of the statutes is amended to read:

14 11.31 (2) LIMITATION IMPOSED. No candidate for state office at a spring or general
 15 election who files ~~a sworn statement and~~ an application to receive a grant from the
 16 Wisconsin election campaign fund and an affidavit under sub. (2m) (a) may make or
 17 authorize total disbursements from the his or her campaign treasury in any
 18 campaign to the extent of more than the amount prescribed in sub. (1), adjusted as
 19 provided under sub. (9), unless the board determines that the candidate is not
 20 eligible to receive a grant, the candidate withdraws his or her application under s.
 21 11.50 (2) (h), ~~or~~ ⁽³ⁿ⁾ ~~sub. (3a) or (3b)~~ or s. 11.50 (2) (i) applies to that candidate. No
 22 candidate for state office at a special election who files ~~a sworn statement and~~ an
 23 application to receive a grant from the Wisconsin election campaign fund and an
 24 affidavit under sub. (2m) (a) may make or authorize total disbursements from the his
 25 or her campaign treasury in any campaign to the extent of more than the amount

or the board issues a determination under sub. (3r) applicable to the candidate

BILL

1 prescribed under sub. (1), adjusted as provided under sub. (9), for the preceding
 2 spring or general election for the same office, unless the board determines that the
 3 candidate is not eligible to receive a grant, the candidate withdraws his or her
 4 application under s. 11.50 (2) (h), ~~s. 11.31 (2m)~~ ^(3m) or 11.50 (2) (i) applies to that
 5 candidate or the board issues a determination under sub. (3r) applicable to the
candidate

6 **SECTION 81.** 11.31 (2m) (title) of the statutes is amended to read:

7 11.31 (2m) (title) ~~VOLUNTARY LIMITATION~~ AFFIDAVIT OF ADHERENCE TO LIMITATIONS.

8 **SECTION 82.** 11.31 (2m) of the statutes is renumbered 11.31 (2m) (b) and
 9 amended to read:

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

18 **SECTION 83.** 11.31 (2m) (a) and (c) of the statutes are created to read:

19 11.31 (2m) (a) Each candidate who files an application to receive a grant from
 20 the Wisconsin election campaign fund shall file an affidavit with the board affirming
 21 that the candidate, and his or her authorized agents, have complied with the
 22 limitations imposed under sub. (2) and s. 11.26 at all times during which the
 23 limitations have applied to his or her candidacy and will continue to comply with the
 24 limitations at all times during which the limitations apply to his or her candidacy,
 25 unless the board determines that the candidate is not eligible to receive a grant from

plain text do not score

BILL

[Handwritten signature]

1 the fund, the candidate withdraws his or her application for a grant under s. 11.50

2 (2) (h), ~~in~~ sub. ~~(3n)~~ or s. 11.50 (2) (i) applies

or the board issues a determination under sub. (3r) applicable to the candidate

3 (c) For purposes of administering ss. 71.07 (5d), 71.28 (5d), and 71.47 (5d), the
4 board shall forward a copy of each affidavit filed under this subsection by a candidate
5 for ^astate office ^{specified in sub. (1)(a) to (f)} to the department of revenue and shall notify the department of
6 revenue immediately if such a candidate is not subject to the limitations described
7 in the affidavit.

8 SECTION 84. 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 85. 11.31 (3m) of the statutes is repealed.

16 SECTION 86. 11.31 (3n) of the statutes is created to read:

FOR CERTAIN STATE OFFICES

17 11.31 (3n) DISBURSEMENTS BY OPPOSING CANDIDATES ~~EXCEPTION~~. If a candidate
18 for ^astate office ^{specified in sub. (1)(a) to (f)} 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

delete semicolon

BILL

1 his or her own campaign or the amount by which the total disbursements made by
 2 the opposing candidate exceed the disbursement ^{limitation or} level applicable to that candidate
 3 under sub. (1), as adjusted under sub. (9), as reported to the board by the opposing
 4 candidate or his or her personal campaign committee. In addition, contributions to
 5 that candidate and to each of his or her opponents may be made as authorized under
 6 s. 11.26 (9m) ^{and (10)}

7 SECTION 87. 11.31 ^(3r) of the statutes is created to read:

8 11.31 ^{(3r) (b)} INDEPENDENT EXPENDITURES; ^(EXCEPTION)

CANDIDATES FOR CERTAIN
STATE OFFICES

9 (a) The board shall, by rule, prescribe standards for determining whether a
 10 communication that is financed by means of an independent expenditure is likely to
 11 have an unfair impact on an election campaign based upon:

12 1. For a communication made by means of a broadcast communications
 13 medium, the percentage of the voting age population in the contested jurisdiction
 14 reached by the communication, as determined from the relevant ratings received by
 15 the communications medium.

16 2. For a mass mailing, the number of pieces of material that were directed to
 17 residents of the contested jurisdiction.

18 3. For any other communication, the cost of the communication.

19 (b) ⁽¹⁾ If a candidate for ^a state office ^{specified in sub. (1) (a) to (f)} has filed an affidavit under sub. (2m) and each
 20 of the candidate's opponents whose names are certified under s. 7.08 (2) (a) or 8.50
 21 (1) (d) to appear on the ballot in opposition to the candidate have filed affidavits
 22 under sub. (2m), and the candidate determines that one or more independent
 23 expenditures have been made for the purpose of making one or more communications
 24 in opposition to the candidate, or in support of a candidate whose name is certified
 25 under s. 7.08 (2) (a) or 8.50 (1) (d) to appear on the ballot in opposition to the

Handwritten notes and markings on the left margin:
 - Circled numbers 2, 6, 7, 8, 9, 19, 20, 21, 22, 23.
 - "Ins 51-6" written near line 6.
 - "no 9" written near line 9.
 - "keep semi colon" written near line 9.
 - "and (10)" written near line 6.
 - "EXCEPTION" written near line 8.
 - "CANDIDATES FOR CERTAIN STATE OFFICES" written near line 8.

BILL

SECTION 87

1 candidate, other than for the purpose of making a communication described in s.
 2 11.29 or 11.30 (4m), and one or more of the communications is likely to have an unfair
 3 impact on the election campaign, the candidate may file a sworn statement to this
 4 effect with the board on a form prescribed by rule of the board for this purpose. The
 5 statement shall contain specific allegations indicating the reasons why any
 6 communication identified in the statement will have an unfair impact upon the
 7 election campaign in accordance with the criteria prescribed under par. (a). The
 8 statement may be made by any individual who has personal knowledge that an
 9 independent expenditure for the purpose of making such a communication has been
 10 made. Upon filing of this statement with the board in accordance with applicable
 11 requirements, the board shall, no later than the end of the 3rd calendar day after
 12 receiving the statement, issue a determination that the candidate and each of his or
 13 her opponents are not bound by the limitation imposed under sub. (2) or by any
 14 limitation upon disbursements agreed to under sub. (2m), and that contributions to
 15 the candidate may be made as authorized under s. 11.26 (9m).

16 (c) For the purpose of making a determination under par. (b), the board may
 17 request any broadcast communications medium to verify whether and when a
 18 particular communication was made.

19 (d) The board shall immediately file a written copy of its determination with
 20 each of the candidates to whom the determination applies.

21 SECTION 88. 11.31 (4) of the statutes is repealed.

22 SECTION 89. 11.31 (9) of the statutes is created to read:

23 11.31 (9) ADJUSTMENT OF DISBURSEMENT LEVELS. (a) In this subsection,

24 "consumer price index" means the average of the consumer price index over each

Handwritten note: PLS 52-11

Handwritten circled number: 10

Handwritten notes: 20 PLS 52-24

Handwritten notes: 22 PLS 52-23

BILL

1 12-month period, all items, U.S. city average, as determined by the bureau of labor
2 statistics of the U.S. department of labor.

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

16 **SECTION 90.** 11.38 (6) of the statutes is amended to read:

17 11.38 (6) Any individual or campaign treasurer who receives funds in violation
18 of this section shall promptly return such funds to the contributor or, donate the
19 funds to the common school fund or a charitable organization, or transfer the funds
20 to the board for deposit in the Wisconsin election campaign fund, at the treasurer's
21 option.

22 **SECTION 91.** 11.50 (1) (a) 1. (intro.) of the statutes is created to read:

23 11.50 (1) (a) 1. (intro.) For purposes of qualification for a grant from the general
24 account:

Handwritten notes: "FWS" and "5315" with arrows pointing to lines 15 and 22 respectively.

Fix COMPONENT

BILL

1 SECTION 92. 11.50 (1) (a) 1. of the statutes is renumbered 11.50 (1) (a) 1. a. ~~and~~

2 amended to read:

3 11.50 (1) (a) 1. a. With respect to a spring or general election, any individual
4 who is certified under s. 7.08 (2) (a) as a candidate in the spring election for justice
5 or state superintendent, or ~~an~~ any individual who receives at least ~~6%~~ 2% of the vote
6 cast for all candidates on all ballots for any state office, except district attorney, for
7 which the individual is a candidate at the September primary and who is certified
8 under s. 7.08 (2) (a) as a candidate for that office in the general election, or an
9 individual who has been lawfully appointed and certified to replace either such
10 individual on the ballot at the spring or general election; and who has qualified for
11 a grant under sub. (2).

12 SECTION 93. 11.50 (1) (a) 2. of the statutes is renumbered 11.50 (1) (a) 1. b. and
13 amended to read:

14 11.50 (1) (a) 1. b. With respect to a special election, an individual who is certified
15 under s. 8.50 (1) (d) as a candidate in a special election for state superintendent, or
16 an individual who is certified under s. 8.50 (1) (d) as a candidate in a special election
17 for any state office, except district attorney, on the ballot or column of a party whose
18 candidate for the same office at the preceding general election received at least 6%
19 ~~2%~~ of the vote cast for all candidates on all ballots for the office, or an individual who
20 has been lawfully appointed and certified to replace either such individual on the
21 ballot at a special election, or an individual who receives at least 6% ~~2%~~ of the vote
22 cast for all candidates on all ballots for any state office, except district attorney, at
23 a partisan special election; and who qualifies for a grant under sub. (2). Where the
24 boundaries of a district in which an individual seeks office have been changed since
25 the preceding general election such that it is not possible to calculate the exact

plain text

BILL

1 number of votes that are needed by that individual to qualify as an eligible candidate
2 prior to an election ~~under this subdivision~~, the number of votes cast for all candidates
3 for the office at the preceding general election in each ward, combination of wards
4 or municipality which is wholly contained within the boundaries of the newly formed
5 district shall be calculated. If the candidate of the political party on whose ballot or
6 column the individual appears in the newly formed district obtained at least ~~60%~~
7 of the number of votes calculated, the individual is deemed to qualify as an eligible
8 candidate prior to the election ~~under this subdivision~~.

9 **SECTION 94.** 11.50 (1) (a) 2m. of the statutes is created to read:

10 11.50 (1) (a) 2m. For purposes of qualification for a grant from a political party
11 account, an individual who is certified under s. 7.08 (2) (a) or 8.50 (1) (d) in the general
12 election or a special election as the candidate of an eligible political party for a state
13 office, other than district attorney, or an individual who has been lawfully appointed
14 and certified to replace such an individual on the ballot at the general or a special
15 election and who has qualified for a grant under sub. (2).

16 **SECTION 95.** 11.50 (1) (am) of the statutes is created to read:

17 11.50 (1) (am) "Eligible political party" means any of the following:

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

22 2. A party qualifying under s. 5.62 (2) for a separate ballot or one or more
23 separate columns or rows on a ballot for the period beginning on the preceding June
24 1, or if that June 1 is in an odd-numbered year, the period beginning on June 1 of the

60%
plain
text

BILL

1 preceding even-numbered year, and ending on May 31 of the 2nd year following that
2 June 1.

3 SECTION 96. 11.50 (1) (bm) and (cm) of the statutes are created to read:

4 11.50 (1) (bm) "General account" means the account in the fund created under
5 sub. (2w).

6 (cm) "Political party account" means an account in the fund created under sub.
7 (2s).

8 SECTION 97. 11.50 (2) (a) of the statutes is amended to read:

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

25 SECTION 98. 11.50 (2) (b) 4. of the statutes is amended to read:

BILL

1 11.50 (2) (b) 4. The financial reports filed by or on behalf of the candidate as
2 of the date of the spring or September primary, or the date that the special primary
3 is or would be held, if required, indicate that his or her statement affidavit filed with
4 the application under ~~par. (a)~~ s. 11.31 (2m) (a) is true; and

5 SECTION 99. 11.50 (2) (b) 5. of the statutes is amended to read:

6 11.50 (2) (b) 5. The financial reports filed by or on behalf of the candidate as
7 of the date of the spring or September primary, or the date that the special primary
8 is or would be held, if required, indicate that the candidate has received an amount
9 equal to at least the amount provided in this subdivision ^(plain text) ~~5% of the applicable~~
10 ~~authorized disbursement limitation, as determined under s. 11.31 (1) and adjusted~~
11 ~~as provided under s. 11.31 (9)~~, from contributions of money, other than loans, made
12 by individuals who reside in this state and, in the case of a candidate for other than
13 a statewide office, by individuals at least 50% of whom reside in a county having
14 territory within the district in which the candidate seeks office, which contributions
15 have been received during the period ending on the date of the spring primary and
16 July 1 preceding such date in the case of candidates at the spring election, or the date
17 of the September primary and January 1 preceding such date in the case of
18 candidates at the general election, or the date that a special primary will or would
19 be held, if required, and 90 days preceding such date or the date a special election
20 is ordered, whichever is earlier, in the case of special election candidates at a special
21 election, which contributions are in the aggregate amount of \$100 or less, and which
22 contributions are fully identified and itemized as to the exact source thereof. A
23 contribution received from a conduit which is identified by the conduit as originating
24 from an individual shall be considered a contribution made by the individual. Only
25 the first \$100 of an aggregate contribution of more than \$100 may be counted toward

BILL

plain text

See attached copy for directions for this material

1 the required percentage. ~~For a candidate at the spring or general election for an~~
 2 ~~office identified in s. 11.26 (1) (a) or a candidate at a special election, the required~~
 3 ~~amount to qualify for a grant is 5% of the candidate's authorized disbursement~~
 4 ~~limitation under s. 11.31. For any other candidate at the general election, the~~
 5 ~~required amount to qualify for a grant is 10% of the candidate's authorized~~
 6 ~~disbursement limitation under s. 11.31.~~

as determined *(1) and adjusted as provided under s. 11.31 (9)* *applicable*
7% *applicable* *(1) and adjusted as provided under s. 11.31 (9)* *plain text*

SECTION 100. 11.50 (2) (f) of the statutes is amended to read:

8 11.50 (2) (f) The board shall inform each candidate in writing of the approval
 9 or disapproval of the candidate's application, as promptly as possible after the date
 10 of the spring primary, September primary, special primary, or date that the primary
 11 would be held, if required. With respect to a candidate at a special election who
 12 applies for a postelection grant under sub. (1) (a) ~~2.~~ 1. b., the board shall inform the
 13 candidate in writing of the conditional approval or disapproval of the candidate's
 14 application at the same time.

SECTION 101. 11.50 (2) (g) of the statutes is amended to read:

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

or the board issues a determination under s. 11.31 (3r) applicable to the candidate

SECTION 102. 11.50 (2) (h) of the statutes is amended to read:

BILL

§ as determined

applicable

1 the required percentage. For a candidate at the spring or general election for an
 2 office identified in s. 11.26 (1) (a) or a candidate at a special election, the required
 3 amount to qualify for a grant is 5% of the candidate's authorized disbursement
 4 limitation under s. 11.31. For any other candidate at the general election, the
 5 required amount to qualify for a grant is 10% of the candidate's authorized
 6 disbursement limitation under s. 11.31.

§ as determined

applicable

7%

② keep striking on material in the red boxes

(1) and adjusted as provided under s. 11.31(9)

<use twice>

① remove striking from material marked with yellow highlighter

③ insert scored material as shown in blue

BILL

1 11.50 (2) (h) An eligible candidate who files an application under par. (a) may
 2 file a written withdrawal of the application. A withdrawal of an application may be
 3 filed with the board no later than the 7th day after the day of the primary in which
 4 the person withdrawing the application is a candidate or the 7th day after the date
 5 that the primary would be held, if required. If an application is withdrawn in
 6 accordance with this paragraph, the person withdrawing the application is no longer
 7 bound by the statement affidavit filed under par. (a) s. 11.31 (2m) (a) after the date
 8 of the withdrawal.

9 **SECTION 103.** 11.50 (2) (i) of the statutes is amended to read:

10 11.50 (2) (i) Notwithstanding par. (g), if an eligible candidate at the spring
 11 election or a special nonpartisan election who accepts a grant is opposed by one or
 12 more candidates in the election, or if an eligible candidate at the general election or
 13 a special partisan election who accepts a grant is opposed by one or more candidates
 14 in the election who receive at least 6% ~~1/2~~ of the vote cast for all candidates for the
 15 same office on all ballots at the September primary or a special partisan primary if
 16 a primary was held, and in either case if any such opponent of the eligible candidate
 17 does not accept a grant under this section in whole or in part, the eligible candidate
 18 is not bound by the pledge made in his or her application to adhere to the contribution
 19 limitations prescribed in s. 11.26 and the disbursement limitation prescribed under
 20 s. 11.31 (2), unless each such ^{scored comma} ~~opponent~~ ² files an affidavit of voluntary compliance
 21 under s. 11.31 (2m) (b) ~~and~~ ² s. 11.31 (3n) ~~and~~ ² ~~do~~ ^{does} not apply to the candidate.

22 **SECTION 104.** 11.50 (2s) of the statutes is created to read:

23 11.50 (2s) **POLITICAL PARTY ACCOUNTS.** (a) The state chairperson of each eligible
 24 political party may, by written request to the board, provide for the establishment
 25 or discontinuance of an account within the fund for that political party. Each political

and the board has not issued a determination
 under s. 11.31 (3r) applicable to the candidate

BILL

1 party account consists of all moneys designated by individuals for deposit in that
2 account under s. 71.10 (3) (a).

3 (b) From the account of each eligible political party, the board shall apportion
4 moneys to an account for each office in the same proportion that moneys are
5 apportioned under sub. (4). Within each account, the board shall apportion available
6 moneys to eligible candidates representing that party who qualify to receive grants.
7 If there are insufficient moneys available to finance payment of the full amount of
8 the grant for which a candidate for legislative office qualifies, the board shall prorate
9 available moneys within the account for each legislative office. Whenever an eligible
10 candidate representing an eligible political party receives a grant, the state
11 treasurer shall first make payment of the grant from the political party account of
12 that party, to the extent that sufficient moneys are available in that account to make
13 payment of the grant.

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

17 **SECTION 105.** 11.50 (2w) of the statutes is created to read:

18 11.50 (2w) GENERAL ACCOUNT. There is established a general account within
19 the fund consisting of all moneys designated by individuals for deposit in that
20 account under s. 71.10 (3) (a), all moneys transferred to that account under sub. (2s)
21 (c), and all moneys deposited in the fund under ss. 8.35 (4) (a), 11.07 (5), 11.12 (2),
22 11.16 (2), 11.19 (1), 11.23 (2), and 11.38 (6).

23 **SECTION 106.** 11.50 (3) (a) 1. of the statutes is renumbered 11.50 (3) (a) 2m. and
24 amended to read:

BILL

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

10 **SECTION 107.** 11.50 (3) (a) 2. of the statutes is renumbered 11.50 (3) (a) 1m. and
11 amended to read:

12 11.50 (3) (a) 1m. If an election for justice is scheduled in the following year, 8%
13 of the fund shall be placed in the state treasurer shall transfer an amount sufficient
14 to finance payment of the full amount of the grants authorized under sub. (9) (b) for
15 candidates for the office of justice to a supreme court account. From this account, an
16 equal amount shall be disbursed to the campaign depository account of each eligible
17 candidate by the state treasurer. Any unencumbered balance in the supreme court
18 account after an election for the office of justice is held shall revert to the general
19 account.

20 **SECTION 108.** 11.50 (3) (b) of the statutes is amended to read:

21 11.50 (3) (b) If a vacancy occurs in the office of justice after August 15 in any
22 year and an election is scheduled to fill the vacancy at the spring election in the
23 following year, the state treasurer shall transfer an amount sufficient to finance
24 payment of the full amount of the grants authorized under sub. (9) (b) for candidates
25 for the office of justice to the supreme court account. If a vacancy occurs in the office

BILL**SECTION 108**

1 of state superintendent ~~or justice~~ after August 15 in any year and an election is
2 scheduled to fill the vacancy at the spring election in the following year, the state
3 treasurer shall, after making any transfer that is required to be made to the supreme
4 court account, transfer an amount ~~not exceeding 8% of the moneys transferred to the~~
5 fund on the preceding August 15 sufficient to finance payment of the full amount of
6 the grants authorized under sub. (9) (a) for candidates for the office of state
7 superintendent to the superintendency account for the office in which the vacancy
8 ~~occurs, such. The moneys to shall be drawn transferred~~ from any account within the
9 accounts created under sub. (4) in the amount or amounts specified by the board.

10 **SECTION 109.** 11.50 (3) (c) of the statutes is created to read:

11 11.50 (3) (c) If there are insufficient moneys in the fund to make any transfer
12 that is required to be made under par. (a) or (b), the state treasurer shall transfer the
13 balance in the fund to the account to which the transfer is required to be made.

14 **SECTION 110.** 11.50 (4m) of the statutes is created to read:

15 11.50 (4m) PAYMENT OF GRANT AMOUNTS. The state treasurer shall make
16 payment of each grant to an eligible candidate from the political party account of that
17 candidate's political party, if any, if there are sufficient moneys in that account to
18 make full payment of the grant, and then from the general account. The amount of
19 each grant is the amount specified in sub. (9), except as provided in sub. (10) and
20 except that if there are insufficient moneys in the account for any office within the
21 general account to make payment of the full amount of the grant for which a
22 candidate qualifies, the board shall first allocate available moneys in that account
23 to equalize payments of grants to all eligible candidates for each office for which any
24 candidate has received payments from a political party account, and thereafter shall

BILL

1 prorate any remaining available moneys in that account to all eligible candidates
2 who qualify to receive a grant from that account.

3 **SECTION 111.** 11.50 (5) of the statutes is amended to read:

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

9 **SECTION 112.** 11.50 (6) of the statutes is amended to read:

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

14 **SECTION 113.** 11.50 (9) of the statutes is renumbered 11.50 (9) (a) and amended
15 to read:

16 **11.50 (9) (a)** ~~The~~ Except as provided in pars. (c) and (d), the total grant available
17 to an eligible candidate for an office other than the office of justice may not exceed
18 that amount which, when added to all other contributions accepted from sources
19 other than individuals, ^{Strike comma} political party committees ^{and} legislative campaign
20 committees, ^{plain comma} is equal to 45% of the disbursement level specified for the applicable
21 office under s. 11.31 (1), adjusted as provided under s. 11.31 (9).

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

BILL

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

3 SECTION 114. 11.50 (9) (b) to (d) of the statutes are created to read:

4 11.50 (9) (b) Except as provided in pars. (c) and (d), the total grant available
5 to an eligible candidate for the office of justice may not exceed that amount which,
6 when added to all other contributions accepted from sources other than individuals
7 political party committees ~~and legislative campaign committees~~, is equal to 65% of
8 the disbursement level specified for that office under s. 11.31 (1), as adjusted under
9 s. 11.31 (9).

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

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

20 SECTION 115. 11.50 (10m) of the statutes is amended to read:

21 11.50 (10m) RETURN OF GRANTS. An individual who receives a grant prior to an
22 election in which he or she is a candidate and who desires to return any portion of
23 the grant shall return that portion no later than the 2nd Tuesday in October
24 preceding a general election, the 4th Tuesday preceding a spring election or the 3rd
25 Tuesday preceding a special election. A candidate who returns all or any portion of

BILL

1 a grant under this subsection remains bound by the candidate's statement affidavit
2 filed under sub. ~~(2) (a)~~ s. 11.31 (2m) (a).

3 **SECTION 116.** 11.50 (11) (e) of the statutes is amended to read:

4 11.50 (11) (e) No candidate may expend, authorize the expenditure of or incur
5 any obligation to expend any grant if he or she violates the pledge affidavit required
6 under sub. (2) (a) as a precondition to receipt of a grant, ~~except as authorized in sub.~~
7 ~~(2) (h) or (i)~~.

8 **SECTION 117.** 11.50 (14) of the statutes is created to read:

9 11.50 (14) CERTIFICATIONS TO SECRETARY OF REVENUE. (a) In each
10 even-numbered year, the board shall certify to the secretary of revenue:

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

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

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

20 **SECTION 118.** 11.60 (1) and (2) of the statutes are amended to read:

21 11.60 (1) Any person, including any committee or group, who violates this
22 chapter may be required to forfeit not more than ~~\$500~~ \$1,500 for each violation.

23 (2) In addition to the penalty under sub. (1), any person, including any
24 committee or group, who is delinquent in filing a report required by this chapter may
25 be required to forfeit not more than ~~\$50~~ \$150 or ~~one percent~~ 3% of the annual salary

BILL

1 of the office for which the candidate is being supported or opposed, whichever is
2 greater, for each day of delinquency.

3 **SECTION 119.** 11.61 (1) of the statutes is amended to read:

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

7 (b) Whoever intentionally violates s. 11.25, 11.26, 11.27 (1), 11.30 (1) or 11.38
8 where the intentional violation does not involve a specific figure, or where the
9 intentional violation concerns a figure which exceeds \$100 in amount or value may
10 be fined not more than ~~\$10,000~~ \$30,000 or imprisoned for not more than ~~4~~ 13 years
11 and 6 months or both.

12 (c) Whoever intentionally violates any provision of this chapter other than
13 those provided in par. (a) and whoever intentionally violates any provision under par.
14 (b) where the intentional violation concerns a specific figure which does not exceed
15 \$100 in amount or value may be fined not more than ~~\$1,000~~ \$3,000 or imprisoned for
16 not more than 6 months one year in the county jail or both.

17 **SECTION 120.** 11.66 of the statutes is renumbered 11.66 (1) and amended to
18 read:

19 11.66 (1) Any elector may sue for injunctive relief to compel compliance with
20 this chapter. Before commencing any action concerning ~~a~~ an election for state office
21 or a statewide referendum, an elector shall file a verified complaint with the
22 executive director of the board under s. 5.066 (2) alleging such facts as are within his
23 or her knowledge to show probable cause to believe that a violation has occurred or
24 is proposed to occur. If The verified complaint shall include a notice that the elector
25 intends to seek relief under this section. Except as provided in sub. (2), if the

BILL

1 executive director of the board fails to commence an action order the relief that is
 2 sought by the elector under s. 5.066 (5) within 10 days of the filing of the complaint
 3 and the elector does not appeal the matter to the board under s. 5.066 (8) or the board,
 4 after hearing the elector's appeal, does not order the relief sought by the elector
 5 under s. 5.066 (9), the elector may commence an action.

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

11 SECTION 121. 11.66 (2) of the statutes is created to read:

12 11.66 (2) If the complaint relates to a matter specified in s. 5.066 (12) (a), the
 13 elector may commence an action under sub. (1) upon compliance with sub. (1).

14 SECTION 122. 25.42 of the statutes is amended to read:

15 **25.42 Wisconsin election campaign fund.** All moneys appropriated under
 16 s. 20.855 (4) (b) together with all moneys deposited under ss. 8.35 (4) (a), 11.07 (5),
 17 11.12 (2), 11.16 (2), 11.19 (1), 11.23 (2), and 11.38 (6), all moneys reverting to the state
 18 under s. 11.50 (8) and all gifts, bequests and devises received under s. 11.50 (13)
 19 constitute the Wisconsin election campaign fund, to be expended for the purposes of
 20 s. 11.50. All moneys in the fund not disbursed by the state treasurer shall continue
 21 to accumulate indefinitely.

22 SECTION 123. 71.07 (6s) of the statutes is created to read:

23 71.07 (6s) CAMPAIGN FUND TAX CREDIT. (a) *Definitions.* In this subsection:

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

1
 67-13

BILL

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

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

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

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

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

13 **SECTION 124.** 71.10 (3) (a) of the statutes is amended to read:

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

BILL

1 **SECTION 125.** 71.10 (3) (b) of the statutes is amended to read:

2 71.10 (3) (b) The secretary of revenue shall provide a place for these
3 designations under par. (a) on the face of the individual income tax return and shall
4 provide next to that place a statement that a designation will ~~not~~ increase tax
5 liability, and that the amount of a designation may be claimed as a credit under s.
6 71.07 (6s). Annually on August 15, the secretary of revenue shall certify to the
7 elections board, the department of administration and the state treasurer ~~under s.~~
8 ~~11.50~~ the total amount of designations made on returns processed by the department
9 of revenue during the preceding fiscal year and the amount of designations made
10 during that fiscal year for the general account and for the account of each eligible
11 political party. If any individual designates an amount greater than the amount
12 authorized under par. (a) or attempts to place any condition or restriction upon a
13 designation not authorized under par. (a), that individual is deemed not to have made
14 a designation on his or her tax return.

15 **SECTION 126.** 71.10 (4) (cs) of the statutes is created to read:

16 71.10 (4) (cs) The campaign fund tax credit under s. 71.07 (6s).

17 **SECTION 127.** 227.03 (6m) of the statutes is created to read:

18 227.03 (6m) Cases before the executive director of the elections board under
19 s. 5.066 are not subject to ss. 227.42 and 227.44 to 227.50.

20 **SECTION 128.** 227.52 (8) of the statutes is created to read:

21 227.52 (8) The decisions of the executive director of the elections board under
22 s. 5.066.

23 **SECTION 129. Nonstatutory provisions.**

24 (1) **WISCONSIN ELECTION CAMPAIGN FUND BALANCE TRANSFER.** The balance in the
25 Wisconsin election campaign fund on the effective date of this subsection is credited

BILL

1 to the general account of the Wisconsin election campaign fund established under
2 section 11.50 (2w) of the statutes, as created by this act.

3 (2) RULES FOR PUBLIC ACCESS CHANNELS AND PUBLIC TELEVISION STATIONS.

4 (a) Using the procedure under section 227.24 of the statutes, the elections
5 board may promulgate the rules required under section 11.21 ~~(1)~~⁽¹⁷⁾ of the statutes, as
6 created by this act, for the period before the effective date of the permanent rules, but
7 not to exceed the period authorized under section 227.24 (1) (c) and (2) of the statutes.
8 Notwithstanding section 227.24 (1) (a), (2) (b), and (3) of the statutes, the elections
9 board is not required to provide evidence that promulgating rules under this
10 paragraph as emergency rules is necessary for the preservation of the public peace,
11 health, safety, or welfare and is not required to provide a finding of emergency for any
12 rule promulgated under this paragraph.

13 (b) The elections board shall submit in proposed form the rules required under
14 section 11.21 ~~(1)~~⁽¹⁷⁾ of the statutes, as created by this act, to the legislative council staff
15 under section 227.15 (1) of the statutes no later than the first day of the 10th month
16 beginning after the effective date of this paragraph.

17 **SECTION 130. Initial applicability.**

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

22 ~~(3)~~⁽²⁾ COST OF LIVING ADJUSTMENTS. ~~not~~

23 ~~(a)~~ The treatment of section 11.26 (10a) ~~of~~^{and 11.31 (9)} the statutes first applies to
24 adjustments for the 4-year period beginning on January 1, 2006.

JWS
70-17

BILL

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

3 (4) ~~(3)~~ CAMPAIGN FUND TAX CREDIT. The treatment of sections 71.07 (6s) and 71.10
4 (3) (a) and (b) and (4) (cs) of the statutes first applies to the taxable year beginning
5 on January 1, 2002.

6 (END)

205529 ANALYSIS
30

FLING OF CAMPAIGN FINANCE REPORTS

sub sub

1 Exemptions from registration and reporting

Reports relating to referenda

Currently, any individual who accepts contributions, makes disbursements, or incurs obligations, and any ~~committee or~~ group that makes or accepts contributions, makes disbursements, or incurs obligations, in connection with ~~one or more elections for state or local office or~~ one or more ~~state or local~~ referenda exceeding \$25 cumulatively within a calendar year is potentially subject to requirements to register with the appropriate filing officer and to file campaign finance reports. ~~the~~

instead

This bill provides that ~~an individual who accepts contributions, makes disbursements, or incurs obligations, or a group that makes or accepts contributions, makes disbursements, or incurs obligations in connection with one or more referenda is not~~ subject to registration and reporting requirements ~~until the individual or group engages in activity exceeding \$100 cumulatively within a calendar year.~~

is potentially

only if contributions disbursements or obligations exceed

The bill also permits an individual or committee to claim an exemption from reporting requirements if the individual or committee does not accept contributions, make disbursements, or incur obligations exceeding \$1,000 cumulatively within a calendar year with respect to an election for state office, and does not accept contributions exceeding \$100 from a single source cumulatively within a calendar year. If an individual or committee does not accept contributions, make disbursements, or incur obligations with respect to an election for any state office but accepts contributions, makes disbursements, or incurs obligations with respect to an election for local office, the bill permits the individual or committee to claim an exemption from reporting requirements only if the individual or committee does not accept contributions, make disbursements, or incur obligations exceeding \$100 cumulatively within a calendar year.

2. Electronic filing

Currently, reports under the campaign finance law must be filed by certain dates specified by law and must cover time periods specified by law. Candidates for state office or their personal campaign or authorized support committees and other individuals, committees, and groups supporting or opposing candidates for state office or statewide ballot questions file their reports with the state elections board. Each registrant for whom the elections board serves as a filing agency and who or that 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. Any registrant who or that files a report electronically must also file a copy of the report recorded on a medium prescribed by the board.

This bill requires each committee that is currently required to file its campaign finance reports electronically to file those reports within 24 hours after a reportable transaction occurs. Under the bill, once a registrant becomes subject to an electronic reporting requirement, the requirement continues to apply until a termination report is filed, regardless of the level of continuing financial activity of the registrant. In accordance with current law, the bill also requires registrants who file electronically to file copies of reports, at the times currently prescribed by law,

(end ins)

MS 3A:1

2001 ASSEMBLY BILL 184

March 8, 2001 - Introduced by Representatives SERATTI, FREESE, VRAKAS, ALBERS, KRAWCZYK, PETTIS, WILLIAMS, JESKEWITZ, SKINDRUD, TOWNSEND, PETROWSKI, OWENS, URBAN, MUSSER, POWERS and F. LASEE. Referred to Committee on Campaigns and Elections.

1 AN ACT to repeal 11.06 (3) (b); and to amend 11.06 (1) (intro.) and 11.12 (4) of
2 the statutes; relating to: reporting of information by nonresident registrants
3 under the campaign finance law.

Analysis by the Legislative Reference Bureau

Currently, with certain exceptions, registrants under the campaign finance law are required to file regular reports with the appropriate filing officer or agency. The reports must identify contributors of more than \$20 cumulatively within a calendar year; the occupation and principal place of employment, if any, of each contributor whose cumulative contributions within a calendar year exceed \$100; the registrants from whom or to whom funds are transferred; other income exceeding \$20; contributions donated to a charitable organization or the common school fund; loans exceeding \$20, together with the identity of the lenders and guarantors, if any; disbursements (expenditures) and obligations exceeding \$20; and certain information from registrants making disbursements independently of candidates. However, if a registrant does not maintain an office or street address within this state, the registrant need only identify contributions, transfers, loans, and other income received from sources in this state and disbursements and obligations incurred with respect to elections for state or local office in this state.

This bill deletes the exception for registrants who or which do not maintain an office or street address within this state, so that these registrants are required to report the same information as other registrants. The bill does not affect reporting by authorized committees of candidates for the office of U.S. senator or

ASSEMBLY BILL 184

INS 3A: 2

representative in congress, national political party committees, and federally registered committees of state political parties that make no contributions to individuals or committees that are subject to a state registration requirement.

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

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

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

SECTION 2. 11.06 (3) (b) of the statutes is repealed.

SECTION 3. 11.12 (4) of the statutes is amended to read:

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

SECTION 4. Initial applicability.

(1) This act first applies with respect to reporting periods which begin on or after the effective date of this subsection.

(END)

< end ins >

2001-2002 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-2872/3insRMZ
RJM&JTK:.....

INSERT ANALYSIS TABLE

↓
[LPS: MAKE THIS TABLE LOOK LIKE OTHER TABLES IN ANALYSIS]

Office	Current Limit	Proposed Limit
Governor	\$43,128	\$43,500
Lieutenant governor	12,939	12,000
Attorney general	21,560	22,000
Secretary of state	8,625	8,650
State treasurer	8,625	8,650
Supreme court justice	8,625	12,000
Superintendent of public instruction	8,625	12,000
State senator	1,000	1,500
Representative to the assembly	500	750

LPS:

use the first
table on page
5 of the
analysis as
your model.
for formatting this
info into a table



INS 3B:

Reporting of disbursements for communications

Currently, if a person makes a payment to make a communication for the purpose of influencing an election, the payment is potentially reportable as a disbursement (expenditure) ~~regardless of whether~~ the communication ~~has been~~ made ~~at the time~~ ~~that~~ the disbursement ~~is made~~. Under this bill, a payment made for such a purpose is not reportable until the communication is made.

after
of

even if

is

Reporting of late independent obligations and disbursements

Under current law, an individual or committee making disbursements independently of a candidate in support of or in opposition to a candidate for state or local office must inform the appropriate filing officer within 24 hours of making such a disbursement, if the cumulative amount of such disbursements made by the individual or committee later than 15 days before a primary or election exceeds \$20.

~~This bill replaces this provision with a provision that requires an individual or committee incurring obligations for communications made, or making disbursements for communications independently of a candidate to inform the appropriate filing officer within 24 hours after making any communication if the cumulative amount of obligations incurred or disbursements made by the individual or committee later than 21 days before a primary or election exceeds \$250.~~

extends
this 24-hour reporting
requirement to
cover obligations
incurred for
communications
made. Also, the
bill requires
24-hour reporting

only

INS 9A:

Contributions made in connection with certain fund-raising events

This bill provides that no member of the legislature or personal campaign committee of a member may make any contribution in connection with a fund-raising social event held in Dane County during a legislative floor period or a special or extraordinary session if the event is held to benefit a member or member's personal campaign committee. The prohibition does not apply if an event is held between the first day authorized for filing nomination papers for an office for which a member is a candidate and the date of the election for that office, if the event is held within the jurisdiction or district served by the office for which the member is a candidate or if the member is a candidate for an office other than member of the house in which the member serves. The prohibition is also inapplicable to an event that is held during a special or extraordinary session by a member or his or her personal campaign committee if the member serves a district that is at least partly contained within Dane County, the event is held within the boundaries of that district, and invitations to the event are sent before the special or extraordinary session is called.

Violators of the prohibition are subject to a forfeiture (civil penalty) of not more than \$500 for each violation. Intentional violators are guilty of a misdemeanor and



are subject to a fine of not more than \$1,000 or imprisonment for not more than six months, or both.

Currently, there is no such prohibition.



RS 15A:1

2001 ASSEMBLY BILL 682

December 17, 2001 - Introduced by Representatives GUNDRUM, JENSEN, TRAVIS, FREESE, LASSA, LADWIG, ZIEGELBAUER, STONE, MCCORMICK, OLSEN, STARZYK, KESTELL, SKINDRUP, NASS, HAIN, ALBERS, KRAWCZYK, D. MEYER, KREIBICH, DUFF, PETROWSKI, HUEBSCH, VRAKAS, BIES and LIPPERT, cosponsored by Senators ROSENZWEIG, HUELSMAN, ROESSLER and HARSDORF. Referred to Committee on Campaigns and Elections.

1 AN ACT *to amend* 11.25 (2) (b) and 19.53 (6); and *to create* 19.45 (13), 19.535 and
2 19.59 (1) (br) of the statutes; **relating to:** official action in return for providing
3 or withholding political contributions, services, or other things of value and
4 providing a penalty.

sub

OFFICIAL ACTION IN RETURN FOR PROVIDING OR WITHHOLDING THINGS OF VALUE

Analysis by the Legislative Reference Bureau

Currently, no person may offer or give to a state public official, including a member of the legislature, directly or indirectly, and no state public official may solicit or accept from any person, directly or indirectly, anything of value if it could reasonably be expected to influence the state public official's vote, official actions, or judgment, or could reasonably be considered a reward for any official action or inaction on the part of the state public official.

This bill provides, in addition, that no state or local public official holding an elective office may, directly or by means of an agent, give, or offer or promise to give, or withhold, or offer or promise to withhold, his or her vote or influence, or promise to take or refrain from taking official action with respect to any proposed or pending matter in consideration of or upon condition that any other person make or refrain from making a political contribution, or provide or refrain from providing any service or other thing of value, to or for the benefit of a candidate, a political party, or any other person who is subject to a registration requirement under the campaign finance law, or any person who makes an expenditure independently of a candidate

Violators are subject to a forfeiture (civil penalty) of not more than \$5,000 for each violation, and are also subject to a forfeiture in an amount equal to the amount of making certain communications for the purpose of containing a reference to a candidate for State or local public office

ASSEMBLY BILL 682

(service)

INS 15A:2

obtained, or if no political contribution or other thing of value was obtained, an amount equal to the maximum contribution that an individual is permitted to make to a candidate for the office sought or held by the official, whichever amount is greater.

or value of any political contribution, service, or other thing of value that was wrongfully procured. Intentional violators are guilty of a misdemeanor and are subject to a fine of not less than \$100 nor more than \$5,000 or imprisonment in the county jail for not more than one year or both.

The bill also provides that, if the ethics board refuses or otherwise fails to authorize an investigation with respect to any violation of the prohibition created by the bill within 30 days after receiving a verified complaint alleging such a violation, the person making the complaint may bring a lawsuit to recover a forfeiture on behalf of the state. If the person making the complaint prevails, the bill provides that the court may require the defendant to pay the complainant's attorney fees and costs, but any forfeiture recovered must be paid to the state. If the court finds that a lawsuit was frivolous, the court must award fees and costs to the defendant. The bill provides that no lawsuit based upon such a complaint may be brought during the period beginning 120 days before a general or special election and ending on the date of that election against a candidate who files a declaration of candidacy to have his or her name appear on the ballot at that election.

alleging a violation of the prohibition created by the bill

or a district attorney fails to initiate a prosecution

election or the date that a

is ordered

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

1 SECTION 1. 11.25 (2) (b) of the statutes is amended to read:

2 11.25 (2) (b) Notwithstanding par. (a), a registrant may accept contributions

3 and make disbursements from a campaign depository account for the purpose of

4 making expenditures in connection with a campaign for national office; for payment

5 of civil penalties incurred by the registrant under this chapter but not under any

6 other chapter; or for payment of the expenses of nonpartisan campaigns to increase

7 voter registration or participation. Notwithstanding par. (a), a personal campaign

8 committee or support committee may accept contributions and make disbursements

9 from a campaign depository account for payment of inaugural expenses of an

10 individual who is elected to state or local office. If such expenses are paid from

11 contributions made to the campaign depository account, they are reportable under

12 s. 11.06 (1) as disbursements. Otherwise, such expenses are not reportable under s.

(end ins)



during the 60-day period preceding the spring election, or that is made during the 60-day period preceding any general or special election for a partisan state office other than the office of district attorney; that contains a reference to a clearly identified candidate for such an office at that election; that is made without cooperation or consultation with such a candidate, or any authorized committee or agent of such a candidate; and that is not made in concert with, or at the request or suggestion of, such a candidate, or any authorized committee or agent of such a candidate.

SECTION 13. 11.01 (12s) of the statutes is repealed.

INJECT
22-4B

SECTION 14. 11.05 (1) of the statutes is renumbered 11.05 (1) (a) and amended to read:

11.05 (1) (a) Except as provided in s. 9.10 (2) (d), every committee, other than a personal campaign committee, and every political group subject to registration under s. 11.23 which that makes or accepts contributions, incurs obligations or makes disbursements in a calendar year in an aggregate amount in excess of \$25 shall file a statement with the appropriate filing officer giving the information required by sub. (3). In the case of any committee other than a personal campaign committee, the statement shall be filed by the treasurer. A personal campaign committee shall register under sub. (2g) ~~or (2r)~~ (plain text)

SECTION 15. 11.05 (1) (b) of the statutes is created to read:

11.05 (1) (b) Every political group subject to registration under s. 11.23 which makes or accepts contributions, incurs obligations, or makes disbursements in a calendar year in an aggregate amount in excess of \$100 shall file a statement with the appropriate filing officer giving the information required by sub. (3).

~~SECTION 15.~~ 11.05 (2) of the statutes is renumbered 11.05 (2) (a) and amended to read:

11.05 (2) (a) Except as provided in s. 9.10 (2) (d), every individual, other than a candidate or agent of a candidate, who accepts contributions, incurs obligations, or makes disbursements with respect to one or more elections for state or local office in a calendar year in an aggregate amount in excess of \$25 shall file a statement with the appropriate filing officer giving the information required by sub. (3). An individual who guarantees a loan on which an individual, committee or group subject to a registration requirement defaults is not subject to registration under this subsection solely as a result of such default. ✓

~~SECTION 16.~~ 11.05 (2) (b) of the statutes is created to read:

11.05 (2)(b) Every individual who accepts contributions, incurs obligations, or makes disbursements with respect to one or more referenda in a calendar year in an aggregate amount in excess of \$100 shall file a statement with the appropriate filing officer giving the information required by sub. (3). ✓

~~SECTION 18.~~ 11.05 (2r) (title) of the statutes is renumbered 11.06 (2m) (title).

~~SECTION 19.~~ 11.05 (2r) of the statutes is renumbered 11.06 (2m) (a) and amended to read:

~~11.06 (2m) (a) Any person, committee or group, other than a committee or an individual or committee required to file an oath under s. 11.06 (7), who or which does not anticipate accepting contributions, making disbursements or incurring obligations in an aggregate amount in excess of \$1,000 in a calendar year and does not anticipate accepting any contribution or contributions from a single source, other than contributions made by a candidate to his or her own campaign, exceeding \$100 in that year may indicate on its registration statement that the person, committee~~

(end ins)

11.05 (3) (r) In the case of a candidate or personal campaign committee of a candidate, the telephone number or numbers and a facsimile transmission number or electronic mail address, if any, at which the candidate may be contacted.

SECTION 24. 11.05 (5) of the statutes is amended to read:

11.05 (5) CHANGE OF INFORMATION. Any change in information previously submitted in a statement of registration shall be reported by the registrant to the appropriate filing officer within 10 days following the change. This period does not apply in case of change of an indication made under ~~sub. (2r)~~ s. 11.06 (2m), which shall be reported no later than the date that a registrant is subject to a filing requirement under ~~sub. (2r)~~ s. 11.06 (2m). Any such change may be reported only by the individual or by the officer who has succeeded to the position of an individual who signed the original statement; but in the case of a personal campaign committee, a candidate or campaign treasurer may report a change in the statement except as provided in s. 11.10 (2), and in the case of any other committee or group, the chief executive officer or treasurer indicated on the statement may report a change. If a preexisting support committee is adopted by a candidate as his or her personal campaign committee, the candidate shall file an amendment to the committee's statement under this subsection indicating that all information contained in the statement is true, correct and complete.

SECTION 25. 11.05 (9) (title) of the statutes is repealed and recreated to read:

11.05 (9) (title) DEPOSIT OF CONTRIBUTIONS, CONDUITS.

SECTION 26. 11.05 (12) (b) of the statutes is amended to read:

11.05 (12) (b) Except as authorized under sub. (13), a committee, group or individual other than a candidate or agent of a candidate shall comply with sub. (1) or (2) no later than the 5th business day commencing after receipt of the first

INSIST
23-9B

contribution by such committee, group or individual, and before making any disbursement. No committee, group or individual, other than a candidate or agent of a candidate, may accept any contribution or contributions exceeding \$25 in the aggregate the amount specified in sub. (1) or (2) during a calendar year at any time when the committee, group or individual is not registered under this section except within the initial 5-day period authorized by this paragraph.

~~SECTION 27. 11.05 (13) of the statutes is amended to read:~~

~~11.05 (13) BANK ACCOUNT AND POSTAL BOX; EXEMPTION. An individual, committee or group does not violate this section by accepting a contribution and making a disbursement in the amount required to rent a postal box, or in the minimum amount required by a bank or trust company to open a checking account, prior to the time of registration, if the disbursement is properly reported on the first report submitted under s. 11.20 or 11.21 (16) after the date that the individual, committee or group is registered, whenever a reporting requirement applies to the registrant.~~

~~SECTION 28. 11.06 (1) (intro.) of the statutes is amended to read:~~

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

~~SECTION 29. 11.06 (1) (e) of the statutes is amended to read:~~

~~11.06 (1) (e) An itemized statement of contributions over \$20 from a single source donated to a charitable organization or to the common school fund, with the~~

(LRS MS)

JWS 23-23

**ASSEMBLY AMENDMENT 1,
TO 2001 ASSEMBLY BILL 184**

April 12, 2001 - Offered by COMMITTEE ON CAMPAIGNS AND ELECTIONS.

1 At the locations indicated, amend the bill as follows:

2 1. Page 2, line 9: delete that line and substitute:

3 ~~SECTION 2m.~~ 11.06 (3) (b) (intro.) of the statutes is amended to read:

4 11.06 (3) (b) (intro.) Notwithstanding sub. (1), a A nonresident registrant shall
5 report on a form prescribed by the board the applicable information ~~concerning that~~
6 makes a report under sub. (1) shall ensure that the report separately states
7 information under sub. (1) concerning all of the following, in a manner prescribed by
8 the board:

See
(END)

PLAIN
TEXT

thaw
this
number

(b) A statement as to whether the communication is intended to support or oppose any candidate who is identified under par. (a) and if so, the name of that candidate.

(c) The total amount or value of the independent expenditure and the cumulative aggregate independent expenditures made by the person with respect to that election.

(3) If a person who makes an independent expenditure does not indicate whether an independent expenditure is made against an eligible candidate or for an eligible candidate's opponent, or if the report reasonably appears to be incorrect, the board may obtain a copy of the communication and, after examination, determine whether the expenditure was made against an eligible candidate or for an eligible candidate's opponent for purposes of s. 11.50 (9) (bb). Any determination made by the board under this subsection applies solely for the purpose of administration of s. 11.50 (9) (bb).

INSS 255

SECTION 38. 11.07 (1) of the statutes is amended to read:

11.07 (1) Every nonresident committee or group making contributions and every nonresident individual, committee or group making disbursements exceeding \$25 cumulatively the amount specified in s. 11.05 (1) or (2) in a calendar year within this state shall file the name, mailing and street address and the name and the mailing and street address of a designated agent within the state with the office of the secretary of state. An agent may be any adult individual who is a resident of this state. After any change in the name or address of such agent the new address or name of the successor agent shall be filed within 30 days. Service of process in any proceeding under this chapter or ch. 12, or service of any other notice or demand may be made upon such agent.

(enc ms)