

**ASSEMBLY AMENDMENT 1,
TO 2001 ASSEMBLY BILL 843**

February 21, 2002 – Offered by COMMITTEE ON CAMPAIGNS AND ELECTIONS.

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

- 2 ✓ **1.** Page 22, line 15: delete the material beginning with “, other” and ending
3 with “disbursement,” on line 16.
- 4 ✓ **2.** Page 26, line 19: after “disbursements” insert “using contributions”.
- 5 ✓ **3.** Page 27, line 11: after “reported” insert “under this section”.
- 6 ✓ **4.** Page 28, line 10: delete “and (2)” and substitute “(2), and (2m)”.
- 7 ✓ **5.** Page 28, line 13: delete “or (2)” and substitute “(2), or (2m)”.
- 8 ✓ **6.** Page 29, line 7: after “board” insert “on a form prescribed by the board for
9 this purpose”.
- 10 ✓ **7.** Page 30, line 14: delete “opponent,” and substitute “opponent or”.
- 11 ✓ **8.** Page 30, line 15: delete the material beginning with “or if any” and ending
12 with “incorrect,” on line 17.

1 ✓ **9.** Page 36, line 4: delete lines 4 and 5 and substitute:

2 “11.20 (2) ~~Preprimary and~~ Unless a candidate is required to file additional
3 reports”.

4 ✓ **10.** Page 36, line 15: delete “otherwise” and substitute “additional reports
5 are”.

6 ✓ **11.** Page 36, line 22: delete “otherwise” and substitute “additional reports
7 are”.

8 ✓ **12.** Page 36, line 23: after “election” insert “other than a primary”.

9 ✓ **13.** Page 37, line 1: delete lines 1 to 7 and substitute:

10 “11.20 (3) (be) In addition to any reports required under sub. (2), if a candidate
11 for a state office specified in s. 11.31 (1) (a) to (d), (e), or (f) who seeks to have his or
12 her name appear on the ballot at a general, spring, or special election, as of the 15th
13 day before the primary election at which the candidate seeks nomination or, if no
14 primary is held, as of the 15th day before the date on which the primary would be
15 held, if a primary were required, ^{or at any time thereafter,} has received contributions or other income in a total
16 amount exceeding 75% of the disbursement level specified in s. 11.31 (1), as adjusted
17 under s. 11.31 (9), for the office that the candidate seeks, the candidate or his or her
18 personal campaign committee shall file preprimary or preelection reports beginning
19 with the week which includes that day for each week prior to any primary election,
20 and for each week prior to the succeeding general, spring, or special election, if the
21 name of the candidate appears on the ballot at that election.”.

22 ✓ **14.** Page 40, line 14: delete lines 14 and 15 and substitute “for election or
23 nomination to any ~~of the following offices~~ office specified in pars. (a) to (c) who has
24 filed an affidavit under s. 11.31 (2m) or for election or nomination to any office

1 specified in pars. (cc) to (d) and to any individual or committee under s. 11.06 (7)
2 acting solely”.

3 ✓ **15.** Page 41, line 18: after “(10a)” insert “and except as provided under sub.
4 (2t)”.

5 ✓ **16.** Page 41, line 20: delete “of the following offices” and substitute “of the
6 following offices office specified in pars. (a) to (c) who has filed an affidavit under s.
7 11.31 (2m) or for election or nomination to any office specified in pars. (cc) to (e)”.

8 ✓ **17.** Page 42, line 11: after that line insert:

9 “**SECTION 61g.** 11.26 (2m) of the statutes is created to read:

10 11.26 (2m) Subject to sub. (10a) and except as provided under sub. (2t), no
11 committee other than a political party committee may make any contribution or
12 contributions to a candidate for election or nomination to any of the following offices
13 who has not filed an affidavit under s. 11.31 (2m) and to any individual or committee
14 under s. 11.06 (7) acting solely in support of such a candidate or solely in opposition
15 to the candidate’s opponent to the extent of more than a total of the amounts specified
16 per candidate:

17 (a) Candidates for governor, \$21,750.

18 (ae) Candidates for lieutenant governor, \$6,000.

19 (am) Candidates for attorney general, \$11,000.

20 (as) Candidates for state superintendent or justice, \$6,000.

21 (av) Candidates for secretary of state or state treasurer, \$4,325.

22 (b) Candidates for state senator, \$750.

23 (c) Candidates for representative to the assembly, \$375.

24 **SECTION 61r.** 11.26 (2t) of the statutes is created to read:

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

10 ✓18. Page 42, line 13: delete “~~and (2)~~” and substitute “~~and (2)~~, ^{(1m),} and (2m)”.

11 ✓19. Page 43, line 12: after “(2),” insert “(2m)”.

12 ✓20. Page 43, line 13: after “(2),” insert “(2m)”.

13 ✓21. Page 46, line 10: after “(2),” insert “(2m),”.

14 ✓22. Page 46, line 17: after “(2),” insert “(2m),”.

15 ✓23. Page 47, line 6: delete “or (2)” and substitute “(2), or (2m)”.

16 ✓24. Page 47, line 9: after “(2),” insert “(2m)”.

17 ✓25. Page 47, line 15: after that line insert:

18 “SECTION 75m. 11.29 (1) of the statutes is amended to read:

19 11.29 (1) Nothing in this chapter restricts any corporation, cooperative or
20 voluntary association other than a political party or personal campaign committee
21 from making disbursements or independent expenditures for the purpose of
22 communicating only with its members, shareholders or subscribers to the exclusion
23 of all other persons, with respect to endorsements of candidates, positions on a

1 referendum or explanation of its views or interests, without reporting such activity.
2 No such corporation, cooperative or voluntary association may solicit contributions
3 or other donations from persons who are not members, shareholders or subscribers
4 to be used for such purposes.”.

5 ✓26. Page 47, line 23: delete that line and substitute “contribution or
6 disbursement, or independent expenditure.”.

7 ✓27. Page 51, line 20: delete the material beginning with “(a) If a candidate”
8 and ending with “11.30 (4m)” on page 52, line 1, and substitute “(a) If the board
9 receives a report under s. 11.065 that an independent expenditure has been made for
10 the purpose of making a communication in opposition to a candidate for a state office
11 specified in sub. (1) (a) to (d), (e), or (f), or in support of a candidate whose name is
12 certified under s. 7.08 (2) (a) or 8.50 (1) (d) to appear on the ballot in opposition to such
13 a candidate”.

14 ✓28. Page 75, line 18: after that line insert:
15 “(3m) NONSEVERABILITY; OTHER PROVISIONS
16 if a court finds that all or any portion of the statutes listed in paragraph (a) or all or
17 any portion of the treatments listed in paragraph (b) is unconstitutional, then all of
18 the statutes listed in paragraph (a) and all of the treatments listed in paragraph (b)
19 are void in their entirety:

20 (a) *Statutes created by this act.* Sections 11.01 (4m), (11m), and (13); 11.06 (1)
21 (cm); 11.065; 11.26 ~~(1m), (2m), (2r), and (9m); 11.26 (10a)~~ (with respect to the
22 ~~reference to 11.26 (1m) and (2m)~~ 11.30 (4m) (with respect to the reference to
23 independent expenditures); 11.31 (2m) (a) (with respect to the reference to 11.31 (3n)
24 and (3r)); and 11.31 (3n) and (3r) of the statutes, as created by this act.

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1 (b) *Treatments of current statutes by this act.* The treatment of sections 5.05
 2 (1) (e); 11.06 (2) ~~and 7m) (a) (with respect to the reference to 11.26 (1m) and (2m))~~
 3 ~~and 9m); 11.26 (1) (intro.) (with respect to the reference to 11.26 (1m) and (9m) and the~~
 4 ~~filing of an affidavit under 11.31 (3m)), (4) (intro.) (with respect to the reference to~~
 5 ~~11.26 (2) and the filing of an affidavit under 11.31 (2m)), (3), (5), (6) (with respect to~~
 6 ~~the reference to 11.26 (1m) and (9m) (a) (with respect to the reference to 11.26~~
 7 ~~(9m) and (b)) (with respect to the reference to 11.26 (9m)), (10), (11) (with respect to~~
 8 ~~the reference to 11.26 (1m) and (2m) and (17) (a); 11.27 (1); 11.29 (1); 11.31 (2) (with~~
 9 respect to the reference to 11.31 (3n) and (3r)); 11.50 (2) (g) (with respect to the
 10 reference of 11.31 (3n) and (3r)) and (i) (with respect to the reference to 11.31 (3n) and
 11 (3r)); and 12.05 of the statutes and the renumbering of 11.31 (2m) (with respect to
 12 the reference to 11.31 (3n) and (3r)) of the statutes.”.

(END)

(with respect
to the reference
to 11.26 (9m))

**ASSEMBLY AMENDMENT 1,
TO ASSEMBLY AMENDMENT 1,
TO 2001 ASSEMBLY BILL 843**

February 26, 2002 – Offered by Representative DUFF.

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

2 ✓1. Page 5, line 15: before that line insert:

3 ““(3g) NONSEVERABILITY; CERTAIN CONTRIBUTION LIMITATIONS. Notwithstanding
4 section 990.001 (11) of the statutes, if a court finds that all or any portion of the
5 statutes listed in paragraph (a) or all or any portion of the treatments listed in
6 paragraph (b) is unconstitutional, then all of the statutes listed in paragraph (a) and
7 all of the treatments listed in paragraph (b) are void in their entirety:

8 (a) *Statutes created by this act.* Section 11.26 (1m), (1t), (2m), (2t), and (10a)
9 (with respect to the reference to 11.26 (1m) and (2m)) of the statutes, as created by
10 this act.

11 (b) *Treatments of current statutes by this act.* The treatment of sections 11.06
12 (7m) (a) (with respect to the reference to 11.26 (1m) and (2m)) and (b); and 11.26 (1)

1 (intro.) (with respect to the reference to 11.26 (1t) and the filing of an affidavit under
2 11.31 (2m)), (2) (intro.) (with respect to the reference to 11.26 (2t) and the filing of an
3 affidavit under 11.31 (2m)), (3), (5), (6) (with respect to the reference to 11.26 (1m)
4 and (2m)), (15) (with respect to the reference to 11.26 (1m) and (2m)), and (17) (a)
5 (with respect to the reference to 11.26 (1m) and (2m)) of the statutes.”.

6 ~~2.~~ Page 5, line 15: delete “(3m) NONSEVERABILITY” and substitute “(3r)
7 NONSEVERABILITY; OTHER PROVISIONS”.

8 ~~3.~~ Page 5, line 21: delete “(1m), (1t), (2m), (2t), and”.

9 ~~4.~~ Page 5, line 21: delete the material beginning with “11.26 (10a)” and ending
10 with “(2m);” on line 22.

11 ~~5.~~ Page 6, line 2: delete the material beginning with “and (7m)” and ending
12 with “and (b)” on line 3.

13 ~~6.~~ Page 6, line 3: delete “(1t) and”.

14 ~~7.~~ Page 6, line 3: delete the material beginning with “and the” and ending with
15 “(2m)” on line 4.

16 ~~8.~~ Page 6, line 4: delete the material beginning with “(2) (intro.)” and ending
17 with “(2m);” on line 6.

18 ~~9.~~ Page 6, line 7: after “(9m)” insert “)”.
J

19 ~~10.~~ Page 6, line 7: delete “(b))” and substitute “(b)”.
J

20 ~~11.~~ Page 6, line 7: delete the material beginning with “(15)” and ending with
21 “(2m);” on line 8.
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✓ **12.** Page 6, line 8: delete "(17) (a)" and substitute "(17) (a) (with respect to the reference to 11.26 (9m))"

(END)

**ASSEMBLY AMENDMENT 2,
TO ASSEMBLY AMENDMENT 1,
TO 2001 ASSEMBLY BILL 843**

February 26, 2002 – Offered by Representatives DUFF and FREESE.

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

2 ✓ **1.** Page 2, line 15: after “required,” insert “or at any time thereafter,”.

3 (END)

**ASSEMBLY AMENDMENT 10,
TO 2001 ASSEMBLY BILL 843**

February 26, 2002 – Offered by Representatives SUDER and DUFF.

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

2 ✓1. Page 57, line 9: delete “and” and substitute “and”.

3 ✓2. Page 58, line 10: delete “(1)” and substitute “(1)”.

4 ✓3. Page 58, line 11: delete “(9).” and substitute “(9); and”.

5 ✓4. Page 58, line 12: before that line insert:

6 “SECTION 103g. 11.50 (2) (b) 6. of the statutes is created to read:

7 11.50 (2) (b) 6. The application is not required to be disapproved under par. (f).

8 SECTION 103r. 11.50 (2) (c) of the statutes is amended to read:

9 11.50 (2) (c) ~~If a candidate has not filed financial reports as of the date of the~~
10 ~~spring primary, September primary, special primary, or date that the special primary~~
11 ~~would be held, if required, which indicate that he or she has met the qualification~~
12 ~~under par. (b) 5., the candidate may file a special report with the board. Such report~~
13 ~~shall be filed not later than~~ Any individual who desires to qualify as an eligible

1 candidate shall file a special report with the board during the period beginning on
2 the day after the primary, or the 7th day after the date on which the primary would
3 be held, if required, and ending on the 7th day after the primary, or 7th day after the
4 date on which the primary would be held, if required, and. The special report shall
5 include ~~such supplementary information as to sources of contributions which may~~
6 ~~be necessary to complete the candidate's qualification~~ all information that is
7 required to be reported under s. 11.06 (1). The special report shall cover the period
8 from the day after the last date covered on the candidate's most recent report, or from
9 the date on which the first contribution was received or the first disbursement was
10 made, whichever is earlier, if the candidate has not previously filed a report, to the
11 date of such report the primary, or the date on which the primary would be held, if
12 required. All information included on the special report shall also be included in the
13 candidate's next report under s. 11.20.”.

14 ✓ **5.** Page 58, line 13: before “The board” insert “The board shall disapprove the
15 application of any candidate who has a balance in his or her campaign depository
16 account, as reported under par. (c), that is equal to or greater than 100% of the
17 disbursement level specified under s. 11.31 (1), as adjusted under s. 11.31 (9), for the
18 office that the candidate seeks, but without respect to any adjustment under s. 11.31
19 (3n) or (3r).”.

20 ✓ **6.** Page 63, line 20: delete “pars. (c) and” and substitute “par.”.

21 ✓ **7.** Page 64, line 6: delete “(b) to (d)” and substitute “(b) and (d)”. ✓

22 ✓ **8.** Page 64, line 7: delete “pars. (c) and” and substitute “par.”.

23 ✓ **9.** Page 64, line 12: delete lines 12 to 17.



State of Wisconsin
2001-2002 LEGISLATURE

CORRECTIONS IN:

2001 ASSEMBLY BILL 843

Prepared by the Legislative Reference Bureau
(February 27, 2002)

- ✓ 1. Page 64, line 10: delete "political" and substitute "and political".

LRB-2872/5ccc-2
KMG:ch

Minor clerical corrections in legislation are authorized under s. 35.17, stats.; Senate Rule 31; Assembly Rule 36; and Joint Rule 56.



State of Wisconsin
2001-2002 LEGISLATURE

CORRECTIONS IN:

2001 ASSEMBLY BILL 843

Prepared by the Legislative Reference Bureau
(February 25, 2002)

- ✓ 1. Page 49, line 17: delete "s. 11.31 (3n) or" and substitute "sub. (3n) or s.".
- X 2. Page 51, line 21: delete "(2m)" and substitute "(2m) and".

LRB-2872/5ccc-1
KMG:ch

Minor clerical corrections in legislation are authorized under s. 35.17, stats.; Senate Rule 31; Assembly Rule 36; and Joint Rule 56.

Bill Sect. No.	Introduced No.	Page No.	Line No.	Error Message
NONE	AA2-AA1-AB843	2	15	
75M	AA1-AA1-AB843	5	15	

SAVE ALL
FOR EDITOR Page 1

Enroll/Engross Error/Conflict Report

Error No.	Introduced No.	Page No.	Line No.
1	AA1-AB843	000036	000005
	AA1-AB843	000036	000005
2	AA1-AB843	000037	000007
	AA1-AB843	000037	000007
3	AA1-AB843	000040	000015
	AA1-AB843	000040	000015
4	AA1-AB843	000047	000023
	AA1-AB843	000047	000023
5	AA1-AB843	000052	000001
	AA1-AB843	000052	000001



Bill Sect. No.	Introduced No.	Page No.	Line No.	Error Message
7	AA1-AB843	22	15	
21	AA1-AB843	26	19	
23	AA1-AB843	27	11	
25	AA1-AB843	28	10	
26	AA1-AB843	28	13	
29	AA1-AB843	29	7	
29	AA1-AB843	30	14	
29	AA1-AB843	30	15	
41	AA1-AB843	36	4	
41	AA1-AB843	36	15	
41	AA1-AB843	36	22	
41	AA1-AB843	36	23	
42	AA1-AB843	37	1	
54	AA1-AB843	40	14	
58	AA1-AB843	41	18	
58	AA1-AB843	41	20	
61G	AA1-AB843	42	11	
61R	AA1-AB843	42	11	
62	AA1-AB843	42	13	
65	AA1-AB843	43	12	
65	AA1-AB843	43	13	
71	AA1-AB843	46	10	
71	AA1-AB843	46	17	
72	AA1-AB843	47	6	
73	AA1-AB843	47	9	
75M	AA1-AB843	47	15	
76	AA1-AB843	47	23	
83	CCC-1-AB843	49	17	
90	AA1-AB843	51	20	

Bill Sect. No.	Introduced No.	Page No.	Line No.	Error Message
102	AA10-AB843	57	9	
103	AA10-AB843	58	10	
103	AA10-AB843	58	11	
103G	AA10-AB843	58	12	
103R	AA10-AB843	58	12	
103R	AA10-AB843	58	13	
117	AA10-AB843	63	20	
118	AA10-AB843	64	6	
118	AA10-AB843	64	7	
118	CCC-2-AB843	64	10	
118	AA10-AB843	64	12	
118	AA10-AB843	64	20	
146	AA1-AB843	75	18	



State of Wisconsin
2001 - 2002 LEGISLATURE

LRB-2872/en - *Tagg*
JTK/RM/MS/MK:cs:jf

2001 ASSEMBLY BILL 843

February 20, 2002 – Introduced by Representatives DUFF and FREESE, cosponsored by Senator SCHULTZ. Referred to Committee on Campaigns and Elections.

1 **AN ACT to repeal** 11.01 (12s), 11.05 (3) (o), 11.265, 11.31 (1) (dm), 11.31 (3m) and
2 11.31 (4); **to renumber** 11.50 (1) (a) 1.; **to renumber and amend** 11.05 (1),
3 11.05 (2), 11.12 (6), 11.31 (2m), 11.50 (1) (a) 2., 11.50 (3) (a) 1., 11.50 (3) (a) 2.,
4 11.50 (9), 11.66, 19.49 (5) and 19.59 (7); **to amend** 5.02 (13), 5.05 (1) (e), 7.08
5 (2) (cm), 8.35 (4) (a) 1. a. and b., 11.05 (3) (c), 11.05 (7), 11.05 (9) (b), 11.05 (12)
6 (b), 11.06 (1) (intro.), 11.06 (2), 11.06 (3) (b) (intro.), 11.06 (7m) (a), 11.06 (7m)
7 (b), 11.06 (7m) (c), 11.07 (1), 11.07 (5), 11.09 (3), 11.12 (2), 11.12 (4), 11.16 (2),
8 11.16 (5), 11.19 (1), 11.20 (2), (3) (a) and (b), 11.20 (8) (intro.), 11.20 (8) (a), 11.21
9 (15), 11.23 (1), 11.23 (2), 11.25 (2) (b), 11.26 (1) (intro.), 11.26 (1) (b) and (c), 11.26
10 (2) (intro.), 11.26 (2) (a), 11.26 (2) (b) and (c), 11.26 (3), 11.26 (4), 11.26 (5), 11.26
11 (6), 11.26 (8), 11.26 (9) (a), 11.26 (9) (b), 11.26 (10), 11.26 (15), 11.26 (17) (a), 11.27
12 (1), 11.30 (4), 11.31 (1) (intro.), 11.31 (1) (a) to (c), 11.31 (1) (d), 11.31 (1) (e) and
13 (f), 11.31 (2), 11.31 (2m) (title), 11.31 (3), 11.38 (6), 11.50 (2) (a), 11.50 (2) (b) 4.,
14 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),

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1 11.50 (5), 11.50 (6), 11.50 (10m), 11.50 (11) (e), 11.60 (1) and (2), 11.61 (1), 12.05,
2 19.53 (6), 19.59 (8) (c), 25.42, 71.10 (3) (a) and 71.10 (3) (b); and *to create* 5.066,
3 11.001 (2m), 11.01 (4m), (7) (b) 6. and (11m), 11.01 (13), (14), (17g) and (17r),
4 11.05 (1) (b), 11.05 (2) (b), 11.05 (3) (q), 11.06 (1) (cm), 11.06 (1) (dm), 11.06 (11)
5 (bm), 11.065, 11.10 (6), 11.12 (6) (b), 11.20 (3) (be), 11.20 (8) (am), 11.21 (17),
6 11.24 (1s), 11.24 (1w), 11.25 (2) (am), 11.26 (1m), 11.26 (1t), 11.26 (2) (ae), (am),
7 (as) and (av), 11.26 (9m), 11.26 (10a), 11.31 (1) (cg) and (cr), 11.31 (2m) (a), 11.31
8 (3n), 11.31 (3r), 11.31 (9), 11.385, 11.50 (1) (a) 1. (intro.), 11.50 (1) (a) 2m., 11.50
9 (1) (am), 11.50 (1) (bm) and (cm), 11.50 (2s), 11.50 (2w), 11.50 (3) (c), 11.50 (4m),
10 11.50 (9) (b) to (d), 11.50 (14), 11.66 (2), 19.42 (3m), (4g), (4r) and (7p), 19.45 (13),
11 19.49 (1m), 19.49 (5) (b), 19.535, 19.59 (1) (br), 19.59 (7) (b), 19.59 (8) (cm) and
12 (cn), 71.07 (6s), 71.10 (4) (cs), 227.03 (6m) and 227.52 (8) of the statutes;
13 **relating to:** campaign financing, the procedure for enforcement of the election
14 laws, nonrefundable income tax credits for certain donations to the Wisconsin
15 election campaign fund, candidate time on public broadcasting television
16 stations and public access channels, official action in return for providing or
17 withholding political contributions, services, or other things of value, providing
18 exemptions from certain emergency rule procedures, granting rule-making
19 authority, and providing penalties.

Analysis by the Legislative Reference Bureau

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

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

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1 5.02 (13) “Political party” or “party” means a state committee registered under
2 s. 11.05 and organized exclusively for political purposes under whose name
3 candidates appear on a ballot at any election, and all county, congressional,
4 legislative, local, and other affiliated committees authorized to operate under the
5 same name. For purposes of ch. 11, the term does not include ~~a legislative campaign~~
6 ~~committee~~ or a committee filing an oath under s. 11.06 (7).

7 **SECTION 2.** 5.05 (1) (e) of the statutes is amended to read:

8 5.05 (1) (e) Delegate to its executive director the authority to issue a subpoena
9 under par. (b), apply for a search warrant under par. (b), commence an action under
10 par. (d), intervene in an action or proceeding under sub. (9), issue an order under s.
11 5.06, exempt a polling place from accessibility requirements under s. 5.25 (4) (a),
12 exempt a municipality from the requirement to use voting machines or an electronic
13 voting system under s. 5.40 (5m), approve an electronic data recording system for
14 maintaining poll lists under s. 6.79, or authorize nonappointment of an individual
15 who is nominated to serve as an election official under s. 7.30 (4) (e), or make a
16 determination under s. 11.065 (3), subject to such limitations as the board deems
17 appropriate.

18 **SECTION 3.** 5.066 of the statutes is created to read:

19 **5.066 Complaints and decision-making procedure.** (1) In this section:

20 (a) “Election official” includes any board of election commissioners under s. 7.20
21 or governing body of a local governmental unit that has the responsibility to
22 administer the election laws.

23 (b) “Local governmental unit” has the meaning given under s. 16.97 (7).

24 (c) “Working day” has the meaning given in s. 227.01 (14).

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1 (2) Any person may file a verified complaint with the executive director of the
2 board alleging a violation of the election laws. The executive director shall
3 investigate the complaint unless the executive director finds the complaint to be
4 clearly without merit. The executive director may, on his or her own motion or upon
5 direction of the board, investigate any potential violation of the election laws
6 whenever the executive director has probable cause to believe that a violation has
7 occurred.

8 (3) If the complaint concerns a question as to whether an election official or a
9 private person is acting in conformity with the law or rules of the board, the person
10 filing the complaint shall serve a copy of the complaint upon that official or private
11 person and that official or private person shall be a party to the case. An election
12 official or private person may move to dismiss a complaint if it is clearly without
13 merit. If the executive director finds, in response to a motion, that a complaint is
14 clearly without merit, the executive director shall dismiss the complaint.

15 (4) If the executive director does not dismiss a complaint, the executive director
16 shall issue a proposed decision, which shall include findings of fact and conclusions
17 of law and may include an order under sub. (5).

18 (5) The executive director may order an election official or a private person to
19 act in conformity with the election laws or rules of the board.

20 (6) The executive director may, in the discharge of his or her functions under
21 this section and upon notice to any party being investigated, subpoena and bring
22 before him or her any person in the state and require the production of any papers,
23 books, or other records relevant to an investigation. A circuit court may by order
24 permit the inspection and copying of the accounts and the depositor's and loan
25 records at any financial institution as defined in s. 705.01 (3) doing business in the

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1 state to obtain evidence of any violation of ch. 11 upon showing by the executive
2 director of probable cause to believe there is a violation and that such accounts and
3 records may have a substantial relation to the violation. In the discharge of his or
4 her functions under this section, the executive director may cause the deposition of
5 witnesses to be taken in the manner prescribed for taking depositions in civil actions
6 in circuit court.

7 (7) If the executive director issues a decision under sub. (4) that contains an
8 order under sub. (5), the order is effective upon service of the order notwithstanding
9 any appeal to the board under sub. (8), except that the executive director may stay
10 such an order pending an appeal to the board.

11 (8) Any party aggrieved by a proposed decision under sub. (4) may appeal the
12 proposed decision to the board within 20 days after service of a copy of the decision
13 upon the party. If no appeal is filed within 20 days of service of a copy of a proposed
14 decision upon each party to the case in which the decision is made, the decision is
15 final and becomes the decision of the board. In appealing a decision of the executive
16 director, the appellant shall indicate in its appeal whether the appellant contests any
17 finding of fact made by the executive director. If an appellant does not contest a
18 finding of fact, that finding is conclusive against the appellant, unless the finding of
19 fact is modified by the board.

20 (9) If a proposed decision of the executive director is appealed to the board, the
21 board shall hear the appeal at its next meeting occurring at least 3 working days after
22 the appeal is received by the board. In reviewing the decision of the executive
23 director, the board is not bound by any finding of fact or conclusion of law made by
24 the executive director. After hearing the appeal, the board may issue a decision,
25 which shall include findings of fact and conclusions of law. In its decision, the board

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1 may affirm, modify or reverse an order issued by the executive director under sub.
2 (5), and may order an election official or a private person to act in conformity with
3 the election laws or rules of the board. If the board does not modify or reverse a
4 decision of the executive director at the meeting at which an appeal of a decision is
5 heard, the decision is affirmed.

6 (10) If a person aggrieved by a decision issued under sub. (4) that contains an
7 order under sub. (5) appeals the decision to the board and the board modifies the
8 order, the modified order is effective upon service, except that the executive director
9 may stay such an order pending judicial review under s. 227.57.

10 (11) The decision of the board in any contested case arising under this section
11 is subject to review as provided in s. 227.57. In seeking judicial review of a decision
12 of the board, the appellant shall indicate in its petition for review whether the
13 appellant contests any finding of fact made by the executive director or the board that
14 is not conclusive against the appellant. If the appellant does not contest any finding
15 of fact made by the board, that finding is conclusive against the appellant.

16 (12) (a) This section does not apply to any complaint brought by an election
17 official or private person in which the board or the executive director is alleged to
18 have violated the law.

19 (b) This section does not apply to any matter arising in connection with a
20 recount under s. 9.01.

21 (13) The board shall periodically examine and review decisions of the executive
22 director and the board under this section with a view to clarifying and improving the
23 administration of the election laws of this state.

24 **SECTION 4.** 7.08 (2) (cm) of the statutes is amended to read:

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1 7.08 (2) (cm) As soon as possible after the canvass of a special primary, or the
2 date that the primary would be held, if required, transmit to the state treasurer a
3 certified list of all eligible candidates for state office who have filed applications
4 under s. 11.50 (2) and whom the board determines to be eligible to receive a grant
5 from the Wisconsin election campaign fund prior to the election. The board shall also
6 transmit a similar list of candidates, if any, who have filed applications under s. 11.50
7 (2) and whom the board determines to be eligible to receive a grant under s. 11.50 (1)
8 (a) ~~2. 1. b.~~ after the special election. The list shall contain each candidate's name, the
9 mailing address indicated upon the candidate's registration form, the office for which
10 the individual is a candidate and the party or principle which he or she represents,
11 if any.

12 **SECTION 5.** 8.35 (4) (a) 1. a. and b. of the statutes are amended to read:

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

21 b. If the former candidate was a nonpartisan candidate, donated to ~~the a~~
22 charitable organization ~~of the former candidate's choice or the charitable~~
23 ~~organization chosen or transferred to the board for deposit in the Wisconsin election~~
24 campaign fund, as instructed by the former candidate or, if the former candidate left

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1 no instruction, by the former candidate's next of kin ~~if the former candidate is~~
2 deceased; or

3 **SECTION 6.** 11.001 (2m) of the statutes is created to read:

4 11.001 (2m) The legislature finds a compelling justification for minimal
5 disclosure of all communications made near the time of an election that include the
6 name or likeness of a candidate for state office to allow increased funding for such
7 candidates based upon certain independent expenditures. This minimal disclosure
8 burden is outweighed by the need to establish an effective funding mechanism for
9 candidates for state office to effectively respond to certain independent expenditures
10 that may impact an election for those offices.

11 **SECTION 7.** 11.01 (4m), (7) (b) 6. and (11m) of the statutes are created to read:

12 11.01 (4m) "Communication" means a message transmitted by means of a
13 printed advertisement, billboard, handbill, sample ballot, radio or television
14 advertisement, telephone call, or mass mailing, or any medium that may be utilized
15 for the purpose of disseminating or broadcasting a message, but not including a poll
16 conducted solely for the purpose of identifying or collecting data concerning the
17 attitudes or preferences of electors.

18 (7) (b) 6. Any payment for the purpose of making a communication that has not
19 been made on the closing date for submittal of a report under this chapter.

20 (11m) "Independent expenditure" means an expenditure[7; AA1-AB843;
21 **Page: 22, Line: 15**][7; AA1-AB843; **Page: 22, Line: 15**] made for the purpose of
22 making a communication that is made during the period beginning on the 30th day
23 preceding a primary election for an office to be filled at a general, special, or spring
24 election and the date of that general, special, or spring election or, if no primary is
25 held, during the period beginning on the 60th day preceding a general, special, or

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1 spring election at which the office is filled and the date of that election; that contains
2 a reference to a clearly identified candidate for an office specified in s. 11.31 (1) (a)
3 to (d), (e), or (f) to be filled at that election; that is made without cooperation or
4 consultation with such a candidate, or any authorized committee or agent of such a
5 candidate; and that is not made in concert with, or at the request or suggestion of,
6 such a candidate, or any authorized committee or agent of such a candidate.

7 **SECTION 8.** 11.01 (12s) of the statutes is repealed.

8 **SECTION 9.** 11.01 (13), (14), (17g) and (17r) of the statutes are created to read:

9 11.01 (13) "Mass mailing" means the distribution of 50 or more pieces of
10 substantially identical material.

11 (14) "National political party committee" means a national committee as
12 defined in 2 USC 431 (14).

13 (17g) "Public access channel" means a channel that is required under a
14 franchise granted under s. 66.0419 (3) (b) by a city, village, or town to a cable operator,
15 as defined in s. 66.0419 (2) (b), and that is used for public access purposes, but does
16 not include a channel that is used for governmental or educational purposes.

17 (17r) "Public access channel operator" means a person designated by a city,
18 village, or town as responsible for the operation of a public access channel.

19 **SECTION 10.** 11.05 (1) of the statutes is renumbered 11.05 (1) (a) and amended
20 to read:

21 11.05 (1) (a) Except as provided in s. 9.10 (2) (d), every committee, other than
22 a personal campaign committee, ~~and every political group subject to registration~~
23 ~~under s. 11.23 which~~ that makes or accepts contributions, incurs obligations or
24 makes disbursements in a calendar year in an aggregate amount in excess of \$25
25 shall file a statement with the appropriate filing officer giving the information

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1 required by sub. (3). In the case of any committee other than a personal campaign
2 committee, the statement shall be filed by the treasurer. A personal campaign
3 committee shall register under sub. (2g) or (2r).

4 **SECTION 11.** 11.05 (1) (b) of the statutes is created to read:

5 11.05 (1) (b) Every political group subject to registration under s. 11.23 which
6 makes or accepts contributions, incurs obligations, or makes disbursements in a
7 calendar year in an aggregate amount in excess of \$100 shall file a statement with
8 the appropriate filing officer giving the information required by sub. (3).

9 **SECTION 12.** 11.05 (2) of the statutes is renumbered 11.05 (2) (a) and amended
10 to read:

11 11.05 (2) (a) Except as provided in s. 9.10 (2) (d), every individual, other than
12 a candidate or agent of a candidate, who accepts contributions, incurs obligations,
13 or makes disbursements with respect to one or more elections for state or local office
14 in a calendar year in an aggregate amount in excess of \$25 shall file a statement with
15 the appropriate filing officer giving the information required by sub. (3). An
16 individual who guarantees a loan on which an individual, committee or group subject
17 to a registration requirement defaults is not subject to registration under this
18 subsection solely as a result of such default.

19 **SECTION 13.** 11.05 (2) (b) of the statutes is created to read:

20 11.05 (2)(b) Every individual who accepts contributions, incurs obligations, or
21 makes disbursements with respect to one or more referenda in a calendar year in an
22 aggregate amount in excess of \$100 shall file a statement with the appropriate filing
23 officer giving the information required by sub. (3).

24 **SECTION 14.** 11.05 (3) (c) of the statutes is amended to read:

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

5 **SECTION 15.** 11.05 (3) (o) of the statutes is repealed.

6 **SECTION 16.** 11.05 (3) (q) of the statutes is created to read:

7 11.05 (3) (q) In the case of a political party committee, an indication of whether
8 the committee is a state or national political party committee, or a state or national
9 subunit or state or national affiliate of such a committee.

10 **SECTION 17.** 11.05 (7) of the statutes is amended to read:

11 11.05 (7) ~~Notwithstanding sub. (6), any~~ Any individual or organization who or
12 which has received property or funds which were not intended for political purposes
13 in connection with an election for state or local office at the time of receipt may make
14 contributions or disbursements from such property or funds in connection with an
15 election for state or local office if the individual or organization complies with
16 applicable provisions of sub. (1), (2) or (2g) as soon as such intent changes. For
17 purposes of s. 11.06 (1), all property or funds which are in a ~~registrant's~~ the
18 possession of such an individual or organization on the date of registration under this
19 section shall be treated as received on the date that such intent changes so that the
20 property or funds are to be used for political purposes in connection with an election
21 for state or local office.

22 **SECTION 18.** 11.05 (9) (b) of the statutes is amended to read:

23 11.05 (9) (b) An individual who or a committee or group which receives a
24 contribution of money and transfers the contribution to another individual,
25 committee, or group while acting as a conduit is not subject to registration under this

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1 section unless the individual, committee, or group transfers the contribution to a
2 candidate or a personal campaign, ~~legislative campaign~~, political party, or support
3 committee.

4 **SECTION 19.** 11.05 (12) (b) of the statutes is amended to read:

5 11.05 (12) (b) Except as authorized under sub. (13), a committee, group or
6 individual other than a candidate or agent of a candidate shall comply with sub. (1)
7 or (2) no later than the 5th business day commencing after receipt of the first
8 contribution by such committee, group or individual, and before making any
9 disbursement. No committee, group or individual, other than a candidate or agent
10 of a candidate, may accept any contribution or contributions exceeding \$25 in the
11 aggregate the amount specified in sub. (1) or (2) during a calendar year at any time
12 when the committee, group or individual is not registered under this section except
13 within the initial 5-day period authorized by this paragraph.

14 **SECTION 20.** 11.06 (1) (intro.) of the statutes is amended to read:

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

22 **SECTION 21.** 11.06 (1) (cm) of the statutes is created to read:

23 11.06 (1) (cm) If a candidate wishes to make disbursements using
24 contributions[21; AA1-AB843; Page: 26, Line: 19] that are exempt from the
25 limitations under s. 11.26 (9), as provided under s. 11.26 (9m), a separate schedule

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1 itemizing those contributions that the candidate intends to use to make
2 disbursements that are exempt from those limitations. The separate schedule may
3 include contributions previously reported by the candidate and, if so, shall indicate
4 the amounts and dates on which those contributions were reported as received.

5 **SECTION 22.** 11.06 (1) (dm) of the statutes is created to read:

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

10 **SECTION 23.** 11.06 (2) of the statutes is amended to read:

11 11.06 (2) DISCLOSURE OF CERTAIN INDIRECT DISBURSEMENTS. Notwithstanding
12 sub. (1), if a disbursement is made or obligation incurred by an individual other than
13 a candidate or by a committee or group which is not primarily organized for political
14 purposes, and the disbursement does not constitute a contribution to any candidate
15 or other individual, committee, or group, the disbursement or obligation is required
16 to be reported under this section[23; AA1-AB843; Page: 27, Line: 11] only if the
17 purpose is to expressly advocate the election or defeat of a clearly identified
18 candidate or the adoption or rejection of a referendum. The exemption provided by
19 this subsection shall in no case be construed to apply to a political party, legislative
20 campaign, personal campaign, or support committee.

21 **SECTION 24.** 11.06 (3) (b) (intro.) of the statutes is amended to read:

22 11.06 (3) (b) (intro.) ~~Notwithstanding sub. (1), a~~ A nonresident registrant shall
23 ~~report on a form prescribed by the board the applicable information that makes a~~
24 report under sub. (1) shall ensure that the report separately states information
25 under sub. (1) concerning all of the following, in a manner prescribed by the board:

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

2 11.06 (7m) (a) If a committee which was registered under s. 11.05 as a political
3 party committee ~~or legislative campaign committee~~ supporting candidates of a
4 political party files an oath under sub. (7) affirming that it does not act in cooperation
5 or consultation with any candidate who is nominated to appear on the party ballot
6 of the party at a general or special election, that the committee does not act in concert
7 with, or at the request or suggestion of, such a candidate, that the committee does
8 not act in cooperation or consultation with such a candidate or agent or authorized
9 committee of such a candidate who benefits from a disbursement made in opposition
10 to another candidate, and that the committee does not act in concert with, or at the
11 request or suggestion of, such a candidate or agent or authorized committee of such
12 a candidate who benefits from a disbursement made in opposition to another
13 candidate, the committee filing the oath may not make any contributions in support
14 of any candidate of the party at the general or special election or in opposition to any
15 such candidate's opponents exceeding the applicable amounts specified in s. 11.26
16 (1), (1m), [25; AA1-AB843; Page: 28, Line: 10] (2), and (2m) [25; AA1-AB843;
17 Page: 28, Line: 10], except as authorized in par. (c).

18 **SECTION 26.** 11.06 (7m) (b) of the statutes is amended to read:

19 11.06 (7m) (b) If the committee has already made contributions in excess of the
20 applicable amounts specified in s. 11.26 (1), (1m), [26; AA1-AB843; Page: 28, Line:
21 13] (2), or (2m) [26; AA1-AB843; Page: 28, Line: 13] at the time it files an oath
22 under sub. (7), each candidate to whom contributions are made shall promptly return
23 a sufficient amount of contributions to bring the committee in compliance with this
24 subsection and the committee may not make any additional contributions in
25 violation of this subsection.

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1 **SECTION 27.** 11.06 (7m) (c) of the statutes is amended to read:

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

9 **SECTION 28.** 11.06 (11) (bm) of the statutes is created to read:

10 11.06 (11) (bm) The board shall prescribe a separate schedule for reporting
11 under s. 11.06 (1) by transferees of contributions transferred by conduits.

12 **SECTION 29.** 11.065 of the statutes is created to read:

13 **11.065 Independent expenditures.** (1) (a) If any person makes one or more
14 communications to be financed with independent expenditures exceeding \$2,000 in
15 the aggregate, that person shall file a report with the board on a form prescribed by
16 the board for this purpose[29; AA1-AB843; Page: 29, Line: 7]. The report shall be
17 made whenever the person makes one or more communications financed or to be
18 financed with independent expenditures exceeding \$2,000 in the aggregate and
19 whenever the person makes one or more additional communications financed or to
20 be financed with independent expenditures exceeding \$2,000 in the aggregate that
21 are not identified in a previous report under this subsection. Reports required under
22 this subsection shall be filed within 7 days after the date that communications
23 financed with independent expenditures exceeding \$2,000 in the aggregate that are
24 not identified in a previous report are made or, if communications are made within
25 15 days of the date of a spring primary or election or within 15 days of a September

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1 or special primary or general or special election, then within 24 hours after the date
2 that communications financed with independent expenditures exceeding \$2,000 in
3 the aggregate that are not identified in a previous report are made.

4 (b) If a person makes or incurs an obligation to make a single independent
5 expenditure for the purpose of financing communications that are to be made on
6 more than one day, the person may report the entire expenditure under par. (a) for
7 the day on which the person makes the first communication financed by the
8 expenditure, or the person may report for each day on which the person makes one
9 or more communications financed by the expenditure the proportionate amount of
10 the expenditure attributable to the cost of the communication or communications
11 made on that day.

12 (2) Each report filed under sub. (1) shall contain the following information:

13 (a) The name of each candidate who is identified in each communication
14 financed by an independent expenditure.

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

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

21 (3) If a person who makes an independent expenditure does not indicate
22 whether an independent expenditure is made against a candidate or for an eligible
23 candidate's[29; AA1-AB843; Page: 30, Line: 14] opponent or[29; AA1-AB843;
24 Page: 30, Line: 14] if the report under sub. (2) reasonably appears to be incorrect,
25 [29; AA1-AB843; Page: 30, Line: 15][29; AA1-AB843; Page: 30, Line: 15] the

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1 board may obtain a copy of the communication and, after examination, determine
2 whether the communication was intended to support or oppose a candidate for
3 purposes of s. 11.31 (3r) (a). Any determination made by the board under this
4 subsection applies solely for the purpose of administration of s. 11.31 (3r) (a).

5 **SECTION 30.** 11.07 (1) of the statutes is amended to read:

6 11.07 (1) Every nonresident committee or group making contributions and
7 every nonresident individual, committee or group making disbursements exceeding
8 ~~\$25 cumulatively~~ the amount specified in s. 11.05 (1) or (2) in a calendar year within
9 this state shall file the name, mailing and street address and the name and the
10 mailing and street address of a designated agent within the state with the office of
11 the secretary of state. An agent may be any adult individual who is a resident of this
12 state. After any change in the name or address of such agent the new address or
13 name of the successor agent shall be filed within 30 days. Service of process in any
14 proceeding under this chapter or ch. 12, or service of any other notice or demand may
15 be made upon such agent.

16 **SECTION 31.** 11.07 (5) of the statutes is amended to read:

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

23 **SECTION 32.** 11.09 (3) of the statutes is amended to read:

24 11.09 (3) Each registrant whose filing officer is the board, and who or which
25 makes disbursements in connection with elections for offices which serve or

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1 referenda which affect only one county or portion thereof, except a candidate,
2 personal campaign committee, political party committee or other committee making
3 disbursements in support of or in opposition to a candidate for state senator,
4 representative to the assembly, court of appeals judge or circuit judge, shall file a
5 duplicate original of each financial report ~~filed that the registrant files~~ with the
6 board with the ~~county clerk or board of election commissioners of the county in which~~
7 ~~the elections~~ filing officer for each jurisdiction in connection with an election in which
8 the registrant ~~participates are held~~ makes disbursements. Such reports shall be
9 filed no later than the dates specified under s. 11.20 (2) and (4) for the filing of each
10 report with the board. This subsection does not apply to a registrant who or which
11 files reports under s. 11.21 (16).

12 **SECTION 33.** 11.10 (6) of the statutes is created to read:

13 11.10 (6) (a) No personal campaign committee of, or support committee
14 authorized under s. 11.05 (3) (p) by, a candidate for state office may become the
15 personal campaign committee of, or support committee authorized under s. 11.05 (3)
16 (p) by, a candidate for local office.

17 (b) No personal campaign committee of, or support committee authorized
18 under s. 11.05 (3) (p) by, a candidate for local office may become the personal
19 campaign committee of, or support committee authorized under s. 11.05 (3) (p) by, a
20 candidate for state office.

21 **SECTION 34.** 11.12 (2) of the statutes is amended to read:

22 11.12 (2) Any anonymous contribution exceeding \$10 received by a campaign
23 or committee treasurer or by an individual under s. 11.06 (7) may not be used or
24 expended. The contribution shall be donated to the common school fund or to any

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1 charitable organization or transferred to the board for deposit in the Wisconsin
2 election campaign fund, at the option of the treasurer.

3 SECTION 35. 11.12 (4) of the statutes is amended to read:

4 11.12 (4) Each registrant shall report contributions, disbursements and
5 incurred obligations in accordance with s. 11.20. Except as permitted under s. 11.06
6 (2), (3) and (3m), each report shall contain the information which is required under
7 s. 11.06 (1).

8 SECTION 36. 11.12 (6) of the statutes is renumbered 11.12 (6) (a) and amended
9 to read:

10 11.12 (6) (a) If any ~~disbursement of more than \$20~~ individual or committee
11 incurs one or more obligations or makes one or more disbursements in an amount
12 exceeding \$250 cumulatively is made for the purpose of making one or more
13 communications to advocate the election or defeat of a clearly identified candidate
14 ~~by an individual or committee~~ later than 15 days prior to a primary or election in
15 which the candidate's name appears on the ballot without cooperation or
16 consultation with a candidate or agent or authorized committee of a candidate who
17 is supported or opposed, and not in concert with or at the request or suggestion of
18 such a candidate, agent or committee, the individual or treasurer of the committee
19 shall, within 24 hours of after making the disbursement each communication not
20 identified in a previous report filed under this subsection, inform the appropriate
21 filing officer of. The report shall include the information required under s. 11.06 (1)
22 and shall be made in such manner as the board may prescribe. The information shall
23 also be included in the next regular report of the individual or committee under s.
24 11.20. For purposes of this subsection, obligations and disbursements cumulate
25 beginning with the day after the last date covered on the preprimary or preelection

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1 report and ending with the day before the primary or election and disbursements
2 made for the purpose of payment of obligations that were previously reported are not
3 included in determining the cumulative amount of obligations and disbursements.
4 Upon receipt of a report identifying any obligation or disbursement under this
5 subsection, the filing officer shall, within 24 hours of receipt, mail a copy of the report
6 to all candidates for any office in support of or opposition to one of whom an obligation
7 is incurred or a disbursement identified in the report is made.

8 **SECTION 37.** 11.12 (6) (b) of the statutes is created to read:

9 11.12 (6) (b) If a person incurs an obligation or makes a disbursement for the
10 purpose of financing communications that are to be made on more than one day, the
11 person may report the entire obligation or disbursement under par. (a) for the day
12 on which the person makes the first communication financed by the obligation or
13 disbursement, or the person may report for each day on which the person makes one
14 or more communications financed by the obligation or disbursement the
15 proportionate amount of the obligation or disbursement attributable to the cost of the
16 communication or communications made on that day.

17 **SECTION 38.** 11.16 (2) of the statutes is amended to read:

18 11.16 (2) **LIMITATION ON CASH CONTRIBUTIONS.** Every contribution of money
19 exceeding \$50 shall be made by negotiable instrument or evidenced by an itemized
20 credit card receipt bearing on the face the name of the remitter. No treasurer may
21 accept a contribution made in violation of this subsection. The treasurer shall
22 promptly return the contribution, or shall donate it the contribution to the common
23 school fund or to a charitable organization or transfer the contribution to the board
24 for deposit in the Wisconsin election campaign fund in the event that the donor
25 cannot be identified.

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1 **SECTION 39.** 11.16 (5) of the statutes is amended to read:

2 11.16 (5) **ESCROW AGREEMENTS.** Any personal campaign committee, or political
3 party committee ~~or legislative campaign committee~~ may, pursuant to a written
4 escrow agreement with more than one candidate, solicit contributions for and
5 conduct a joint fund raising effort or program on behalf of more than one named
6 candidate. The agreement shall specify the percentage of the proceeds to be
7 distributed to each candidate by the committee conducting the effort or program.
8 The committee shall include this information in all solicitations for the effort or
9 program. All contributions received and disbursements made by the committee in
10 connection with the effort or program shall be received and disbursed through a
11 separate depository account under s. 11.14 (1) that is identified in the agreement.
12 For purposes of s. 11.06 (1), the committee conducting the effort or program shall
13 prepare a schedule in the form prescribed by the board supplying all required
14 information under s. 11.06 (1) and items qualifying for exclusion under s. 11.31 (6)
15 for the effort or program, and shall transmit a copy of the schedule to each candidate
16 who receives any of the proceeds within the period prescribed in s. 11.06 (4) (c).

17 **SECTION 40.** 11.19 (1) of the statutes is amended to read:

18 11.19 (1) Whenever any registrant disbands or determines that obligations will
19 no longer be incurred, and contributions will no longer be received nor disbursements
20 made during a calendar year, and the registrant has no outstanding incurred
21 obligations, the registrant shall file a termination report with the appropriate filing
22 officer. Such report shall indicate a cash balance on hand of zero at the end of the
23 reporting period and shall indicate the disposition of residual funds. Residual funds
24 may be used for any political purpose not prohibited by law, returned to the donors
25 in an amount not exceeding the original contribution, transferred to the board for

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1 deposit in the Wisconsin election campaign fund or donated to a charitable
2 organization or the common school fund. The report shall be filed and certified as
3 were previous reports, and shall contain the information required by s. 11.06 (1). A
4 registrant to which s. 11.055 (1) applies shall pay the fee imposed under that
5 subsection with a termination report filed under this subsection. If a termination
6 report or suspension report under sub. (2) is not filed, the registrant shall continue
7 to file periodic reports with the appropriate filing officer, no later than the dates
8 specified in s. 11.20. This subsection does not apply to any registrant making an
9 indication under s. 11.05 (2r).

10 SECTION 41. 11.20 (2), (3) (a) and (b) of the statutes are amended to read:

11 **[41; AA1-AB843; Page: 36, Line: 4][41; AA1-AB843; Page: 36, Line: 4]**

12 11.20 (2) ~~Preprimary and~~ Unless a candidate is required to file additional
13 reports [41; AA1-AB843; Page: 36, Line: 4] under sub. (3) (be), each candidate who
14 seeks office at a primary or other election, or his or her personal campaign committee,
15 shall file a preprimary and preelection reports report under s. 11.06 (1), which shall
16 be received by the appropriate filing officer no earlier than 14 days and no later than
17 8 days preceding the primary and the election. Each candidate who is required to
18 file reports under sub. (3) (be), or his or her personal campaign committee, shall file
19 each preprimary and preelection report under sub. (3) (be) so that the report is
20 received by the appropriate filing officer no earlier than the day after the end of the
21 week to which the report pertains and no later than the 5th day after the end of that
22 week.

23 (3) (a) ~~A- Unless~~**[41; AA1-AB843; Page: 36, Line: 15]** additional reports
24 are**[41; AA1-AB843; Page: 36, Line: 15]** required under par. (be), a candidate or
25 personal campaign committee of a candidate at a primary shall file a preprimary and

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1 preelection report. If a candidate for a nonpartisan state office at an election is not
2 required to participate in a primary, the candidate or personal campaign committee
3 of the candidate shall file a preprimary report at the time prescribed in sub. (2) or
4 (3) (be) preceding the date specified in s. 5.02 (20) or (22) for the holding of the
5 primary, were it to be required.

6 (b) ~~A Unless[41; AA1-AB843; Page: 36, Line: 22] additional reports are[41;~~
7 ~~AA1-AB843; Page: 36, Line: 22] required under par. (be), a candidate or personal
8 ~~campaign committee of a candidate at an election other than a primary[41;
9 ~~AA1-AB843; Page: 36, Line: 23] shall file a preelection report.~~~~~~

10 SECTION 42. 11.20 (3) (be) of the statutes is created to read:

11 [42; AA1-AB843; Page: 37, Line: 1][42; AA1-AB843; Page: 37, Line: 1][42;
12 AA1-AB843; Page: 37, Line: 1][42; AA1-AB843; Page: 37, Line: 1][42;
13 AA1-AB843; Page: 37, Line: 1][42; AA1-AB843; Page: 37, Line: 1][42;
14 AA1-AB843; Page: 37, Line: 1]

15 11.20 (3) (be) In addition to any reports required under sub. (2), if a candidate
16 for a state office specified in s. 11.31 (1) (a) to (d), (e), or (f) who seeks to have his or
17 her name appear on the ballot at a general, spring, or special election, as of the 15th
18 day before the primary election at which the candidate seeks nomination or, if no
19 primary is held, as of the 15th day before the date on which the primary would be
20 held, if a primary were required, or at any time thereafter, has received contributions
21 or other income in a total amount exceeding 75% of the disbursement level specified
22 in s. 11.31 (1), as adjusted under s. 11.31 (9), for the office that the candidate seeks,
23 the candidate or his or her personal campaign committee shall file preprimary or
24 preelection reports beginning with the week which includes that day for each week
25 prior to any primary election, and for each week prior to the succeeding general,

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1 spring, or special election, if the name of the candidate appears on the ballot at that
2 election. **[42; AA1-AB843; Page: 37, Line: 1]**

3 **SECTION 43.** 11.20 (8) (intro.) of the statutes is amended to read:

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

6 **SECTION 44.** 11.20 (8) (a) of the statutes is amended to read:

7 11.20 (8) (a) The 15th day preceding the primary or election in the case of the
8 preprimary and preelection report under sub. (2);

9 **SECTION 45.** 11.20 (8) (am) of the statutes is created to read:

10 11.20 (8) (am) The Saturday preceding the due date under sub. (2) in the case
11 of a preprimary or preelection report under sub. (3) (be).

12 **SECTION 46.** 11.21 (15) of the statutes is amended to read:

13 11.21 (15) Inform each candidate who files an application to become eligible to
14 receive a grant from the Wisconsin election campaign fund of the dollar amount of
15 the applicable disbursement limitation under s. 11.31 (1), adjusted as provided under
16 s. 11.31 (9), which applies to the office for which such person is a candidate. Failure
17 to receive the notice required by this subsection does not constitute a defense to a
18 violation of s. 11.27 (1) or 11.31.

19 **SECTION 47.** 11.21 (17) of the statutes is created to read:

20 11.21 (17) Promulgate rules that require public access channel operators and
21 licensees of public television stations in this state to provide a minimum amount of
22 free time on public access channels and public television stations to individuals
23 whose names are certified under s. 7.08 (2) (a) or 8.50 (1) (d) to appear as candidates
24 for state office on the ballot at general, spring, or special elections. The rules
25 promulgated under this subsection shall require public access channel operators and

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1 licensees of public television stations to offer the same amount of time to each
2 candidate for a particular state office, but may require different amounts of time to
3 be offered to candidates for different offices.

4 **SECTION 48.** 11.23 (1) of the statutes is amended to read:

5 11.23 (1) Any group or individual may promote or oppose a particular vote at
6 any referendum in this state. Before making disbursements, receiving
7 contributions, or incurring obligations in excess of \$25 ~~\$100~~ in the aggregate in a
8 calendar year for such purposes, the group or individual shall file a registration
9 statement under s. 11.05 (1), (2), or (2r). In the case of a group the name and mailing
10 address of each of its officers shall be given in the statement. Every group and every
11 individual under this section shall designate a campaign depository account under
12 s. 11.14. Every group shall appoint a treasurer, who may delegate authority but is
13 jointly responsible for the actions of his or her authorized designee for purposes of
14 civil liability under this chapter. The appropriate filing officer shall be notified by
15 a group of any change in its treasurer within 10 days of the change under s. 11.05 (5).
16 The treasurer of a group shall certify the correctness of each statement or report
17 submitted by it under this chapter.

18 **SECTION 49.** 11.23 (2) of the statutes is amended to read:

19 11.23 (2) Any anonymous contribution exceeding \$10 received by an individual
20 or group treasurer may not be used or expended. The contribution shall be donated
21 to the common school fund or to any charitable organization or transferred to the
22 board for deposit in the Wisconsin election campaign fund, at the option of the
23 treasurer.

24 **SECTION 50.** 11.24 (1s) of the statutes is created to read:

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

4 (b) No federal candidate committee may make a contribution to a candidate,
5 personal campaign committee or support committee.

6 **SECTION 51.** 11.24 (1w) of the statutes is created to read:

7 11.24 (1w) (a) “Federal political registrant” means a committee that is
8 registered with the federal election commission under 2 USC 433 (a), other than an
9 authorized campaign committee designated under 2 USC 432 (e) (3), a national
10 political party committee, or a state political party committee.

11 (b) No personal campaign committee may make a contribution to a federal
12 political registrant.

13 **SECTION 52.** 11.25 (2) (am) of the statutes is created to read:

14 11.25 (2) (am) No federal candidate committee, as defined in s. 11.24 (1s) (a),
15 may make a disbursement.

16 **SECTION 53.** 11.25 (2) (b) of the statutes is amended to read:

17 11.25 (2) (b) Notwithstanding par. (a), a registrant may accept contributions
18 and make disbursements from a campaign depository account for the purpose of
19 making expenditures in connection with a campaign for national office, except as
20 provided in s. 11.24 (1w); for payment of civil penalties incurred by the registrant
21 under this chapter but not under any other chapter; or for payment of the expenses
22 of nonpartisan campaigns to increase voter registration or participation.
23 Notwithstanding par. (a), a personal campaign committee or support committee may
24 accept contributions and make disbursements from a campaign depository account
25 for payment of inaugural expenses of an individual who is elected to state or local

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1 office. If such expenses are paid from contributions made to the campaign depository
2 account, they are reportable under s. 11.06 (1) as disbursements. Otherwise, such
3 expenses are not reportable under s. 11.06 (1). If contributions from the campaign
4 depository account are used for such expenses, they are subject to s. 11.26.

5 **SECTION 54.** 11.26 (1) (intro.) of the statutes is amended to read:

6 11.26 (1) ~~Subject to sub. (10a) and except as provided under subs. (1t), (9m),~~
7 ~~and (10), no~~ individual may make any contribution or contributions to a candidate
8 [54; AA1-AB843; Page: 40, Line: 14][54; AA1-AB843; Page: 40, Line: 14]for
9 election or nomination to any ~~of the following offices~~ office specified in pars. (a) to (c)
10 who has filed an affidavit under s. 11.31 (2m) or for election or nomination to any
11 office specified in pars. (cc) to (d) and to any individual or committee under s. 11.06
12 (7) acting solely [54; AA1-AB843; Page: 40, Line: 14]in support of such a candidate
13 or solely in opposition to the candidate's opponent to the extent of more than a total
14 of the amounts specified per candidate:

15 **SECTION 55.** 11.26 (1) (b) and (c) of the statutes are amended to read:

16 11.26 (1) (b) Candidates for state senator, \$1,000 \$1,500.

17 (c) Candidates for representative to the assembly, \$500 \$750.

18 **SECTION 56.** 11.26 (1m) of the statutes is created to read:

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

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1 (a) Candidates for governor, lieutenant governor, secretary of state, state
2 treasurer, attorney general, state superintendent, or justice, \$5,000.

3 (b) Candidates for state senator, \$750.

4 (c) Candidates for representative to the assembly, \$375.

5 **SECTION 57.** 11.26 (1t) of the statutes is created to read:

6 11.26 (1t) The limitations under sub. (1m) apply to any candidate who files an
7 affidavit under s. 11.31 (2m) (a) but who the board determines is ineligible to receive
8 a grant from the Wisconsin election campaign fund, who withdraws his or her
9 application for a grant under s. 11.50 (2) (h), or to whom s. 11.50 (2) (i) applies, unless
10 the candidate subsequently files an affidavit under s. 11.31 (2m) (b). If a candidate
11 files an affidavit under s. 11.31 (2m) (b), the limitations under sub. (1) apply to that
12 candidate beginning on the date that the affidavit is filed. Contributions made before
13 the date on which a limitation changes under this subsection are lawful if the
14 contributions were lawful at the time they were made.

15 **SECTION 58.** 11.26 (2) (intro.) of the statutes is amended to read:

16 11.26 (2) (intro.) ~~No~~ Subject to sub. (10a) and except as provided under sub.
17 (2t)[58; AA1-AB843; Page: 41, Line: 18], no committee other than a political party
18 committee ~~or legislative campaign committee~~ may make any contribution or
19 contributions to a candidate for election or nomination to any[58; AA1-AB843;
20 **Page: 41, Line: 20]** ~~of the following offices~~ office specified in pars. (a) to (c) who has
21 filed an affidavit under s. 11.31 (2m) or for election or nomination to any office
22 specified in pars. (cc) to (e)[58; AA1-AB843; Page: 41, Line: 20] and to any
23 individual or committee under s. 11.06 (7) acting solely in support of such a candidate
24 or solely in opposition to the candidate's opponent to the extent of more than a total
25 of the amounts specified per candidate:

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

2 11.26 (2) (a) Candidates for governor, lieutenant governor, secretary of state,
3 state treasurer, attorney general, state superintendent or justice, 4% of the value of
4 the disbursement level specified in the schedule under s. 11.31 (1) \$43,500.

5 **SECTION 60.** 11.26 (2) (ae), (am), (as) and (av) of the statutes are created to read:

6 11.26 (2) (ae) Candidates for lieutenant governor, \$12,000.

7 (am) Candidates for attorney general, \$22,000.

8 (as) Candidates for state superintendent or justice, \$12,000.

9 (av) Candidates for secretary of state or state treasurer, \$8,650.

10 **SECTION 61.** 11.26 (2) (b) and (c) of the statutes are amended to read:

11 11.26 (2) (b) Candidates for state senator, ~~\$1,000~~ \$1,500.

12 (c) Candidates for representative to the assembly, ~~\$500~~ \$750.

13 **SECTION 61g.** 11.26 (2m) of the statutes is created to read:

14 11.26 (2m) Subject to sub. (10a) and except as provided under sub. (2t), no
15 committee other than a political party committee may make any contribution or
16 contributions to a candidate for election or nomination to any of the following offices
17 who has not filed an affidavit under s. 11.31 (2m) and to any individual or committee
18 under s. 11.06 (7) acting solely in support of such a candidate or solely in opposition
19 to the candidate's opponent to the extent of more than a total of the amounts specified
20 per candidate:

21 (a) Candidates for governor, \$21,750.

22 (ae) Candidates for lieutenant governor, \$6,000.

23 (am) Candidates for attorney general, \$11,000.

24 (as) Candidates for state superintendent or justice, \$6,000.

25 (av) Candidates for secretary of state or state treasurer, \$4,325.

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1 (b) Candidates for state senator, \$750.

2 (c) Candidates for representative to the assembly, \$375.

3 **[61g; AA1-AB843; Page: 42, Line: 11]**

4 **SECTION 61r.** 11.26 (2t) of the statutes is created to read:

5 11.26 (2t) The limitations under sub. (2m) apply to any candidate who files an
6 affidavit under s. 11.31 (2m) (a) but who the board determines is ineligible to receive
7 a grant from the Wisconsin election campaign fund, who withdraws his or her
8 application for a grant under s. 11.50 (2) (h), or to whom s. 11.50 (2) (i) applies, unless
9 the candidate subsequently files an affidavit under s. 11.31 (2m) (b). If a candidate
10 files an affidavit under s. 11.31 (2m) (b), the limitations under sub. (2) apply to that
11 candidate beginning on the date that the affidavit is filed. Contributions made before
12 the date on which a limitation changes under this subsection are lawful if the
13 contributions were lawful at the time they were made. **[61r; AA1-AB843; Page: 42,**
14 **Line: 11]**

15 **SECTION 62.** 11.26 (3) of the statutes is amended to read:

16 11.26 (3) The contribution limitations of subs. (1), (1m), **[62; AA1-AB843;**
17 **Page: 42, Line: 13]** and (2), and (2m) **[62; AA1-AB843; Page: 42, Line: 13]** apply
18 cumulatively to the entire primary and election campaign in which a candidate
19 participates, whether or not there is a contested primary election. The total
20 limitation may be apportioned in any manner desired between the primary and
21 election. All moneys cumulate regardless of the time of contribution.

22 **SECTION 63.** 11.26 (4) of the statutes is amended to read:

23 11.26 (4) ~~No~~ Subject to sub. (10a), no individual may make any contribution or
24 contributions to all candidates for state and local offices and to any individuals who
25 or committees which are subject to a registration requirement under s. 11.05,

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1 including legislative campaign committees and committees of a political party, to the
2 extent of more than a total of \$10,000 in any calendar year.

3 **SECTION 64.** 11.26 (5) of the statutes is amended to read:

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

11 **SECTION 65.** 11.26 (6) of the statutes is amended to read:

12 11.26 (6) When a candidate adopts a preexisting support committee as his or
13 her personal campaign committee, the support committee is deemed to have been the
14 same committee as the candidate's personal campaign committee for purposes of the
15 application of subs. (1), (1m), (2), (2m), [65; AA1-AB843; Page: 43, Line: 12] and (9).
16 The limitations prescribed in subs. (1), (1m), (2), (2m), [65; AA1-AB843; Page: 43,
17 **Line: 13]** and (9) do not apply to the transfer of contributions which is made at the
18 time of such adoption, but do apply to the contributions which have been made by any
19 other committee to the support committee at the time of adoption.

20 **SECTION 66.** 11.26 (8) of the statutes is amended to read:

21 11.26 (8) (a) ~~No~~ Subject to sub. (10a), no political party as defined in s. 5.02 (13)
22 may receive more than a total of ~~\$150,000~~ \$450,000 in value of its contributions in
23 any biennium from all other committees, excluding ~~contributions from legislative~~
24 ~~campaign committees and transfers between party committees of the same party.~~
25 In this paragraph, ~~a~~ “biennium commences” means the time period commencing

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1 with January 1 of each odd-numbered year and ends ending with December 31 of
2 each even-numbered year.

3 (b) ~~No~~ Subject to sub. (10a), no such political party may receive more than a
4 total of \$6,000 \$18,000 in value of its contributions in any calendar year from any
5 specific committee or ~~its~~ that specific committee's subunits or affiliates, excluding
6 ~~legislative campaign and political transfers between party committees of the same~~
7 party.

8 (c) ~~No~~ Subject to sub. (10a), no committee, other than a political party or
9 ~~legislative campaign~~ committee, may make any contribution or contributions,
10 directly or indirectly, to a political party under s. 5.02 (13) in a calendar year
11 exceeding a total value of \$6,000 \$18,000.

12 SECTION 67. 11.26 (9) (a) of the statutes is amended to read:

13 11.26 (9) (a) ~~No~~ Except as provided in sub. (9m), no individual who is a
14 candidate for state or local office may receive and accept more than 65% of the value
15 of the total disbursement level determined under s. 11.31 (1), adjusted as provided
16 under s. 11.31 (9), for the office for which he or she is a candidate during any primary
17 and election campaign combined from all committees subject to a filing requirement,
18 including political party ~~and legislative campaign~~ committees.

19 SECTION 68. 11.26 (9) (b) of the statutes is amended to read:

20 11.26 (9) (b) ~~No~~ Except as provided under sub. (9m), no individual who is a
21 candidate for state or local office may receive and accept more than 45% 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 other than political party ~~and~~
25 ~~legislative campaign~~ committees subject to a filing requirement.

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1 **SECTION 69.** 11.26 (9m) of the statutes is created to read:

2 11.26 (9m) If s. 11.31 (3n) applies to a candidate in any campaign or if the board
3 issues a determination under s. 11.31 (3r) applicable to a candidate in any campaign,
4 the limitations applicable to contributions made to that candidate are 200% of the
5 applicable amounts specified in sub. (1) and (1m). In addition, except as otherwise
6 provided in this subsection, sub. (9) does not apply to any contributions received by
7 the candidate that the candidate intends to use to make disbursements in response
8 to an opposing candidate's disbursements exceeding the level or limitation
9 applicable to that candidate, as described under s. 11.31 (3n), or an applicable
10 independent expenditure described under s. 11.31 (3r), as reported by the candidate
11 under s. 11.06 (1) (cm), to the extent that the contributions do not exceed the amount
12 of those disbursements described under s. 11.31 (3n) or that independent
13 expenditure described under s. 11.31 (3r). A candidate to whom this subsection
14 applies may not receive contributions in excess of 200% of the limitations specified
15 in sub. (9).

16 **SECTION 70.** 11.26 (10) of the statutes is amended to read:

17 11.26 (10) No candidate for state office who files ~~a sworn statement and an~~
18 application to receive a grant from the Wisconsin election campaign fund and an
19 affidavit under s. 11.31 (2m) (a) may make contributions of more than 200% of the
20 ~~amounts~~ applicable amount specified in sub. (1) to the candidate's own campaign
21 from the candidate's personal funds or property or the personal funds or property
22 which are owned jointly or as marital property with the candidate's spouse, unless
23 the board determines that the candidate is not eligible to receive a grant, the
24 candidate withdraws his or her application under s. 11.50 (2) (h), or s. 11.31 (3n) or
25 11.50 (2) (i) applies to the candidate. For purposes of this subsection, any

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

10 **SECTION 71.** 11.26 (10a) of the statutes is created to read:

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

14 (b) The dollar amounts of the limitations under subs. (1), (1m), (2), (2m), [71;
15 AA1-AB843; Page: 46, Line: 10] (4), and (8) are subject to a quadrennial
16 adjustment to be determined by rule of the board in accordance with this subsection.
17 To determine the adjustment, the board shall, in each year that the adjustment is
18 made, calculate the percentage difference between the consumer price index for the
19 12-month period ending on December 31 of the preceding year and the consumer
20 price index for calendar year 2001. Beginning in 2006 and every 4 years thereafter,
21 the board shall multiply the amount of each limitation under subs. (1), (1m), (2),
22 (2m), [71; AA1-AB843; Page: 46, Line: 17] (4), and (8) by the percentage difference
23 in the consumer price indices. The board shall adjust the amount of each limitation
24 to substitute that result for the existing amount to the extent required to reflect any
25 difference, rounded to the nearest multiple of \$5. The amount so determined shall

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1 then be in effect until a subsequent rule is promulgated under this subsection.
2 Notwithstanding s. 227.24 (1) (a), (2) (b), and (3), determinations under this
3 subsection may be promulgated as an emergency rule under s. 227.24 without
4 providing evidence that the emergency rule is necessary for the public peace, health,
5 safety, or welfare and without a finding of emergency.

6 **SECTION 72.** 11.26 (15) of the statutes is amended to read:

7 11.26 (15) The fact that 2 or more committees, other than personal campaign
8 committees, utilize common policies and practices concerning the endorsement of
9 candidates or agree to make contributions only to such endorsed candidates does not
10 affect the right of each committee independently to make contributions up to the
11 applicable amount specified under sub. (1), (1m), [72; AA1-AB843; Page: 47, Line:
12 6] (2), or (2m)[72; AA1-AB843; Page: 47, Line: 6].

13 **SECTION 73.** 11.26 (17) (a) of the statutes is amended to read:

14 11.26 (17) (a) For purposes of application of ~~the limitations imposed in subs.~~
15 (1), (1m), (2), (2m), [73; AA1-AB843; Page: 47, Line: 9] (9), (9m), and (10), the
16 “campaign” of a candidate begins and ends at the times specified in this subsection.

17 **SECTION 74.** 11.265 of the statutes is repealed.

18 **SECTION 75.** 11.27 (1) of the statutes is amended to read:

19 11.27 (1) No person may prepare or submit a false report or statement to a filing
20 officer under this chapter. This subsection does not apply to any information
21 reported by a person making an independent expenditure under s. 11.065 (2).

22 **SECTION 75m.** 11.29 (1) of the statutes is amended to read:

23 11.29 (1) Nothing in this chapter restricts any corporation, cooperative or
24 voluntary association other than a political party or personal campaign committee
25 from making disbursements or independent expenditures for the purpose of

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1 communicating only with its members, shareholders or subscribers to the exclusion
2 of all other persons, with respect to endorsements of candidates, positions on a
3 referendum or explanation of its views or interests, without reporting such activity.
4 No such corporation, cooperative or voluntary association may solicit contributions
5 or other donations from persons who are not members, shareholders or subscribers
6 to be used for such purposes. [75m; AA1-AB843; Page: 47, Line: 15]

7 SECTION 76. 11.30 (4) of the statutes is amended to read:

8 11.30 (4) No owner or other person with a financial interest in a
9 communications medium may utilize such medium in support of or in opposition to
10 a candidate or referendum except as provided in this chapter.

11 (4m) This chapter shall not be construed to restrict fair coverage of bona fide
12 news stories, interviews with candidates and other politically active individuals,
13 editorial comment or endorsement. Such activities need not be reported as a [76;
14 AA1-AB843; Page: 47, Line: 23]contribution or, disbursement, or independent
15 expenditure. [76; AA1-AB843; Page: 47, Line: 23]

16 SECTION 77. 11.31 (1) (intro.) of the statutes is amended to read:

17 11.31 (1) SCHEDULE. (intro.) The following levels of disbursements are
18 established with reference to the candidates listed below. The levels are subject to
19 adjustment under sub. (9). Except as provided in sub. (2), such levels do not operate
20 to restrict the total amount of disbursements which are made or authorized to be
21 made by any candidate in any primary or other election.

22 SECTION 78. 11.31 (1) (a) to (c) of the statutes are amended to read:

23 11.31 (1) (a) Candidates for governor, ~~\$1,078,200~~ \$2,750,000.

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

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

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1 **SECTION 79.** 11.31 (1) (cg) and (cr) of the statutes are created to read:

2 11.31 (1) (cg) Candidates for justice, \$400,000.

3 (cr) Candidates for state superintendent, \$400,000.

4 **SECTION 80.** 11.31 (1) (d) of the statutes is amended to read:

5 11.31 (1) (d) Candidates for secretary of state, or state treasurer, justice or state
6 superintendent, ~~\$215,625~~ \$300,000.

7 **SECTION 81.** 11.31 (1) (dm) of the statutes is repealed.

8 **SECTION 82.** 11.31 (1) (e) and (f) of the statutes are amended to read:

9 11.31 (1) (e) Candidates for state senator, ~~\$34,500 total in the primary and~~
10 ~~election, with disbursements not exceeding \$21,575 for either the primary or the~~
11 ~~election~~ \$112,500.

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

15 **SECTION 83.** 11.31 (2) of the statutes is amended to read:

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

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SECTION 83

1 a grant from the Wisconsin election campaign fund and an affidavit under sub. (2m)
2 (a) may make or authorize total disbursements from the his or her campaign
3 treasury in any campaign to the extent of more than the amount prescribed under
4 sub. (1), adjusted as provided under sub. (9), for the preceding spring or general
5 election for the same office, unless the board determines that the candidate is not
6 eligible to receive a grant, the candidate withdraws his or her application under s.
7 11.50 (2) (h),**[83; CCC-1-AB843; Page: 49, Line: 17]** sub. (3n) or s.**[83;**
8 **CCC-1-AB843; Page: 49, Line: 17]** 11.50 (2) (i) applies to that candidate, or the
9 board issues a determination under sub. (3r) applicable to the candidate.

10 SECTION 84. 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 85. 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) applies to that candidate or the board issues a determination under
22 sub. (3r) applicable to the candidate.

23 SECTION 86. 11.31 (2m) (a) of the statutes is created to read:

24 11.31 (2m) (a) Each candidate who files an application to receive a grant from
25 the Wisconsin election campaign fund shall file an affidavit with the board affirming

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

9 **SECTION 87.** 11.31 (3) of the statutes is amended to read:

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

16 **SECTION 88.** 11.31 (3m) of the statutes is repealed.

17 **SECTION 89.** 11.31 (3n) of the statutes is created to read:

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

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

9 **SECTION 90.** 11.31 (3r) of the statutes is created to read:

10 **11.31 (3r) INDEPENDENT EXPENDITURES; CANDIDATES FOR CERTAIN STATE OFFICES.**
11 **[90; AA1-AB843; Page: 51, Line: 20]**(a) If the board receives a report under s.
12 11.065 that an independent expenditure has been made for the purpose of making
13 a communication in opposition to a candidate for a state office specified in sub. (1)
14 (a) to (d), (e), or (f), or in support of a candidate whose name is certified under s. 7.08
15 (2) (a) or 8.50 (1) (d) to appear on the ballot in opposition to such a candidate **[90;**
16 **AA1-AB843; Page: 51, Line: 20]****[90; AA1-AB843; Page: 51, Line: 20]**, the board
17 shall, no later than the end of the 3rd calendar day after receiving the report under
18 s. 11.065, issue a determination that the candidate may make additional
19 disbursements in that campaign exceeding any limitation imposed under sub. (2) or
20 agreed to under sub. (2m) in an amount equivalent to the amount of the independent
21 expenditure, as reported under s. 11.065, and that contributions to the candidate
22 may be made as authorized under s. 11.26 (9m).

23 (b) The board shall immediately file a written copy of its determination with
24 each of the candidates for the office that the candidate seeks.

25 **SECTION 91.** 11.31 (4) of the statutes is repealed.

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1 **SECTION 92.** 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 the limitations under sub. (1) are subject to a
7 quadrennial adjustment to be determined by rule of the board in accordance with this
8 subsection. To determine the adjustment, the board shall, in each year that the
9 adjustment is made, calculate the percentage difference between the consumer price
10 index for the 12-month period ending on December 31 of the preceding year and the
11 consumer price index for calendar year 2001. Beginning in 2006 and every 4 years
12 thereafter, the board shall multiply the amount of each limitation under sub. (1) by
13 the percentage difference in the consumer price indices. The board shall adjust the
14 amount of each limitation to substitute that result for the existing amount to the
15 extent required to reflect any difference, rounded to the nearest multiple of \$5. The
16 amount so determined shall then be in effect until a subsequent rule is promulgated
17 under this subsection. Notwithstanding s. 227.24 (1) (a), (2) (b), and (3),
18 determinations under this subsection may be promulgated as an emergency rule
19 under s. 227.24 without providing evidence that the emergency rule is necessary for
20 the public peace, health, safety, or welfare and without a finding of emergency.

21 **SECTION 93.** 11.38 (6) of the statutes is amended to read:

22 **11.38 (6)** Any individual or campaign treasurer who receives funds in violation
23 of this section shall promptly return such funds to the contributor or, donate the
24 funds to the common school fund or a charitable organization, or transfer the funds

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1 to the board for deposit in the Wisconsin election campaign fund, at the treasurer's
2 option.

3 **SECTION 94.** 11.385 of the statutes is created to read:

4 **11.385 Certain contributions prohibited.** (1) In this section, "floorperiod"
5 means a floorperiod of the legislature, as scheduled by joint resolution, for a regular
6 legislative session.

7 (2) Except as provided in subs. (3) to (5), no member of the legislature or
8 personal campaign committee of a member may make or receive any contribution in
9 conjunction with a fund-raising social event held in Dane County during a
10 floorperiod or a special or extraordinary session if the event is held to benefit a
11 member or member's personal campaign committee.

12 (3) Subsection (2) does not apply to a contribution made or received in
13 connection with a fund-raising social event that is held by a member of the
14 legislature or his or her personal campaign committee during the period between the
15 first day authorized for filing nomination papers for an office for which the member
16 is a candidate and the date of the election for that office, if the event is held within
17 the jurisdiction or district served by the office for which the member is a candidate.

18 (4) Subsection (2) does not apply to a contribution made or received in
19 connection with a fund-raising social event that is held by a member of the
20 legislature or his or her personal campaign committee during the period between the
21 first day authorized for filing nomination papers for any office other than member
22 of the house of the legislature in which a member serves and the date of the election
23 for that office.

24 (5) Subsection (2) does not apply to a contribution made or received in
25 connection with a fund-raising social event held during a special or extraordinary

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1 session by a member of the legislature or his or her personal campaign committee if
2 the member serves a district that is wholly or partly contained within Dane County,
3 the event is held within the boundaries of that district and invitations to the event
4 are sent before the special or extraordinary session is called.

5 **SECTION 95.** 11.50 (1) (a) 1. (intro.) of the statutes is created to read:

6 11.50 (1) (a) 1. (intro.) For purposes of qualification for a grant from the general
7 account:

8 **SECTION 96.** 11.50 (1) (a) 1. of the statutes is renumbered 11.50 (1) (a) 1. a.

9 **SECTION 97.** 11.50 (1) (a) 2. of the statutes is renumbered 11.50 (1) (a) 1. b. and
10 amended to read:

11 11.50 (1) (a) 1. b. With respect to a special election, an individual who is certified
12 under s. 8.50 (1) (d) as a candidate in a special election for state superintendent, or
13 an individual who is certified under s. 8.50 (1) (d) as a candidate in a special election
14 for any state office, except district attorney, on the ballot or column of a party whose
15 candidate for the same office at the preceding general election received at least 6%
16 of the vote cast for all candidates on all ballots for the office, or an individual who has
17 been lawfully appointed and certified to replace either such individual on the ballot
18 at a special election, or an individual who receives at least 6% of the vote cast for all
19 candidates on all ballots for any state office, except district attorney, at a partisan
20 special election; and who qualifies for a grant under sub. (2). Where the boundaries
21 of a district in which an individual seeks office have been changed since the preceding
22 general election such that it is not possible to calculate the exact number of votes that
23 are needed by that individual to qualify as an eligible candidate prior to an election
24 ~~under this subdivision~~, the number of votes cast for all candidates for the office at the
25 preceding general election in each ward, combination of wards or municipality which

ASSEMBLY BILL 843**SECTION 97**

1 is wholly contained within the boundaries of the newly formed district shall be
2 calculated. If the candidate of the political party on whose ballot or column the
3 individual appears in the newly formed district obtained at least 6% of the number
4 of votes calculated, the individual is deemed to qualify as an eligible candidate prior
5 to the election ~~under this subdivision.~~

6 **SECTION 98.** 11.50 (1) (a) 2m. of the statutes is created to read:

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

13 **SECTION 99.** 11.50 (1) (am) of the statutes is created to read:

14 11.50 (1) (am) “Eligible political party” means any of the following:

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

19 2. A party qualifying under s. 5.62 (2) for a separate ballot or one or more
20 separate columns or rows on a ballot for the period beginning on the preceding June
21 1, or if that June 1 is in an odd-numbered year, the period beginning on June 1 of the
22 preceding even-numbered year, and ending on May 31 of the 2nd year following that
23 June 1.

24 **SECTION 100.** 11.50 (1) (bm) and (cm) of the statutes are created to read:

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

3 (cm) “Political party account” means an account in the fund created under sub.
4 (2s).

5 **SECTION 101.** 11.50 (2) (a) of the statutes is amended to read:

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

22 **SECTION 102.** 11.50 (2) (b) 4. of the statutes is amended to read:

23 11.50 (2) (b) 4. 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 his or her ~~statement~~ affidavit filed with

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SECTION 102

1 the application under par. (a) s. 11.31 (2m) (a) is true; [102; AA10-AB843; Page: 57,
2 Line: 9] and [102; AA10-AB843; Page: 57, Line: 9]

3 SECTION 103. 11.50 (2) (b) 5. of the statutes is amended to read:

4 11.50 (2) (b) 5. The financial reports filed by or on behalf of the candidate as
5 of the date of the spring or September primary, or the date that the special primary
6 is or would be held, if required, indicate that the candidate has received an amount
7 equal to at least the amount provided in this subdivision, from contributions of
8 money, other than loans, made by individuals who reside in this state and, in the case
9 of a candidate for other than a statewide office, by individuals at least 50% of whom
10 reside in a county having territory within the district in which the candidate seeks
11 office, which contributions have been received during the period ending on the date
12 of the spring primary and July 1 preceding such date in the case of candidates at the
13 spring election, or the date of the September primary and January 1 preceding such
14 date in the case of candidates at the general election, or the date that a special
15 primary will or would be held, if required, and 90 days preceding such date or the
16 date a special election is ordered, whichever is earlier, in the case of ~~special election~~
17 candidates at a special election, which contributions are in the aggregate amount of
18 \$100 or less, and which contributions are fully identified and itemized as to the exact
19 source thereof. A contribution received from a conduit which is identified by the
20 conduit as originating from an individual shall be considered a contribution made by
21 the individual. Only the first \$100 of an aggregate contribution of more than \$100
22 may be counted toward the required percentage. For a candidate at the spring or
23 general election for an office identified in s. 11.26 (1) (a) or a candidate at a special
24 election, the required amount to qualify for a grant is 5% of the candidate's applicable
25 authorized disbursement limitation, as determined under s. 11.31 (1) and adjusted

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1 as provided under s. 11.31 (9). For any other candidate at the general election, the
2 required amount to qualify for a grant is ~~10%~~ 7% of the candidate's applicable
3 authorized disbursement limitation, as determined under s. 11.31 [103;
4 **AA10-AB843; Page: 58, Line: 10**]. (1)[103; AA10-AB843; Page: 58, Line: 10] and
5 adjusted as provided under s. 11.31[103; AA10-AB843; Page: 58, Line: 11] (9);
6 and[103; AA10-AB843; Page: 58, Line: 11]

7 **SECTION 103g.** 11.50 (2) (b) 6. of the statutes is created to read:

8 11.50 (2) (b) 6. The application is not required to be disapproved under par. (f).
9 [103g; AA10-AB843; Page: 58, Line: 12]

10 **SECTION 103r.** 11.50 (2) (c) of the statutes is amended to read:

11 11.50 (2) (c) ~~If a candidate has not filed financial reports as of the date of the~~
12 ~~spring primary, September primary, special primary, or date that the special primary~~
13 ~~would be held, if required, which indicate that he or she has met the qualification~~
14 ~~under par. (b) 5., the candidate may file a special report with the board. Such report~~
15 ~~shall be filed not later than~~ Any individual who desires to qualify as an eligible
16 candidate shall file a special report with the board during the period beginning on
17 the day after the primary, or the 7th day after the date on which the primary would
18 be held, if required, and ending on the 7th day after the primary, or 7th day after the
19 date on which the primary would be held, if required, and. The special report shall
20 include such supplementary information as to sources of contributions which may
21 be necessary to complete the candidate's qualification all information that is
22 required to be reported under s. 11.06 (1). The special report shall cover the period
23 from the day after the last date covered on the candidate's most recent report, or from
24 the date on which the first contribution was received or the first disbursement was
25 made, whichever is earlier, if the candidate has not previously filed a report, to the

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1 date of such report the primary, or the date on which the primary would be held, if
2 required. All information included on the special report shall also be included in the
3 candidate's next report under s. 11.20. [103r; AA10-AB843; Page: 58, Line: 12]

4 SECTION 104. 11.50 (2) (f) of the statutes is amended to read:

5 11.50 (2) (f) The board shall disapprove the application of any candidate who
6 has a balance in his or her campaign depository account, as reported under par. (c),
7 that is equal to or greater than 100% of the disbursement level specified under s.
8 11.31 (1), as adjusted under s. 11.31 (9), for the office that the candidate seeks, but
9 without respect to any adjustment under s. 11.31 (3n) or (3r).[103r; AA10-AB843;
10 Page: 58, Line: 13] The board shall inform each candidate in writing of the approval
11 or disapproval of the candidate's application, as promptly as possible after the date
12 of the spring primary, September primary, special primary, or date that the primary
13 would be held, if required. With respect to a candidate at a special election who
14 applies for a postelection grant under sub. (1) (a) 2- 1. b., the board shall inform the
15 candidate in writing of the conditional approval or disapproval of the candidate's
16 application at the same time.

17 SECTION 105. 11.50 (2) (g) of the statutes is amended to read:

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

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1 s. 11.31 (3n) applies to the candidate, or the board issues a determination under s.
2 11.31 (3r) applicable to the candidate.

3 **SECTION 106.** 11.50 (2) (h) of the statutes is amended to read:

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

12 **SECTION 107.** 11.50 (2) (i) of the statutes is amended to read:

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

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1 **SECTION 108.** 11.50 (2s) of the statutes is created to read:

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

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

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

21 **SECTION 109.** 11.50 (2w) of the statutes is created to read:

22 **11.50 (2w) GENERAL ACCOUNT.** There is established a general account within
23 the fund consisting of all moneys designated by individuals for deposit in that
24 account under s. 71.10 (3) (a), all moneys transferred to that account under sub. (2s)

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1 (c), and all moneys deposited in the fund under ss. 8.35 (4) (a), 11.07 (5), 11.12 (2),
2 11.16 (2), 11.19 (1), 11.23 (2), and 11.38 (6).

3 **SECTION 110.** 11.50 (3) (a) 1. of the statutes is renumbered 11.50 (3) (a) 2m. and
4 amended to read:

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

14 **SECTION 111.** 11.50 (3) (a) 2. of the statutes is renumbered 11.50 (3) (a) 1m. and
15 amended to read:

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

24 **SECTION 112.** 11.50 (3) (b) of the statutes is amended to read:

1 11.50 (3) (b) If a vacancy occurs in the office of justice after August 15 in any
2 year and an election is scheduled to fill the vacancy at the spring election in the
3 following year, the state treasurer shall transfer an amount sufficient to finance
4 payment of the full amount of the grants authorized under sub. (9) (b) for candidates
5 for the office of justice to the supreme court account. If a vacancy occurs in the office
6 of state superintendent ~~or justice~~ after August 15 in any year and an election is
7 scheduled to fill the vacancy at the spring election in the following year, the state
8 treasurer shall, after making any transfer that is required to be made to the supreme
9 court account, transfer an amount ~~not exceeding 8% of the moneys transferred to the~~
10 ~~fund on the preceding August 15~~ sufficient to finance payment of the full amount of
11 the grants authorized under sub. (9) (a) for candidates for the office of state
12 superintendent to the superintendency account ~~for the office in which the vacancy~~
13 ~~occurs, such.~~ The moneys to shall be drawn transferred from any account within the
14 accounts created under sub. (4) in the amount or amounts specified by the board.

15 **SECTION 113.** 11.50 (3) (c) of the statutes is created to read:

16 11.50 (3) (c) If there are insufficient moneys in the fund to make any transfer
17 that is required to be made under par. (a) or (b), the state treasurer shall transfer the
18 balance in the fund to the account to which the transfer is required to be made.

19 **SECTION 114.** 11.50 (4m) of the statutes is created to read:

20 11.50 (4m) PAYMENT OF GRANT AMOUNTS. The state treasurer shall make
21 payment of each grant to an eligible candidate from the political party account of that
22 candidate's political party, if any, if there are sufficient moneys in that account to
23 make full payment of the grant, and then from the general account. The amount of
24 each grant is the amount specified in sub. (9), except as provided in sub. (10) and
25 except that if there are insufficient moneys in the account for any office within the

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1 general account to make payment of the full amount of the grant for which a
2 candidate qualifies, the board shall first allocate available moneys in that account
3 to equalize payments of grants to all eligible candidates for each office for which any
4 candidate has received payments from a political party account, and thereafter shall
5 prorate any remaining available moneys in that account to all eligible candidates
6 who qualify to receive a grant from that account.

7 **SECTION 115.** 11.50 (5) of the statutes is amended to read:

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

13 **SECTION 116.** 11.50 (6) of the statutes is amended to read:

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

18 **SECTION 117.** 11.50 (9) of the statutes is renumbered 11.50 (9) (a) and amended
19 to read:

20 11.50 (9) (a) The Except as provided in [117; AA10-AB843; Page: 63, Line: 20]
21 par. [117; AA10-AB843; Page: 63, Line: 20] (d), the total grant available to an
22 eligible candidate for an office other than the office of justice may not exceed that
23 amount which, when added to all other contributions accepted from sources other
24 than individuals, and political party committees and legislative campaign

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1 ~~committees~~, is equal to 45% of the disbursement level specified for the applicable
2 office under s. 11.31 (1), adjusted as provided under s. 11.31 (9).

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

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

8 **SECTION 118.** 11.50 (9)[118; AA10-AB843; Page: 64, Line: 6] (b) and (d)[118;
9 AA10-AB843; Page: 64, Line: 6] of the statutes are created to read:

10 11.50 (9) (b) Except as provided in[118; AA10-AB843; Page: 64, Line: 7]
11 par.[118; AA10-AB843; Page: 64, Line: 7] (d), the total grant available to an
12 eligible candidate for the office of justice may not exceed that amount which, when
13 added to all other contributions accepted from sources other than individuals [118;
14 CCC-2-AB843; Page: 64, Line: 10] and political[118; CCC-2-AB843; Page: 64,
15 Line: 10] party committees, is equal to 65% of the disbursement level specified for
16 that office under s. 11.31 (1), as adjusted under s. 11.31 (9).

17 [118; AA10-AB843; Page: 64, Line: 12][118; AA10-AB843; Page: 64, Line:
18 12][118; AA10-AB843; Page: 64, Line: 12][118; AA10-AB843; Page: 64, Line:
19 12][118; AA10-AB843; Page: 64, Line: 12][118; AA10-AB843; Page: 64, Line:
20 12]

21 (d) If an eligible candidate does not have an opponent whose application to
22 receive a grant has been approved by the board, the amount of the grant payable to
23 the candidate is 50% of the amount otherwise payable under par. (a) or (b)[118;
24 AA10-AB843; Page: 64, Line: 20][118; AA10-AB843; Page: 64, Line: 20].

25 **SECTION 119.** 11.50 (10m) of the statutes is amended to read:

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1 **11.50 (10m) RETURN OF GRANTS.** An individual who receives a grant prior to an
2 election in which he or she is a candidate and who desires to return any portion of
3 the grant shall return that portion no later than the 2nd Tuesday in October
4 preceding a general election, the 4th Tuesday preceding a spring election or the 3rd
5 Tuesday preceding a special election. A candidate who returns all or any portion of
6 a grant under this subsection remains bound by the candidate's ~~statement~~ affidavit
7 filed under sub. ~~(2) (a)~~ s. 11.31 (2m) (a).

8 **SECTION 120.** 11.50 (11) (e) of the statutes is amended to read:

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

13 **SECTION 121.** 11.50 (14) of the statutes is created to read:

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

16 1. No later than July 1, the name of each political party that qualifies under
17 sub. (1) (am) 1. as an eligible political party as of the preceding June 1 and whose
18 state chairperson has filed a request to establish an account for the party under sub.
19 (2s) (a).

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

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

25 **SECTION 122.** 11.60 (1) and (2) of the statutes are amended to read:

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

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

8 **SECTION 123.** 11.61 (1) of the statutes is amended to read:

9 11.61 (1) (a) Whoever intentionally violates s. 11.05 (1), (2), (2g) or (2r), 11.07
10 (1) or (5), 11.10 (1), 11.12 (5), 11.23 (6) or 11.24 (1) may be fined not more than ~~\$10,000~~
11 \$30,000 or imprisoned for not more than ~~4~~ 13 years and 6 months or both.

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

17 (c) Whoever intentionally violates any provision of this chapter other than
18 those provided in par. (a) and whoever intentionally violates any provision under par.
19 (b) where the intentional violation concerns a specific figure which does not exceed
20 \$100 in amount or value may be fined not more than ~~\$1,000~~ \$3,000 or imprisoned for
21 not more than ~~6 months~~ one year in the county jail or both.

22 **SECTION 124.** 11.66 of the statutes is renumbered 11.66 (1) and amended to
23 read:

24 11.66 (1) Any elector may sue for injunctive relief to compel compliance with
25 this chapter. Before commencing any action concerning ~~a~~ an election for state office

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1 or a statewide referendum, an elector shall file a verified complaint with the
2 executive director of the board under s. 5.066 (2) alleging such facts as are within his
3 or her knowledge to show probable cause to believe that a violation has occurred or
4 is proposed to occur. If The verified complaint shall include a notice that the elector
5 intends to seek relief under this section. Except as provided in sub. (2), if the
6 executive director of the board fails to commence an action order the relief that is
7 sought by the elector under s. 5.066 (5) within 10 days of the filing of the complaint
8 and the elector does not appeal the matter to the board under s. 5.066 (8) or the board,
9 after hearing the elector's appeal, does not order the relief sought by the elector
10 under s. 5.066 (9), the elector may commence an action.

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

16 **SECTION 125.** 11.66 (2) of the statutes is created to read:

17 11.66 (2) If the complaint relates to a matter specified in s. 5.066 (12) (a), the
18 elector may commence an action under sub. (1) upon compliance with sub. (1).

19 **SECTION 126.** 12.05 of the statutes is amended to read:

20 **12.05 False representations affecting elections.** No person may
21 knowingly make or publish, or cause to be made or published, a false representation
22 pertaining to a candidate or referendum ~~which that~~ is intended or tends to affect
23 voting at an election. This section does not apply to any information reported by a
24 person making an independent expenditure, as defined in s. 11.01 (11m), under s.
25 11.065 (2).

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1 **SECTION 127.** 19.42 (3m), (4g), (4r) and (7p) of the statutes are created to read:

2 19.42 **(3m)** “Candidate,” except as otherwise provided, has the meaning given
3 in s. 11.01 (1).

4 **(4g)** “Clearly identified,” when used in reference to a communication
5 containing a reference to a person, means one of the following:

6 (a) The person’s name appears.

7 (b) A photograph or drawing of the person appears.

8 (c) The identity of the person is apparent by unambiguous reference.

9 **(4r)** “Communication” means a message transmitted by means of a printed
10 advertisement, billboard, handbill, sample ballot, radio or television advertisement,
11 telephone call, or any medium that may be utilized for the purpose of disseminating
12 or broadcasting a message, but not including a poll conducted solely for the purpose
13 of identifying or collecting data concerning the attitudes or preferences of electors.

14 **(7p)** “Independent expenditure” has the meaning given in s. 11.01 (11m).

15 **SECTION 128.** 19.45 (13) of the statutes is created to read:

16 19.45 **(13)** No state public official holding an elective office may, directly or by
17 means of an agent, give, or offer or promise to give, or withhold, or offer or promise
18 to withhold, his or her vote or influence, or promise to take or refrain from taking
19 official action with respect to any proposed or pending matter in consideration of, or
20 upon condition that, any other person make or refrain from making a political
21 contribution, or provide or refrain from providing any service or other thing of value,
22 to or for the benefit of a candidate, a political party, any other person who is subject
23 to a registration requirement under s. 11.05, or any person who makes an
24 independent expenditure for the purpose of making a communication that contains
25 a reference to a candidate for state public office.

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1 **SECTION 129.** 19.49 (1m) of the statutes is created to read:

2 19.49 (1m) No complaint alleging a violation of s. 19.45 (13) may be filed during
3 the period beginning 120 days before a general or spring election, or during the
4 period commencing on the date of the order of a special election under s. 8.50, and
5 ending on the date of that election, against a candidate who files a declaration of
6 candidacy to have his or her name appear on the ballot at that election.

7 **SECTION 130.** 19.49 (5) of the statutes is renumbered 19.49 (5) (a) and amended
8 to read:

9 19.49 (5) (a) ~~No~~ Except as provided in par. (b), no action may be taken on any
10 complaint ~~which~~ that is filed later than 3 years after a violation of this subchapter
11 or subch. III of ch. 13 is alleged to have occurred.

12 **SECTION 131.** 19.49 (5) (b) of the statutes is created to read:

13 19.49 (5) (b) The period of limitation under par. (a) is tolled for a complaint
14 alleging a violation of s. 19.45 (13) or 19.59 (1) (br) for the period during which such
15 a complaint may not be filed under s. 19.49 (1m) or 19.59 (8) (cm).

16 **SECTION 132.** 19.53 (6) of the statutes is amended to read:

17 19.53 (6) An order requiring the accused to forfeit not more than \$500 for each
18 violation of s. 19.43, 19.44, or 19.56 (2) or not more than \$5,000 for each violation of
19 any other provision of this subchapter, or not more than the applicable amount
20 specified in s. 13.69 for each violation of subch. III of ch. 13; ~~and, if,~~ If the board
21 determines that the accused has realized economic gain as a result of the violation,
22 ~~an the board may, in addition, order requiring~~ the accused to forfeit the amount
23 gained as a result of the violation. In addition, if the board determines that a state
24 public official has violated s. 19.45 (13), the board may order the official to forfeit an
25 amount equal to the amount or value of any political contribution, service, or other

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1 thing of value that was wrongfully obtained. If the board determines that a state
2 public official has violated s. 19.45 (13) and no political contribution, service, or other
3 thing of value was obtained, the board may order the official to forfeit an amount
4 equal to the maximum contribution authorized under s. 11.26 (1) for the office held
5 or sought by the official, whichever amount is greater. The attorney general, when
6 so requested by the board, shall institute proceedings to recover any forfeiture
7 incurred under this section or s. 19.545 which is not paid by the person against whom
8 it is assessed.

9 **SECTION 133.** 19.535 of the statutes is created to read:

10 **19.535 Direct enforcement.** If the board refuses or otherwise fails to
11 authorize an investigation under s. 19.49 (3) with respect to a violation of s. 19.45 (13)
12 within 30 days after receiving a verified complaint alleging a violation of s. 19.45 (13),
13 the person making the complaint may bring an action to recover the forfeiture under
14 s. 19.53 (6) on his or her relation in the name, and on behalf, of the state. In such
15 actions, the court may award actual and necessary costs of prosecution, including
16 reasonable attorney fees, to the relator if he or she prevails, but any forfeiture
17 recovered shall be paid to the state. If the court finds in any such action that the
18 cause of action was frivolous as provided in s. 814.025, the court shall award costs
19 and fees to the defendant under that section.

20 **SECTION 134.** 19.59 (1) (br) of the statutes is created to read:

21 19.59 (1) (br) No local public official holding an elective office may, directly or
22 by means of an agent, give, or offer or promise to give, or withhold, or offer or promise
23 to withhold, his or her vote or influence, or promise to take or refrain from taking
24 official action with respect to any proposed or pending matter in consideration of, or
25 upon condition that, any other person make or refrain from making a political

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1 contribution, or provide or refrain from providing any service or other thing of value,
2 to or for the benefit of a candidate, a political party, any other person who is subject
3 to a registration requirement under s. 11.05, or any person who makes an
4 independent expenditure for the purpose of making a communication that contains
5 a reference to a candidate for local public office.

6 **SECTION 135.** 19.59 (7) of the statutes is renumbered 19.59 (7) (a) and amended
7 to read:

8 19.59 (7) (a) Any person who violates sub. (1) may be required to forfeit not
9 more than \$1,000 for each violation, and, if the court determines that the accused has
10 violated sub. (1) (br), the court may, in addition, order the accused to forfeit an
11 amount equal to the amount or value of any political contribution, service, or other
12 thing of value that was wrongfully obtained.

13 **SECTION 136.** 19.59 (7) (b) of the statutes is created to read:

14 19.59 (7) (b) Any person who violates sub. (1) may be required to forfeit not
15 more than \$1,000 for each violation, and, if the court determines that a local public
16 official has violated sub. (1) (br) and no political contribution, service, or other thing
17 of value was obtained, the court may, in addition, order the accused to forfeit an
18 amount equal to the maximum contribution authorized under s. 11.26 (1) for the
19 office held or sought by the official, whichever amount is greater.

20 **SECTION 137.** 19.59 (8) (c) of the statutes is amended to read:

21 19.59 (8) (c) If the district attorney fails to commence an action to enforce sub.
22 (1) (a), (b), or (c) to (g) within 20 days after receiving a verified complaint or if the
23 district attorney refuses to commence such an action, the person making the
24 complaint may petition the attorney general to act upon the complaint. The attorney
25 general may then bring an action under par. (a) or (b), or both.

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1 **SECTION 138.** 19.59 (8) (cm) and (cn) of the statutes are created to read:

2 19.59 (8) (cm) No complaint alleging a violation of sub. (1) (br) may be filed
3 during the period beginning 120 days before a general or spring election, or during
4 the period commencing on the date of the order of a special election under s. 8.50, and
5 ending on the date of that election, against a candidate who files a declaration of
6 candidacy to have his or her name appear on the ballot at that election.

7 (cn) If the district attorney refuses or otherwise fails to commence an action to
8 enforce sub. (1) (br) within 30 days after receiving a verified complaint alleging a
9 violation of sub. (1) (br), the person making the complaint may bring an action to
10 recover the forfeiture under sub. (7) on his or her relation in the name, and on behalf,
11 of the state. In such actions, the court may award actual and necessary costs of
12 prosecution, including reasonable attorney fees, to the relator if her or she prevails,
13 but any forfeiture recovered shall be paid to the state. If the court finds in any such
14 action that the cause of action was frivolous as provided in s. 814.025, the court shall
15 award costs and fees to the defendant under that section.

16 **SECTION 139.** 25.42 of the statutes is amended to read:

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

24 **SECTION 140.** 71.07 (6s) of the statutes is created to read:

25 71.07 (6s) CAMPAIGN FUND TAX CREDIT. (a) *Definitions.* In this subsection:

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1 1. “Claimant” means an individual who makes a designation.

2 2. “Designation” means an amount designated under s. 71.10 (3) (a).

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

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

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

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

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

15 **SECTION 141.** 71.10 (3) (a) of the statutes is amended to read:

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

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1 a particular eligible political party, that amount shall be placed in the general
2 account.

3 **SECTION 142.** 71.10 (3) (b) of the statutes is amended to read:

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

17 **SECTION 143.** 71.10 (4) (cs) of the statutes is created to read:

18 71.10 (4) (cs) The campaign fund tax credit under s. 71.07 (6s).

19 **SECTION 144.** 227.03 (6m) of the statutes is created to read:

20 227.03 (6m) Cases before the executive director of the elections board under
21 s. 5.066 are not subject to ss. 227.42 and 227.44 to 227.50.

22 **SECTION 145.** 227.52 (8) of the statutes is created to read:

23 227.52 (8) The decisions of the executive director of the elections board under
24 s. 5.066.

25 **SECTION 146. Nonstatutory provisions.**

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

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

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

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

19 (3g) NONSEVERABILITY; CERTAIN CONTRIBUTION LIMITATIONS. Notwithstanding
20 section 990.001 (11) of the statutes, if a court finds that all or any portion of the
21 statutes listed in paragraph (a) or all or any portion of the treatments listed in
22 paragraph (b) is unconstitutional, then all of the statutes listed in paragraph (a) and
23 all of the treatments listed in paragraph (b) are void in their entirety:

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1 (a) *Statutes created by this act.* Section 11.26 (1m), (1t), (2m), (2t), and (10a)
2 (with respect to the reference to 11.26 (1m) and (2m)) of the statutes, as created by
3 this act.

4 (b) *Treatments of current statutes by this act.* The treatment of sections 11.06
5 (7m) (a) (with respect to the reference to 11.26 (1m) and (2m)) and (b); and 11.26 (1
6 (intro.) (with respect to the reference to 11.26 (1t) and the filing of an affidavit under
7 11.31 (2m)), (2) (intro.) (with respect to the reference to 11.26 (2t) and the filing of an
8 affidavit under 11.31 (2m)), (3), (5), (6) (with respect to the reference to 11.26 (1m)
9 and (2m)), (15) (with respect to the reference to 11.26 (1m) and (2m)), and (17) (a)
10 (with respect to the reference to 11.26 (1m) and (2m)) of the statutes.

11 “(3r) NONSEVERABILITY; OTHER PROVISIONS. Notwithstanding section 990.001 (11)
12 of the statutes, if a court finds that all or any portion of the statutes listed in
13 paragraph (a) or all or any portion of the treatments listed in paragraph (b) is
14 unconstitutional, then all of the statutes listed in paragraph (a) and all of the
15 treatments listed in paragraph (b) are void in their entirety:

16 (a) *Statutes created by this act.* Sections 11.01 (4m), (11m), and (13); 11.06 (1)
17 (cm); 11.065; 11.26 (9m); 11.30 (4m) (with respect to the reference to independent
18 expenditures); 11.31 (2m) (a) (with respect to the reference to 11.31 (3n) and (3r)); and
19 11.31 (3n) and (3r) of the statutes, as created by this act.

20 (b) *Treatments of current statutes by this act.* The treatment of sections 5.05
21 (1) (e); 11.06 (2); 11.26 (1) (intro.) (with respect to the reference to 11.26 (9m), (9) (a)
22 (with respect to the reference to 11.26 (9m)) and (b) (with respect to the reference to
23 11.26 (9m)), (10), and (17) (a) (with respect to the reference to 11.26 (9m); 11.27 (1);
24 11.29 (1); 11.31 (2) (with respect to the reference to 11.31 (3n) and (3r)); 11.50 (2) (g)
25 (with respect to the reference of 11.31 (3n) and (3r)) and (i) (with respect to the

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1 reference to 11.31 (3n) and (3r)); and 12.05 of the statutes and the renumbering of
2 11.31 (2m) (with respect to the reference to 11.31 (3n) and (3r)) of the statutes. [146;
3 AA1-AB843; Page: 75, Line: 18]

4 **SECTION 147. Initial applicability.**

5 (1) NONRESIDENT REGISTRANT REPORTING. The treatment of sections 11.06 (1)
6 (intro.) and (3) (b) (intro.) and 11.12 (4) of the statutes first applies with respect to
7 reporting periods which begin on or after the effective date of this subsection.

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

12 (3) COST OF LIVING ADJUSTMENTS. (a) The treatment of sections 11.26 (10a) and
13 11.31 (9) of the statutes first applies to adjustments for the 4-year period beginning
14 on January 1, 2006.

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

18 (END)