

1            <sup>ljw</sup> SECTION 118. 11.24 (4) of the statutes is created to read:

2            11.24 (4) (a) No person may make a contribution to an incumbent partisan state  
3 elective official or to the personal campaign committee or support committee  
4 authorized under s. 11.05 (3) (p) of that official for the purpose of promoting that  
5 official's nomination or reelection to the office held by the official during the period  
6 beginning on the first Monday of January in each odd-numbered year and ending  
7 on the date of enactment of the biennial budget act.

8            (b) Paragraph (a) does not apply to a contribution made to an incumbent  
9 partisan state elective official against whom a recall petition has been filed during  
10 the period beginning on the date that the petition offered for filing is filed under s.  
11 9.10 (3) (b) and ending on the date of the recall election unless the official resigns at  
12 an earlier date under s. 9.10 (3) (c).

13            SECTION 119. 11.26 (1) (intro.) of the statutes is amended to read:

14            11.26 (1) (intro.) ~~No Subject to sub. (10a) and except as provided under subs.~~  
15 ~~(1m), (9m), and (10), no individual may make any contribution or contributions to a~~  
16 ~~candidate for election or nomination to any of the following offices office specified in~~  
17 ~~pars. (a) to (c) or for election or nomination to any office specified in pars. (cc) to (d)~~  
18 ~~and to any individual or committee under s. 11.06 (7) acting solely in support of such~~  
19 ~~a candidate or solely in opposition to the candidate's opponent to the extent of more~~  
20 ~~than a total of the amounts specified per candidate:~~

21            SECTION 120. 11.26 (1m) of the statutes is created to read:

22            11.26 (1m) Subject to sub. (10a) and except as provided under subs. (1t) and  
23 (9m), no individual may make any contribution or contributions to a candidate for  
24 election or nomination to any of the following offices who has not filed an application  
25 for a grant from the Wisconsin election campaign fund as of the applicable deadline

1 under s. 11.50 (2) (a) and to any individual or committee under s. 11.06 (7) acting  
2 solely in support of such a candidate or solely in opposition to the candidate's  
3 opponent to the extent of more than a total of the amounts specified per candidate:

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

6 (b) Candidates for state senator, \$500.

7 (c) Candidates for representative to the assembly, \$250.

8 **SECTION 121.** 11.26 (1t) of the statutes is created to read:

9 11.26 (1t) The limitations under sub. (1m) apply to any candidate who files an  
10 application for a grant under s. 11.50 but who the board determines is ineligible to  
11 receive a grant, who withdraws his or her application for a grant under s. 11.50 (2)  
12 (h), or to whom s. 11.50 (2) (i) applies, unless the candidate subsequently files an  
13 affidavit under s. 11.31 (2m) (b). Any candidate who has received a contribution that  
14 exceeds the amount specified for the office the candidate seeks under sub. (1m) (a)  
15 to (c) before the date on which a limitation under sub. (1m) applies to the candidate  
16 shall return to the contributor, donate to the common school fund or to any charitable  
17 organization, or transfer to the board for deposit in the Wisconsin election campaign  
18 fund the excess amount of the contribution.

19 **SECTION 122.** 11.26 (2) (intro.) of the statutes is amended to read:

20 11.26 (2) (intro.) ~~No~~ Subject to sub. (10a) and except as provided under sub.  
21 (9m), no committee other than a political party committee or legislative campaign  
22 committee may make any contribution or contributions to a candidate for election or  
23 nomination to any of the following offices office specified in pars. (a) to (c) or for  
24 election or nomination to any office specified in pars. (cc) to (e) and to any individual  
25 or committee under s. 11.06 (7) acting solely in support of such a candidate or solely

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

3 **SECTION 123.** 11.26 (2) (a) of the statutes is amended to read:

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

7 **SECTION 124.** 11.26 (2) (ae), (am), (as) and (av) of the statutes are created to  
8 read:

9 11.26 (2) (ae) Candidates for lieutenant governor, \$12,000.

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

11 (as) Candidates for state superintendent or justice, \$10,000.

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

13 **SECTION 125.** 11.26 (2m) of the statutes is created to read:

14 11.26 (2m) Subject to sub. (10a) and except as provided under subs. (2t) and  
15 (9m), no committee other than a political party committee may make any  
16 contribution or contributions to a candidate for election or nomination to any of the  
17 following offices who has not filed an application for a grant from the Wisconsin  
18 election campaign fund as of the applicable deadline under s. 11.50 (2) (a) and to any  
19 individual or committee under s. 11.06 (7) acting solely in support of such a candidate  
20 or solely in opposition to the candidate's opponent to the extent of more than a total  
21 of the amounts specified per candidate:

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

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

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

25 (as) Candidates for state superintendent or justice, \$5,000.

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1 ~~authorized under s. 11.05 (3) (p) of that official for the purpose of promoting that~~  
 2 ~~official's nomination or reelection to the office held by the official during the period~~  
 3 ~~beginning on the first Monday of January in each odd-numbered year and ending~~  
 4 ~~on the date of enactment of the biennial budget act.~~

5 (b) Paragraph (a) does not apply to a contribution made to an incumbent  
 6 partisan state elective official against whom a recall petition has been filed during  
 7 the period beginning on the date that the petition offered for filing is filed under s.  
 8 9.10 (3) (b) and ending on the date of the recall election unless the official resigns at  
 9 an earlier date under s. 9.10 (3) (c).

10 SECTION 72. 11.26 (1) (intro.) of the statutes is amended to read:

11 11.26 (1) (intro.) <sup>1jy</sup> ~~No~~ Subject to sub. (10a) and except as provided under subs.  
 12 (1m), (1t), (9m), and (10), no individual may make any contribution or contributions  
 13 to a candidate for election or nomination to any of the following offices and to any  
 14 individual or committee under s. 11.06 (7) acting solely in support of such a candidate  
 15 or solely in opposition to the candidate's opponent to the extent of more than a total  
 16 of the amounts specified per candidate: 1 kb

17 SECTION 73. 11.26 (1m) of the statutes is created to read:

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

24 (a) Candidates for state senator, \$500.

25 (b) Candidates for representative to the assembly, \$250.

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1 SECTION 74. 11.26 (1t) of the statutes is created to read:

2 11.26 (1t) The limitations under sub. (1m) apply to any candidate for legislative  
3 office who files an affidavit under s. 11.31 (2m) (a) but who the board determines is  
4 ineligible to receive a grant from the Wisconsin election campaign fund, who  
5 withdraws his or her application for a grant under s. 11.50 (2) (h), or to whom s. 11.50  
6 (2) (i) applies, unless the candidate subsequently files an affidavit under s. 11.31 (2m)

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7 (b). If a candidate for legislative office files an affidavit under s. 11.31 (2m) (b), the  
8 limitations under sub. (1) apply to that candidate beginning on the date that the  
9 affidavit is filed.

10 SECTION 75. 11.26 (2) (intro.) of the statutes is amended to read:

11 11.26 (2) (intro.) ~~No~~ Subject to sub. (10a) and except as provided under subs.  
12 (2m), (2t), and (2m), no committee other than a political party committee or  
13 legislative campaign committee may make any contribution or contributions to a  
14 candidate for election or nomination to any of the following offices and to any  
15 individual or committee under s. 11.06 (7) acting solely in support of such a candidate  
16 or solely in opposition to the candidate's opponent to the extent of more than a total  
17 of the following amounts specified per candidate:

18 SECTION 76. 11.26 (2) (a) of the statutes is amended to read:

19 11.26 (2) (a) Candidates for governor, lieutenant governor, secretary of state,  
20 state treasurer, attorney general, state superintendent or justice, 4% of the value of  
21 the disbursement level specified in the schedule under s. 11.31 (1) \$43,500.

22 SECTION 77. 11.26 (2) (ae), (am), (as) and (av) of the statutes are created to read:

23 11.26 (2) (ae) Candidates for lieutenant governor, \$12,000.

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

25 (as) Candidates for state superintendent or justice, \$10,000.

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

2 SECTION 78. 11.26 (2m) of the statutes is created to read:

3 11.26 (2m) Subject to sub. (10a) and except as provided under subs. (2t) and  
4 (9m), no committee other than a political party committee may make any  
5 contribution or contributions to a candidate for election or nomination to legislative  
6 office who has not filed an affidavit under s. 11.31 (2m) and to any individual or  
7 committee under s. 11.06 (7) acting solely in support of such a candidate or solely in  
8 opposition to the candidate's opponent to the extent of more than a total of the  
9 amounts specified per candidate:

10 (a) Candidates for state senator, \$500.

11 (b) Candidates for representative to the assembly, \$250.

12 ~~SECTION 79. 11.26 (2p) of the statutes is created to read:~~

13 11.26 (2p) (a) Except as provided in par. (b), for purposes of applying the limits  
14 under subs. (2) and (2m), all contributions made by committees that are affiliated  
15 with one another are considered contributions from a single committee.

16 (b) Paragraph (a) does not apply to contributions made by any committee that  
17 is established by a confederation of multiple labor interests or a confederation of  
18 multiple trade interests.

19 SECTION 80. 11.26 (2t) of the statutes is created to read:

20 11.26 (2t) The limitations under sub. (2m) apply to any candidate for legislative  
21 office who files an affidavit under s. 11.31 (2m) (a) but who the board determines is  
22 ineligible to receive a grant from the Wisconsin election campaign fund, who  
23 withdraws his or her application for a grant under s. 11.50 (2) (h), or to whom s. 11.50  
24 (2) (i) applies, unless the candidate subsequently files an affidavit under s. 11.31 (2m)

(b). If a candidate for legislative office files an affidavit under s. 11.31 (2m) (b), the

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1 limitations under sub. (2) apply to that candidate beginning on the date that the  
2 affidavit is filed.

3 **SECTION 81.** 11.26 (3) of the statutes is amended to read:

4 11.26 (3) The contribution limitations of subs. (1) and, (1m), (2), and (2m) apply  
5 cumulatively to the entire primary and election campaign in which a candidate  
6 participates, whether or not there is a contested primary election. The total  
7 limitation may be apportioned in any manner desired between the primary and  
8 election. All moneys cumulate regardless of the time of contribution.

9 **SECTION 82.** 11.26 (4) of the statutes is amended to read:

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

15 **SECTION 83.** 11.26 (5) of the statutes is amended to read:

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

23 **SECTION 84.** 11.26 (6) of the statutes is amended to read:

24 11.26 (6) When a candidate adopts a preexisting support committee as his or  
25 her personal campaign committee, the support committee is deemed to have been the

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- 1 (av) Candidates for secretary of state or state treasurer, \$4,325.
- 2 (b) Candidates for state senator, \$500.
- 3 (c) Candidates for representative to the assembly, \$250.

4 SECTION 126. 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 ~~application for a grant under s. 11.50 but who the board determines is ineligible to~~  
 7 ~~receive a grant, who withdraws his or her application for a grant under s. 11.50 (2)~~

8 ~~(h), or to whom s. 11.50 (2) (i) applies, unless the candidate subsequently files an~~  
 9 ~~affidavit under s. 11.31 (2m) (b). Any candidate who has received a contribution that~~  
 10 ~~exceeds the amount specified for the office the candidate seeks under sub. (2m) (1m)~~  
 11 ~~before the date on which a limitation under sub. (2m) (1m) applies to the candidate~~  
 12 ~~shall return to the contributor, donate to the common school fund or to any charitable~~  
 13 ~~organization, or transfer to the board for deposit in the Wisconsin election campaign~~  
 14 ~~fund the excess amount of the contribution.~~

15 SECTION 127. 11.26 (3) of the statutes is amended to read:

16 11.26 (3) The contribution limitations of subs. (1) and (1m), (2), and (2m) apply  
 17 cumulatively to the entire primary and election campaign in which a candidate  
 18 participates, whether or not there is a contested primary election. The total  
 19 limitation may be apportioned in any manner desired between the primary and  
 20 election. All moneys cumulate regardless of the time of contribution.

21 SECTION 128. 11.26 (4) of the statutes is amended to read:

22 11.26 (4) ~~No~~ Subject to sub. (10a), no individual may make any contribution or  
 23 contributions to all candidates for state and local offices and to any individuals who  
 24 or committees which are subject to a registration requirement under s. 11.05,

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

(b) Candidates for state senator, \$500.

(c) Candidates for representative to the assembly, \$250.

SECTION 126. 11.26 (2t) of the statutes is created to read:

11.26 (2t) The limitations under sub. (2m) apply to any candidate who files an application for a grant under s. 11.50 but who the board determines is ineligible to receive a grant, who withdraws his or her application for a grant under s. 11.50 (2)

(h), or to whom s. 11.50 (2) (i) applies, unless the candidate subsequently files an

affidavit under s. 11.31 (2m) (b) Any candidate who has received a contribution that exceeds the amount specified for the office the candidate seeks under sub. (2m) (a)

before the date on which a limitation under sub. (2m) applies to the candidate shall return to the contributor, donate to the common school fund or to any charitable organization, or transfer to the board for deposit in the Wisconsin election campaign fund the excess amount of the contribution.

SECTION 127. 11.26 (3) of the statutes is amended to read:

11.26 (3) The contribution limitations of subs. (1) and (1m), (2), and (2m) apply cumulatively to the entire primary and election campaign in which a candidate participates, whether or not there is a contested primary election. The total limitation may be apportioned in any manner desired between the primary and election. All moneys cumulate regardless of the time of contribution.

SECTION 128. 11.26 (4) of the statutes is amended to read:

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

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- 1 (av) Candidates for secretary of state or state treasurer, \$4,325.
- 2 (b) Candidates for state senator, \$500.
- 3 (c) Candidates for representative to the assembly, \$250.

4 **SECTION 126.** 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 application for a grant under s. 11.50 but who the board determines is ineligible to  
 7 receive a grant, who withdraws his or her application for a grant under s. 11.50 (2)  
 8 (h), or to whom s. 11.50 (2) (i) applies, unless the candidate subsequently files an  
 9 affidavit under s. 11.31 (2m) (b). Any candidate who has received a contribution that  
 10 exceeds the amount specified for the office the candidate seeks under sub. (2m) (a)  
 11 to (c) before the date on which a limitation under sub. (2m) applies to the candidate  
 12 shall return to the contributor, donate to the common school fund or to any charitable  
 13 organization, or transfer to the board for deposit in the Wisconsin election campaign  
 14 fund the excess amount of the contribution.

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15 **SECTION 127.** 11.26 (3) of the statutes is amended to read:

16 11.26 (3) The contribution limitations of subs. (1) and (1m), (2), and (2m) apply  
 17 cumulatively to the entire primary and election campaign in which a candidate  
 18 participates, whether or not there is a contested primary election. The total  
 19 limitation may be apportioned in any manner desired between the primary and  
 20 election. All moneys cumulate regardless of the time of contribution.

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21 **SECTION 128.** 11.26 (4) of the statutes is amended to read:

22 11.26 (4) ~~No~~ Subject to sub. (10a), no individual may make any contribution or  
 23 contributions to all candidates for state and local offices and to any individuals who  
 24 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 129. 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 130. 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), and (9). The limitations prescribed in subs.  
16 (1), (1m), (2), (2m), and (9) do not apply to the transfer of contributions which is made  
17 at the time of such adoption, but do apply to the contributions which have been made  
18 by any other committee to the support committee at the time of adoption.

19 SECTION 131. 11.26 (8) of the statutes is amended to read:

20 11.26 (8) (a) No Subject to sub. (10a) and except as provided in sub. (8n), no  
21 political party as defined in s. 5.02 (13) may receive more than a total of \$150,000  
22 \$450,000 in value of its contributions in any biennium from all other committees,  
23 excluding contributions from legislative campaign committees and transfers  
24 between party committees of the same party. In this paragraph, a "biennium  
25 commences" means the time period commencing with January 1 of each

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

3 (b) ~~Ne Subject to sub. (10a) and except as provided in sub. (8n),~~ no such political  
4 party may receive more than a total of ~~\$6,000~~ \$18,000 in value of its contributions  
5 in any calendar year from any specific committee or ~~its~~ that specific committee's  
6 subunits or affiliates, excluding ~~legislative campaign and political transfers between~~  
7 party committees of the same party.

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

12 **SECTION 132.** 11.26 (8n) of the statutes is created to read:

13 11.26 (8n) (a) ~~W~~ Subject to sub. (10a), a political party as defined in s. 5.02 (13)  
14 may receive and accept for use under par. (b) up to a total of \$450,000 in value of  
15 contributions in any biennium made or transferred to the party by all other  
16 individuals, committees, and conduits combined, excluding transfers between party  
17 committees of the same party. A political party may receive and accept a contribution  
18 transferred by a conduit under this paragraph only if the original contributor  
19 designated that the contribution was made for the purpose of contributing to  
20 accounts established by the political party under par. (b).

21 ~~2. Subject to sub. (10a), no such political party may receive and accept more~~  
22 ~~than a total of \$18,000 in value of its contributions under this paragraph in any~~  
23 ~~calendar year that are made to the party by any committee and its subunits and~~  
24 ~~affiliates or transferred to the party by any conduit.~~

1 3. Subject to sub. (10a), no committee and its subunits and affiliates may make,  
2 and no conduit may transfer, under this paragraph to a political party, as defined in  
3 s. 5.02 (13), any contribution or contributions in a calendar year exceeding a total of  
4 \$18,000.

5 ~~NO/P~~ A Subsection (8) does not apply to contributions received and accepted under  
6 this paragraph.

7 ~~NO/P~~ A In this paragraph, "biennium" has the meaning given in sub. (8) (a).

8 (b) A political party that receives and accepts a contribution under par. (a) shall  
9 maintain 2 segregated accounts, one designated as a "Section 11.26 (8n) Senate  
10 Account" and one designated as a "Section 11.26 (8n) Assembly Account." The  
11 political party shall deposit one-half of each contribution received and accepted  
12 under par. (a) in each account. Contributions deposited in the senate account may  
13 be disbursed only for the purpose of making contributions to candidates for the office  
14 of state senator that the candidates are authorized to receive and accept under sub.  
15 (9) (a). Contributions deposited in the assembly account may be disbursed only for  
16 the purpose of making contributions to candidates for the office of representative to  
17 the assembly that the candidates are authorized to receive and accept under sub. (9)  
18 (a).

19 SECTION 133. 11.26 (8r) of the statutes is created to read:

20 11.26 (8r) (a) Except as provided in par. (b), no committee may make a  
21 contribution to any other committee except a political party, personal campaign, or  
22 support committee.

23 (b) Paragraph (a) does not apply to any contribution made by a committee to  
24 a bona fide affiliate of the committee, unless:

**SECTION 133**

1           1. The committees are affiliated only by means of affiliation with a  
2 confederation of multiple labor organizations or multiple trade interests; or

3           2. Either committee is a confederation of multiple labor organizations or  
4 multiple trade interests.

5           **SECTION 134.** 11.26 (9) (a) of the statutes is renumbered 11.26 (9) (a) (intro.) and  
6 amended to read: *1 Ld*

7           11.26 (9) (a) (intro.) ~~No~~ Except as provided under sub. (9m), no individual who  
8 is a candidate for state or local office may receive and accept more than 65% of the  
9 value of the total disbursement level determined under s. 11.31 (1), adjusted as  
10 provided under s. 11.31 (9), for the office for which he or she is a candidate during any  
11 primary and election campaign combined from all committees subject to a filing  
12 requirement, including political party and legislative campaign committees, except  
13 as follows: *1 Lf*

14           **SECTION 135.** 11.26 (9) (a) 1. to 4. of the statutes are created to read:

15           11.26 (9) (a) 1. If a report filed under s. 11.12 (8) indicates that disbursements  
16 have been made against a candidate for legislative office, or for such a candidate's  
17 opponent, exceeding the amount specified under s. 11.31 (1) (e) or (f) for the office that  
18 the candidate seeks, as adjusted under s. 11.31 (9), then the candidate may exceed  
19 the limitation under this paragraph by receiving and accepting contributions from  
20 a political party committee paid out of an <sup>*the applicable*</sup> account established under sub. (8n) (b) in  
21 an amount equivalent to <sup>*total amount by which*</sup> the <sup>*combined total of all such*</sup> ~~total amount~~ of the disbursements <sup>*exceeds*</sup> that exceed the  
22 applicable amount specified under s. 11.31 (1) (e) or (f), as adjusted under s. 11.31 (9).

23           2. If a report filed under s. 11.12 (6) (am) or (c) indicates that disbursements  
24 have been made or are proposed to be made against a candidate for legislative office  
25 and if the aggregate total of such disbursements or proposed disbursements exceeds

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1 10% of the amount specified under s. 11.31 (1) (e) or (f) for the office that the candidate  
2 seeks, as adjusted under s. 11.31 (9), then the candidate may exceed the limitation  
3 provided under this paragraph by receiving and accepting contributions from a  
4 political party committee paid out of an <sup>the applicable</sup> account established under sub. (8n) (b) in an  
5 amount equivalent to the total amount of the disbursements reported under s. 11.12  
6 (6) (am) during the period beginning with the 60th day preceding the general,  
7 special, or spring election at which the candidate seeks office and ending with the  
8 31st day preceding that election, together with the total amount of the proposed  
9 disbursements reported under s. 11.12 (6) (c).

10 3. A candidate for ~~the office of governor or for legislative office~~ <sup>a partisan state office other than district attorney</sup> may exceed <sup>the</sup> this  
11 limitation <sup>under this paragraph</sup> by receiving and accepting a contribution from a political party committee  
12 made under s. 11.50 (2s) (f).

13 4. A candidate for ~~the office of governor or legislative office~~ <sup>the</sup> may exceed <sup>the</sup> this  
14 limitation <sup>under this paragraph</sup> by receiving and accepting a grant under s. 11.50 (4) (bg) or (br).

15 SECTION 136. 11.26 (9) (am) of the statutes is created to read:

16 11.26 (9) (am) Except as otherwise provided in this paragraph and sub. (9m),  
17 no individual who is a candidate for a state office specified in s. 11.31 (1) (a) to (de),  
18 (e), or (f) may receive and accept more than the amount specified below during any  
19 primary and election campaign combined from all committees other than political  
20 party committees subject to a filing requirement. The amounts are as follows:

21 1. Candidates for the office of governor, 35% of the value of the total  
22 disbursement level determined under s. 11.31 (1) (a), adjusted as provided under s.  
23 11.31 (9).

1 Lh

1           2. All other candidates subject to this paragraph, 40% of the total disbursement  
2 level determined under s. 11.31 (1), adjusted under s. 11.31 (9), for the office that the  
3 candidate seeks.

4           **SECTION 137.** 11.26 (9) (b) of the statutes is amended to read:

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

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**SECTION 138.** 11.26 (9m) of the statutes is created to read:

11.26 (9m) <sup>(b)</sup> If a report filed under s. 11.12 (6) (am) or (c) indicates that a  
committee has made or proposes to make disbursements <sup>in any campaign</sup> against a candidate <sup>in any</sup>  
~~campaign~~, or in support of such a candidate's opponent, exceeding ~~10%~~ <sup>5%</sup> of the amount  
specified under s. 11.31 (1) (a) to (de), (e), or (f), for the office that the candidate seeks,  
as adjusted under s. 11.31 (9), the limitations under subs. (1), (1m), (2), and (2m)  
applicable to contributions made to that candidate are doubled. In addition, s. 11.24  
(1w) and sub. (9) do not apply to any contributions received by the candidate that the  
candidate intends to use to make disbursements in response to the disbursements  
reported under s. 11.12 (6) (am) or (c), as reported by the candidate under s. 11.06 (1)  
(cm), to the extent that the contributions do not exceed the combined total of all such  
disbursements reported under s. 11.12 (6) (am) during the period beginning with the  
60th day preceding the general, special, or spring election at which the candidate  
seeks office and ends with the 31st day preceding that election, together with the  
total amount of proposed disbursements reported under s. 11.12 (6) (c). If the

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1 2. All other candidates subject to this paragraph, 40% of the total disbursement  
 2 level determined under s. 11.31 (1), adjusted under s. 11.31 (9), for the office that the  
 3 candidate seeks.

4 SECTION 137. 11.26 (9) (b) of the statutes is amended to read:  
 5 11.26 (9) (b) No individual who is a candidate for state office, other than a state  
 6 office described in par. (am), or local office may receive and accept more than 45% of  
 7 the value of the total disbursement level determined under s. 11.31 (1), adjusted as  
 8 provided under s. 11.31 (9), for the office for which he or she is a candidate during any  
 9 primary and election campaign combined from all committees other than political  
 10 party and legislative campaign committees subject to a filing requirement.

11 SECTION 138. 11.26 (9m) of the statutes is created to read:

12 ~~11.26 (9m) If a report filed under s. 11.12 (6) (am) or (c) indicates that a~~  
 13 ~~committee has made or proposes to make disbursements against a candidate in any~~  
 14 ~~campaign, or in support of such a candidate's opponent, exceeding 10% of the amount~~  
 15 ~~specified under s. 11.31 (1) (a) to (de), (e), or (f), for the office that the candidate seeks,~~  
 16 ~~as adjusted under s. 11.31 (9), the limitations under subs. (1), (1m), (2), and (2m)~~  
 17 ~~applicable to contributions made to that candidate are doubled. In addition, s. 11.24~~  
 18 ~~(1w) and sub. (9) do not apply to any contributions received by the candidate that the~~  
 19 ~~candidate intends to use to make disbursements in response to the disbursements~~  
 20 ~~reported under s. 11.12 (6) (am) or (c), as reported by the candidate under s. 11.06 (1)~~  
 21 ~~(cm), to the extent that the contributions do not exceed the combined total of all such~~  
 22 ~~disbursements reported under s. 11.12 (9) (am) during the period beginning with the~~  
 23 ~~60th day preceding the general, special, or spring election at which the candidate~~  
 24 ~~seeks office and ends with the 31st day preceding that election, together with the~~  
 25 ~~total amount of proposed disbursements reported under s. 11.12 (6) (a).~~ If the

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*exceeds the applicable amount specified under s. 11.31 (1) (a) to (de), (e), or (f), as adjusted under s. 11.31 (9)*

1 candidate receives grant moneys under s. 11.50 (4) (bg) ~~or (b)~~ sub. (9) does not apply  
2 to those grant moneys.

3 **SECTION 139.** 11.26 (10) of the statutes is amended to read:

4 11.26 (10) No candidate for state office who files ~~a sworn statement and an~~  
5 application to receive a grant from the Wisconsin election campaign fund ~~and an~~  
6 affidavit under s. 11.31 (2m) (a) may make contributions of more than 200% of the  
7 ~~amounts~~ applicable amount specified in sub. (1) to the candidate's own campaign  
8 from the candidate's personal funds or property or the personal funds or property  
9 which are owned jointly or as marital property with the candidate's spouse, unless  
10 ~~the board determines that the candidate is not eligible to receive a grant. the~~  
11 candidate withdraws his or her application under s. 11.50 (2) (h), or s. 11.31 (3p) or  
12 11.50 (2) (i) applies to the candidate. For purposes of this subsection, any  
13 contribution received by a candidate or his or her personal campaign committee from  
14 a committee which is registered with the federal elections commission as the  
15 authorized committee of the candidate under 2 USC 432 (e) shall be treated as a  
16 contribution made by the candidate to his or her own campaign. The contribution  
17 limit of sub. (4) applies to amounts contributed by such a candidate personally to the  
18 candidate's own campaign and to other campaigns, except that a candidate may  
19 exceed the limitation if authorized under this subsection to contribute more than the  
20 amount specified to the candidate's own campaign, up to the amount of the  
21 limitation.

22 **SECTION 140.** 11.26 (10a) of the statutes is created to read:

23 11.26 (10a) (a) In this subsection, "consumer price index" means the average  
24 of the consumer price index over each 12-month period, all items, U.S. city average,  
25 as determined by the bureau of labor statistics of the U.S. department of labor.

*Carl Ans*

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1. The committees are affiliated only by means of affiliation with a confederation of multiple labor organizations or multiple trade interests; or

2. Either committee is a confederation of multiple labor organizations or multiple trade interests.

**SECTION 134.** 11.26 (9) (a) of the statutes is renumbered 11.26 (9) (a) (intro.) and amended to read:

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

**SECTION 135.** 11.26 (9) (a) 1. to 4. of the statutes are created to read:

~~11.26 (9) (a) 1. If a report filed under s. 11.12 (8) indicates that disbursements have been made against a candidate for legislative office, or for such a candidate's opponent, exceeding the amount specified under s. 11.31 (1) (e) or (f) for the office that the candidate seeks, as adjusted under s. 11.31 (9), then the candidate may exceed the limitation under this paragraph by receiving and accepting contributions from a political party committee paid out of an account established under sub. (8n) (b) in an amount equivalent to the total amount of the disbursements that exceed the applicable amount specified under s. 11.31 (1) (e) or (f), as adjusted under s. 11.31 (9).~~

2. If a report filed under s. 11.12 (6) (am) or (c) indicates that disbursements have been made or are proposed to be made against a candidate for legislative office and if the aggregate total of such disbursements or proposed disbursements exceeds

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1 candidate receives grant moneys under s. 11.50 (4) (bg) or (br), sub. (9) does not apply  
2 to those grant moneys. 1 Ln

3 SECTION 139. 11.26 (10) of the statutes is amended to read:

4 11.26 (10) No candidate for state office who files ~~a sworn statement and an~~  
5 application to receive a grant from the Wisconsin election campaign fund and an  
6 affidavit under s. 11.31 (2m) (a) may make contributions of more than 200% of the  
7 ~~amounts~~ applicable amount specified in sub. (1) to the candidate's own campaign  
8 from the candidate's personal funds or property or the personal funds or property  
9 which are owned jointly or as marital property with the candidate's spouse, unless  
10 the board determines that the candidate is not eligible to receive a grant, the  
11 candidate withdraws his or her application under s. 11.50 (2) (h), or s. 11.31 (3p) or  
12 11.50 (2) (i) applies to the candidate. For purposes of this subsection, any  
13 contribution received by a candidate or his or her personal campaign committee from  
14 a committee which is registered with the federal elections commission as the  
15 authorized committee of the candidate under 2 USC 432 (e) shall be treated as a  
16 contribution made by the candidate to his or her own campaign. The contribution  
17 limit of sub. (4) applies to amounts contributed by such a candidate personally to the  
18 candidate's own campaign and to other campaigns, except that a candidate may  
19 exceed the limitation if authorized under this subsection to contribute more than the  
20 amount specified to the candidate's own campaign, up to the amount of the  
21 limitation.

22 SECTION 140. 11.26 (10a) of the statutes is created to read:

23 11.26 (10a) (a) In this subsection, "consumer price index" means the average  
24 of the consumer price index over each 12-month period, all items, U.S. city average,  
25 as determined by the bureau of labor statistics of the U.S. department of labor.

1 (b) The dollar amounts of the limitations under subs. (1), (1m), (2), (2m), (4),  
2 (8), and (8n) are subject to a biennial adjustment to be determined by rule of the board  
3 in accordance with this subsection. To determine the adjustment, the board shall,  
4 in each year that the adjustment is made, calculate the percentage difference  
5 between the consumer price index for the 12-month period ending on December 31  
6 of the preceding year and the consumer price index for calendar year 2003.  
7 Beginning in 2006 and every 2 years thereafter, the board shall multiply the amount  
8 of each limitation under subs. (1), (1m), (2), (2m), (4), (8), and (8n) by the percentage  
9 difference in the consumer price indices. The board shall then add that product to  
10 the applicable limitation under subs. (1), (1m), (2), (2m), (4), (8), and (8n), round each  
11 sum to the nearest multiple of \$5, and adjust the amount of each limitation to  
12 substitute the resulting amount. The amount so determined shall then be in effect  
13 until a subsequent rule is promulgated under this subsection. Notwithstanding s.  
14 227.24 (1) (a), (2) (b), and (3), determinations under this subsection may be  
15 promulgated as an emergency rule under s. 227.24 without providing evidence that  
16 the emergency rule is necessary for the public peace, health, safety, or welfare and  
17 without a finding of emergency.

18 SECTION 141. 11.26 (15) of the statutes is amended to read: <sup>1 Lr</sup>

19 11.26 (15) The fact that 2 or more committees, other than personal campaign  
20 committees, utilize common policies and practices concerning the endorsement of  
21 candidates or agree to make contributions only to such endorsed candidates does not  
22 affect the right of each committee independently to make contributions up to the  
23 applicable amount specified under sub. (1), (1m), (2), or (2m).

24 SECTION 142. 11.26 (17) (a) of the statutes is amended to read:

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

4           <sup>1Lv</sup>  
SECTION ~~143~~. 11.265 of the statutes is repealed.

5           <sup>1Lx</sup>  
SECTION ~~144~~. 11.31 (1) (intro.) of the statutes is amended to read:

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

11           <sup>1Lz</sup>  
SECTION ~~145~~. 11.31 (1) (a) to (d) of the statutes are amended to read:

12           11.31 (1) (a) Candidates for governor, ~~\$1,078,200~~ \$2,000,000.

13           (b) Candidates for lieutenant governor, ~~\$323,475~~ \$500,000.

14           (c) Candidates for attorney general, ~~\$539,000~~ \$700,000.

15           (d) Candidates for secretary of state, state treasurer, ~~justice~~ or state  
16 superintendent, ~~\$215,625~~ \$250,000. <sup>1mb</sup>

17           <sup>1md</sup>  
SECTION ~~146~~. 11.31 (1) (de) of the statutes is created to read:

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

19           <sup>1md</sup>  
SECTION ~~147~~. 11.31 (1) (e) and (f) of the statutes are amended to read:

20           11.31 (1) (e) Candidates for state senator, ~~\$34,500~~ \$100,000 total in the primary  
21 and election, with disbursements not exceeding ~~\$21,575~~ \$72,000 for either the  
22 primary or the election.

23           (f) Candidates for representative to the assembly, ~~\$17,250~~ \$50,000 total in the  
24 primary and election, with disbursements not exceeding ~~\$10,775~~ \$36,000 for either  
25 the primary or the election.

1            <sup>l m f</sup> SECTION ~~148~~. 11.31 (2) of the statutes is amended to read:

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

19            <sup>l m h</sup> SECTION ~~149~~. 11.31 (2m) (title) of the statutes is amended to read:

20            11.31 (2m) (title) ~~VOLUNTARY LIMITATION~~ AFFIDAVIT OF ADHERENCE TO LIMITATIONS.

21            <sup>l m j</sup> SECTION ~~150~~. 11.31 (2m) of the statutes is renumbered 11.31 (2m) (b) and  
22 amended to read:

23            11.31 (2m) (b) Any candidate to whom sub. (2) and s. 11.26 (10) do not apply  
24 may file an affidavit with his or her filing officer affirming that he or she has adhered  
25 and will adhere to the limitations imposed under sub. (2) and s. 11.26 (10) during the

1 entire campaign. These limitations apply unless the candidate withdraws the  
2 affidavit by notifying his or her filing officer in writing no later than the 7th day after  
3 the date of the primary in which the person filing the affidavit is a candidate, or the  
4 7th day after the date that the primary would be held, if no primary is required.

5 SECTION ~~151~~<sup>1 mL</sup>. 11.31 (2m) (a) of the statutes is created to read:

6 11.31 (2m) (a) Each candidate who files an application to receive a grant from  
7 the Wisconsin election campaign fund shall file an affidavit with the board affirming  
8 that the candidate, and his or her authorized agents, have complied with the  
9 limitations imposed under sub. (2) and s. 11.26 at all times during which the  
10 limitations have applied to his or her candidacy and will continue to comply with the  
11 limitations at all times during which the limitations apply to his or her candidacy,  
12 unless the board determines that the candidate is not eligible to receive a grant from  
13 the fund, the candidate withdraws his or her application for a grant under s. 11.50  
14 (2) (h), or s. 11.50 (2) (i) or sub. (3p) applies to that candidate.

15 SECTION ~~152~~<sup>1 mn</sup>. 11.31 (3) of the statutes is amended to read:

16 11.31 (3) GUBERNATORIAL CAMPAIGNS. For purposes of compliance with the  
17 limitations imposed under sub. (2), candidates for governor and lieutenant governor  
18 of the same political party who both accept grants from the Wisconsin election  
19 campaign fund may agree to combine disbursement levels under sub. (1) (a) and (b),  
20 adjusted as provided under sub. (9), and reallocate the total level between them. The  
21 candidates shall each inform the board of any such agreement.

22 SECTION ~~153~~<sup>1 mp</sup>. 11.31 (3p) of the statutes is created to read:

23 11.31 (3p) CANDIDATES RECEIVING ADDITIONAL MONEYS; EXCEPTION. If a candidate  
24 receives a contribution described in s. 11.26 (9) (a) 1. to 3., a contribution authorized  
25 under s. 11.26 (9m), or a grant under s. 11.50 (4) (bg) or (br), the disbursement



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

3 **SECTION 154.** 11.31 (9) of the statutes is created to read:

4 11.31 (9) ADJUSTMENT OF DISBURSEMENT LEVELS. (a) In this subsection,  
5 "consumer price index" means the average of the consumer price index over each  
6 12-month period, all items, U.S. city average, as determined by the bureau of labor  
7 statistics of the U.S. department of labor.

8 (b) The dollar amounts of the limitations under sub. (1) are subject to a biennial  
9 adjustment to be determined by rule of the board in accordance with this subsection.  
10 To determine the adjustment, the board shall, in each year that the adjustment is  
11 made, calculate the percentage difference between the consumer price index for the  
12 12-month period ending on December 31 of the preceding year and the consumer  
13 price index for calendar year 2003. Beginning in 2006 and every 2 years thereafter,  
14 the board shall multiply the amount of each limitation under sub. (1) by the  
15 percentage difference in the consumer price indices. The board shall then add that  
16 product to the applicable limitation under sub. (1), round each sum to the nearest  
17 multiple of \$5, and adjust the amount of each limitation to substitute the resulting  
18 amount. The amount so determined shall then be in effect until a subsequent rule  
19 is promulgated under this subsection. Notwithstanding s. 227.24 (1) (a), (2) (b), and  
20 (3), determinations under this subsection may be promulgated as an emergency rule  
21 under s. 227.24 without providing evidence that the emergency rule is necessary for  
22 the public peace, health, safety, or welfare and without a finding of emergency.

23 **SECTION 155.** 11.38 (1) (a) 2. of the statutes is amended to read:

24 11.38 (1) (a) 2. Notwithstanding subd. 1., any such corporation or association  
25 may establish and administer a separate segregated fund and solicit contributions

1 from individuals to the fund to be utilized by such corporation or association, for the  
 2 purpose of supporting or opposing any candidate for state or local office but the  
 3 corporation or association may not make any contribution to the fund. The fund shall  
 4 appoint a treasurer and shall register as a political committee under s. 11.05. A  
 5 parent corporation or association engaging solely in this activity is not subject to  
 6 registration under s. 11.05, but shall register and file special reports on forms  
 7 prescribed by the board disclosing its administrative and solicitation expenses on  
 8 behalf of such fund. A corporation not domiciled in this state need report only its  
 9 expenses for administration and solicitation of contributions in this state together  
 10 with a statement indicating where information concerning other administration and  
 11 solicitation expenses of its fund may be obtained. The reports shall be filed with the  
 12 filing officer for the fund specified in s. 11.02 in the manner provided under s. 11.21  
 13 (16), if applicable, or otherwise in the manner in which continuing reports are filed  
 14 under s. 11.20 (4) and (8). |mY

15 SECTION 156. 11.38 (6) of the statutes is amended to read:

16 11.38 (6) Any individual or campaign treasurer who receives funds in violation  
 17 of this section shall promptly return such funds to the contributor or, donate the  
 18 funds to the common school fund or a charitable organization or transfer the funds  
 19 to the board for deposit in the Wisconsin election campaign fund, at the treasurer's  
 20 option.

21 SECTION 157. 11.38 (8) (b) of the statutes is amended to read:

22 11.38 (8) (b) Except as authorized in s. 11.05 (12) (b) and (13), prior to making  
 23 any disbursement on behalf of a political group which is promoting or opposing a  
 24 particular vote at a referendum and prior to accepting any contribution or making  
 25 any disbursement to promote or oppose a particular vote at a referendum, a

1 corporation or association organized under ch. 185 shall register with the  
2 appropriate filing officer specified in s. 11.02 and appoint a treasurer. The  
3 registration form of the corporation or association under s. 11.05 shall designate an  
4 account separate from all other corporation or association accounts as a campaign  
5 depository account, through which all moneys received or expended for the adoption  
6 or rejection of the referendum shall pass. The corporation or association shall file  
7 ~~periodic~~ reports under s. 11.20 and under s. 11.21 (16), if applicable, providing the  
8 information required under s. 11.06 (1).

9 **SECTION ~~11.385~~.** 11.385 of the statutes is created to read:

10 **11.385 Certain contributions prohibited.** (1) In this section, "floorperiod"  
11 means a floorperiod of the legislature, as scheduled by joint resolution, for a regular  
12 legislative session.

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

18 (3) 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 an office for which the member  
22 is a candidate and the date of the election for that office, if the event is held within  
23 the jurisdiction or district served by the office for which the member is a candidate.

24 (4) Subsection (2) does not apply to a contribution made or received in  
25 connection with a fund-raising social event that is held by a member of the

1 legislature or his or her personal campaign committee during the period between the  
2 first day authorized for filing nomination papers for any office other than member  
3 of the house of the legislature in which a member serves and the date of the election  
4 for that office.

5 (5) Subsection (2) does not apply to a contribution made or received in  
6 connection with a fund-raising social event held during a special or extraordinary  
7 session by a member of the legislature or his or her personal campaign committee if  
8 the member serves a district that is wholly or partly contained within Dane County,  
9 the event is held within the boundaries of that district and invitations to the event  
10 are sent before the special or extraordinary session is called.

11 ~~SECTION 159.~~ <sup>imz</sup> 11.50 (1) (a) 1. (intro.) of the statutes is created to read:

12 11.50 (1) (a) 1. (intro.) For purposes of qualification for a grant from the general  
13 account:

14 ~~SECTION 160.~~ <sup>lnb</sup> 11.50 (1) (a) 1. of the statutes is renumbered 11.50 (1) (a) 1. a.

15 ~~SECTION 161.~~ 11.50 (1) (a) 2. of the statutes is renumbered 11.50 (1) (a) 1. b. and  
16 amended to read: <sup>ind</sup>

17 11.50 (1) (a) 1. b. With respect to a special election, an individual who is certified  
18 under s. 8.50 (1) (d) as a candidate in a special election for state superintendent, or  
19 an individual who is certified under s. 8.50 (1) (d) as a candidate in a special election  
20 for any state office, except district attorney, on the ballot or column of a party whose  
21 candidate for the same office at the preceding general election received at least 6%  
22 of the vote cast for all candidates on all ballots for the office, or an individual who has  
23 been lawfully appointed and certified to replace either such individual on the ballot  
24 at a special election, or an individual who receives at least 6% of the vote cast for all  
25 candidates on all ballots for any state office, except district attorney, at a partisan

## SECTION 161

1 special election; and who qualifies for a grant under sub. (2). Where the boundaries  
2 of a district in which an individual seeks office have been changed since the preceding  
3 general election such that it is not possible to calculate the exact number of votes that  
4 are needed by that individual to qualify as an eligible candidate prior to an election  
5 ~~under this subdivision~~, the number of votes cast for all candidates for the office at the  
6 preceding general election in each ward, combination of wards or municipality which  
7 is wholly contained within the boundaries of the newly formed district shall be  
8 calculated. If the candidate of the political party on whose ballot or column the  
9 individual appears in the newly formed district obtained at least 6% of the number  
10 of votes calculated, the individual is deemed to qualify as an eligible candidate prior  
11 to the election ~~under this subdivision~~.

12 SECTION ~~162~~<sup>Inf</sup>. 11.50 (1) (a) 2m. of the statutes is created to read:

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

19 SECTION ~~163~~<sup>inh</sup>. 11.50 (1) (am) of the statutes is created to read:

20 11.50 (1) (am) "Eligible political party" means any of the following:

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

1           2. A party qualifying under s. 5.62 (2) for a separate ballot or one or more  
2 separate columns or rows on a ballot for the period beginning on the preceding June  
3 1, or if that June 1 is in an odd-numbered year, the period beginning on June 1 of the  
4 preceding even-numbered year, and ending on May 31 of the 2nd year following that  
5 June 1.

6           **SECTION 164.** <sup>Inj</sup> 11.50 (1) (bm) and (cm) of the statutes are created to read:

7           11.50 (1) (bm) "General account" means the account in the fund created under  
8 sub. (2w).

9           (cm) "Political party account" means an account in the fund created under sub.  
10 (2s).

11           **SECTION 165.** <sup>InL</sup> 11.50 (2) (a) of the statutes is amended to read:

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

1 under par. (h), or par. (i) applies applicant shall provide, along with his or her  
 2 application, an affidavit under s. 11.31 (2m) (a). The application shall also contain  
 3 a sworn statement that, except as authorized in s. 11.26 (9) (a) and (9m), if the  
 4 candidate is able to receive the full amount of the grant, except any grant provided  
 5 under sub. (4) (bg) or (br), to which the candidate is entitled under sub. (9), the  
 6 candidate and his or her agents will not accept any contribution made by a committee  
 7 other than a political party committee during the campaign, and any contributions  
 8 accepted by the candidate from such a committee will not exceed that amount which,  
 9 when added to the amount of the grant received by the candidate under sub. (9),  
 10 equals the percentage specified in s. 11.26 (9) (am) of the disbursement level specified  
 11 in s. 11.31 (1) (a) to (de), (e), or (f), as adjusted under s. 11.31 (9), for the office that  
 12 the candidate seeks. In the statement, the candidate shall also swear that if any  
 13 unauthorized contribution has been accepted, that the contribution has been or will  
 14 be returned or donated as provided in par. (j), and the candidate and his or her agents  
 15 will not accept any unauthorized contribution during the campaign.

16 ~~SECTION 166. 11.50 (2) (b) 3. of the statutes is amended to read:~~

17 11.50 (2) (b) 3. ~~The~~ In the case of a candidate at the general election, the  
 18 candidate has an opponent who whose name is certified for placement on the election  
 19 ballot as a candidate for the same office and who received at least 6% of the vote cast  
 20 for all candidates on all ballots for that office at the September primary;

21 SECTION 167. 11.50 (2) (b) 4. of the statutes is amended to read:

22 11.50 (2) (b) 4. <sup>Inn</sup> The financial reports filed by or on behalf of the candidate as  
 23 of the date of the spring or September primary, or the date that the special primary  
 24 is or would be held, if required, indicate that his or her statement affidavit filed with  
 25 the application under par. (a) s. 11.31 (2m) (a) is true; and

That  
except as  
provided in  
s. 11.26 (9)

1            <sup>ing</sup>  
SECTION 168. 11.50 (2) (b) 5. of the statutes is amended to read:

2            11.50 (2) (b) 5. The financial reports filed by or on behalf of the candidate as  
3 of the date of the spring or September primary, or the date that the special primary  
4 is or would be held, if required, indicate that the candidate has received an amount  
5 equal to at least the amount provided in this subdivision, from contributions of  
6 money, other than loans, made by individuals who reside in this state and, in the case  
7 of a candidate for legislative office, by individuals at least 45% of whom reside in a  
8 county having territory within the district in which the candidate seeks office, which  
9 contributions have been received during the period ending on the date of the spring  
10 primary and July 1 preceding such date in the case of candidates at the spring  
11 election, or the date of the September primary and January 1 preceding such date  
12 in the case of candidates at the general election, or the date that a special primary  
13 will or would be held, if required, and 90 days preceding such date or the date a  
14 special election is ordered, whichever is earlier, in the case of ~~special election~~  
15 candidates at a special election, which contributions are in the aggregate amount of  
16 \$100 or less, and which contributions are fully identified and itemized as to the exact  
17 source thereof. A contribution received from a conduit which is identified by the  
18 conduit as originating from an individual shall be considered a contribution made by  
19 the individual. Only the first \$100 of an aggregate contribution of more than \$100  
20 may be counted toward the required percentage. For a candidate at the spring or  
21 general election for an office identified in s. 11.26 (1) (a) or a candidate at a special  
22 election, the required amount to qualify for a grant is 5% of the ~~candidate's~~ applicable  
23 authorized disbursement limitation, as determined under s. 11.31 (1) and adjusted  
24 as provided under s. 11.31 (9). For any other candidate at the general election, the  
25 required amount to qualify for a grant is ~~10%~~ 6% of the candidate's applicable



1 authorized disbursement limitation, as determined under s. 11.31. (1) and adjusted  
2 as provided under s. 11.31 (9); and

3 ~~SECTION 169.~~ <sup>Ins</sup> 11.50 (2) (b) 6. of the statutes is created to read:

4 11.50 (2) (b) 6. The application is not required to be disapproved under par. (f).

5 ~~SECTION 170.~~ <sup>Inu</sup> 11.50 (2) (c) of the statutes is amended to read:

6 11.50 (2) (c) ~~If a candidate has not filed financial reports as of the date of the~~  
7 ~~spring primary, September primary, special primary, or date that the special primary~~  
8 ~~would be held, if required, which indicate that he or she has met the qualification~~  
9 ~~under par. (b) 5., the candidate may file a special report with the board. Such report~~  
10 ~~shall be filed not later than~~ Any individual who desires to qualify as an eligible  
11 candidate shall file a special report with the board during the period beginning on  
12 the day after the primary, or the 7th day after the date on which the primary would  
13 be held, if required, and ending on the 7th day after the primary, or 7th day after the  
14 date on which the primary would be held, if required, and. The special report shall  
15 include such supplementary information as to sources of contributions which may  
16 be necessary to complete the candidate's qualification all information that is  
17 required to be reported under s. 11.06 (1). The special report shall cover the period  
18 from the day after the last date covered on the candidate's most recent report, or from  
19 the date on which the first contribution was received or the first disbursement was  
20 made, whichever is earlier, if the candidate has not previously filed a report, to the  
21 date of ~~such report~~ the primary, or the date on which the primary would be held, if  
22 required. All information included on the special report shall also be included in the  
23 candidate's next report under s. 11.20.

24 ~~SECTION 171.~~ <sup>Inw</sup> 11.50 (2) (f) of the statutes is amended to read:

1           11.50 (2) (f) The board shall disapprove the application of any candidate who  
2           has a balance in his or her campaign depository account, as reported under par. (c),  
3           that is equal to or greater than 100% of the disbursement level specified under s.  
4           11.31 (1), as adjusted under s. 11.31 (9), for the office that the candidate seeks, but  
5           without respect to any adjustment under s. 11.31 (3r). The board shall inform each  
6           candidate in writing of the approval or disapproval of the candidate's application, as  
7           promptly as possible after the date of the spring primary, September primary, special  
8           primary, or date that the primary would be held, if required. With respect to a  
9           candidate at a special election who applies for a postelection grant under sub. (1) (a)  
10          2. 1. b., the board shall inform the candidate in writing of the conditional approval  
11          or disapproval of the candidate's application at the same time.

12           SECTION ~~172~~<sup>172</sup>. 11.50 (2) (g) of the statutes is amended to read:

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

22           SECTION ~~173~~<sup>173</sup>. 11.50 (2) (h) of the statutes is amended to read:

23           11.50 (2) (h) An eligible candidate who files an application under par. (a) may  
24           file a written withdrawal of the application. A withdrawal of an application may be  
25           filed with the board no later than the 7<sup>th</sup> ~~8<sup>th</sup>~~ day ~~after~~ before the day of the primary

1 in which the person withdrawing the application is a candidate; or in the case of the  
2 spring election no later than the 7th 8th day after before the date that the primary  
3 would be held, if required; or in the case of a partisan special election for which no  
4 primary is held for any party nomination, no later than the 35th day before the  
5 election. If an application is withdrawn in accordance with this paragraph, the  
6 person withdrawing the application is no longer bound by the statement affidavit  
7 filed under par. (a) s. 11.31 (2m) (a) after the date of the withdrawal.

8 SECTION <sup>l p d</sup>174. 11.50 (2) (i) of the statutes is amended to read:

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

21 SECTION <sup>l p f</sup>175. 11.50 (2) (j) of the statutes is created to read:

22 11.50 (2) (j) If a candidate who applies for a grant has accepted, or the  
23 candidate's personal campaign committee has accepted, any contributions from  
24 committees other than political party committees during the campaign for the office  
25 that the candidate seeks, except as authorized in the candidate's statement under

1 par. (a), the candidate, before accepting a grant whenever the full amount of the  
2 grant authorized under sub. (9) is available to the candidate, shall return the  
3 contributions or their monetary equivalent to the contributor, or, at the contributor's  
4 option, donate an amount equal to the contribution to the fund or to the common  
5 school fund or, if the full amount of the grant authorized under sub. (9) is not  
6 available to the candidate, shall return or donate sufficient contributions, if any, so  
7 that the contributions accepted do not exceed the amount authorized under sub. (2)

8 (a).

9 SECTION ~~176~~<sup>1ph</sup> 11.50 (2m) of the statutes is created to read:

10 11.50 (2m) PUBLIC INFORMATION ACCOUNT. (a) Annually no later than September  
11 1, the board may notify the state treasurer that an amount not exceeding 1% of the  
12 amount transferred to the fund in that year shall be placed in a public information  
13 account. The amount shall be drawn from the general account and from each  
14 political party account in a uniform percentage specified by the board. Moneys in the  
15 public information account shall be expended by the board for the purpose of  
16 providing public information concerning the purpose and effect of this section and  
17 s. 71.10 (3).

18 (b) The board shall provide the department of revenue with an easily  
19 understood description of the purpose and effect of this section and s. 71.10 (3) for  
20 use as required under s. 71.10 (3) (b).

21 (c) Any amount placed in the public information account under par. (a) that is  
22 not expended by the board in any year shall be retained in that account.

23 SECTION ~~177~~ 11.50 (2s) of the statutes is created to read:

24 11.50 (2s) POLITICAL PARTY ACCOUNTS. (a) The state chairperson of each eligible  
25 political party may, by written request to the board, provide for the establishment

PJ

1 or discontinuance of an account within the fund for that political party. Each political  
2 party account consists of all moneys designated by individuals for deposit in that  
3 account under s. 71.10 (3) (am).

4 (b) Within each political party account, <sup>45%</sup>~~50%~~ of the moneys designated for  
5 crediting to the account under s. 71.10 (3) (a) shall be retained by the board for use  
6 in making grants to eligible candidates of that party under sub. (4), and <sup>55%</sup>~~50%~~ of the  
7 moneys received shall be disbursed by the board to the eligible political party for use  
8 by the party in making contributions to eligible candidates of that party authorized  
9 under par. (f).

10 (c) Whenever an eligible candidate representing an eligible political party  
11 ~~receives~~ <sup>is eligible to receive</sup> a grant from the general account under sub. (4), the state treasurer shall  
12 first make payment of the grant from the political party account of that party, to the  
13 extent that sufficient moneys are available in that account to make payment of the  
14 grant. From the moneys available in a political party account, the state treasurer  
15 shall make payments of grants to candidates in the following sequence:

- 16 1. First, payment to candidates for legislative office.
- 17 2. Second, payment to candidates for the office of governor.
- 18 3. Third, payment to candidates for other state offices.

19 (d) The board shall certify to the state treasurer that an eligible political party  
20 qualifies to receive a grant for an election under this subsection whenever at least  
21 one eligible candidate of that party qualifies to receive a grant under sub. (2) for that  
22 election.

23 (e) Each eligible political party that receives a grant under this section shall  
24 maintain all grant moneys received in a segregated account. All moneys in that  
25 account and any earnings on those moneys may be used by that party only to make

1 contributions under par. (f) to candidates of that party who qualify for a grant under  
 2 sub. (2). Within that account, the party shall establish 3 subaccounts. The party  
 3 shall deposit 45% of the moneys in a subaccount to be used to make contributions to  
 4 candidates for the office of senator, 45% of the moneys in a subaccount to be used to  
 5 make contributions to candidates for the office of representative to the assembly, and  
 6 10% of the moneys in a subaccount to be used to make contributions to candidates  
 7 for other state offices. The political party shall maintain documentation for a period  
 8 and in a form that is satisfactory to the board for the purpose of verifying that all  
 9 moneys in the account are used for a purpose authorized under this section. The  
 10 political party shall promptly transfer to the board the full amount of any  
 11 unencumbered moneys in the account if the political party ceases to be an eligible  
 12 political party.

13 (f) 1. If a report filed under s. 11.12 (8) indicates that disbursements have been  
 14 made against an eligible candidate, <sup>For a partisan state office</sup> or for such a candidate's opponent, exceeding the  
 15 amount specified under s. 11.31 (1) (a) to <sup>(d)</sup> ~~(e)~~, (e), or (f) for the office that the  
 16 candidate seeks, as adjusted under s. 11.31 (9), then an eligible political party may  
 17 make contributions to the candidate from the applicable account established under  
 18 par. (e) in the amounts determined by the party, but the total of such contributions  
 19 to the candidate may not exceed the total amount <sup>by which the combined total of such</sup> of the disbursements ~~that~~ exceeds  
 20 the applicable amount specified under s. 11.31 (1) (a) to <sup>(d)</sup> ~~(e)~~, (e), or (f), as adjusted  
 21 under s. 11.31 (9), minus any contributions accepted by the candidate under s. 11.26  
 22 (9m).

23 2. If a report filed under s. 11.12 (6) (am) or (c) indicates that disbursements  
 24 have been made or are proposed to be made against an eligible candidate, <sup>For a partisan state office</sup> and if the  
 25 aggregate total of such disbursements or proposed disbursements exceeds ~~10%~~ of the

5%

1 amount specified under s. 11.31 (1) (a) to <sup>(d)</sup>(e), (e), or (f) for the office that the  
 2 candidate seeks, as adjusted under s. 11.31 (9), then an eligible political party may  
 3 make contributions to the candidate from the applicable account established under  
 4 par. (e) in the amounts determined by the party, but the total of such contributions  
 5 to the candidate may not exceed the total amount of the disbursements reported  
 6 under s. 11.12 (6) (am) during the period beginning with the 60th day preceding the  
 7 general, special, or spring election at which the candidate seeks office and ending  
 8 with the 31st day preceding that election, together with the total amount of the  
 9 proposed disbursements reported under s. 11.12 (6) (c), minus any contributions  
 10 accepted by the candidate under s. 11.26 (9m).

11 (g) If a political party for which an account is established under this subsection  
 12 ceases to be an eligible political party, the board shall transfer the unencumbered  
 13 balance of that account to the general account. <sup>1pl</sup>

14 ~~SECTION 178.~~ 11.50 (2w) of the statutes is created to read:

15 11.50 (2w) GENERAL ACCOUNT. There is established a general account within  
 16 the fund consisting of all moneys designated by individuals for deposit in that  
 17 account under s. 71.10 (3) (am), all moneys transferred to that account under sub.  
 18 (2s) (g), and all moneys exceeding the disbursement limitation under s. 11.31 (2), as  
 19 adjusted under s. 11.31 (9), and all moneys deposited in the fund under subs. (2s) (e),  
 20 (8), and (10m) and ss. 8.35 (4) (a), 11.07 (5), 11.12 (2), 11.16 (2), 11.19 (1), 11.23 (2),  
 21 11.26 (1t) and (2t), and 11.38 (6).

22 ~~SECTION 179.~~ 11.50 (3) of the statutes is repealed.

23 ~~SECTION 180.~~ 11.50 (4) of the statutes is repealed and recreated to read:

<sup>1pn</sup> <sup>1pg</sup>

1 11.50 (4) APPORTIONMENT OF MONEYS IN GENERAL ACCOUNT. (a) After transfer of  
2 the amount specified by the board under sub. (2m), the board shall apportion the  
3 remaining moneys in the general account in the manner specified in this subsection.

4 (b) Prior to payment of any grants at an election for a partisan state office, the  
5 board shall reserve an amount equal to the amount of the disbursement limitation  
6 under s. 11.31 (2), as adjusted under s. 11.31 (9) but without respect to any  
7 adjustment under s. 11.31 (3p), for the office sought by each eligible candidate other  
8 than a candidate who qualifies to receive a grant under sub. (2).

9 (bg) If a report filed under s. 11.12 (8) indicates that disbursements have been  
10 made against an eligible candidate, <sup>for a partisan state office</sup> other than a candidate who qualifies to receive  
11 a grant under sub. (2), or for such a candidate's opponent, exceeding the amount  
12 specified under s. 11.31 (1) (a) to <sup>(d)</sup> (e), (e), or (f) for the office that the candidate seeks,  
13 as adjusted under s. 11.31 (9), then upon application to the board by the candidate,  
14 the board shall make a supplemental grant from the reserve under par. (b) to that  
15 candidate in an amount equal to the lesser of the following:

16 1. The amount of the disbursement limitation specified under s. 11.31 (1) (a)  
17 to <sup>(d)</sup> (e), (e), or (f) for the office that the candidate seeks, as adjusted under s. 11.31 (9),  
18 minus any contributions accepted by the candidate under s. 11.26 (9m). <sup>(a)</sup>

19 2. The total amount <sup>by which the combined total of all such</sup> of the disbursements ~~that~~ exceeds the applicable amount  
20 specified under s. 11.31 (1) (a) to <sup>(d)</sup> (e), (e), or (f), as adjusted under s. 11.31 (9), minus  
21 any contributions accepted by the candidate under s. 11.26 (9m).

22 (br) If a report filed under s. 11.12 (6) (am) or (c) indicates that disbursements  
23 have been made or are proposed to be made against an eligible candidate, <sup>for a partisan state</sup> other than  
24 a candidate who qualifies to receive a grant under sub. (2), and if the aggregate total  
25 of such disbursements or proposed disbursements exceeds ~~10%~~ of the amount

5%



1 specified under s. 11.31 (1) (a) to ~~(d)~~ <sup>(d)</sup>, (e), or (f) for the office that the candidate seeks,  
2 as adjusted under s. 11.31 (9), then upon application to the board by the candidate,  
3 the board shall make a supplemental grant from the reserve under par. (b) to that  
4 candidate in an amount equal to the lesser of the following:

5 1. The amount of the disbursement limitation specified under s. 11.31 (1) (a)  
6 to ~~(d)~~ <sup>(d)</sup>, (e), or (f) for the office that the candidate seeks, as adjusted under s. 11.31 (9),  
7 minus any contributions accepted by the candidate under s. 11.26 (9m) <sup>(b)</sup>

8 2. The total amount of the disbursements that exceeds the applicable amount  
9 specified under s. 11.31 (1) (a) to ~~(d)~~ <sup>(d)</sup>, (e), or (f), as adjusted under s. 11.31 (9), minus  
10 any contributions accepted by the candidate under s. 11.26 (9m).

11 (c) The state treasurer shall make payment of grants to eligible candidates at  
12 an election in the following sequence:

13 1. First, the state treasurer shall make payment of grants to candidates for the  
14 office of justice in the amounts to which the candidates are entitled under sub. (9),  
15 and shall prorate those payments if insufficient moneys are available to make full  
16 payments to all candidates for the same office.

17 2. Second, the state treasurer shall make payment of grants to candidates <sup>for partisan state</sup> other officers  
18 than candidates <sup>for partisan</sup> of eligible political parties.

19 3. Third, the state treasurer shall make payment of the amount required to  
20 equalize payments of grants to all candidates for the same office who have received  
21 grants from a political party account, and shall prorate the payments of candidates  
22 who receive lower amounts from a political party account if insufficient moneys are  
23 available to fully equalize the amounts of grants received by all candidates for the  
24 same office.

1           4. Fourth, the state treasurer shall make payment of the remaining amount,  
2 if any, required to enable all eligible candidates to receive the full amount of the grant  
3 to which they are entitled under sub. (9), and shall prorate those payments if  
4 insufficient moneys are available to make full payments to all candidates for the  
5 same office.

6           5. Fifth, the state treasurer shall make payment of grants to candidates for the  
7 office of state superintendent in the amounts to which the candidates are entitled  
8 under sub. (9), and shall prorate those payments if insufficient moneys are available  
9 to make full payments to all candidates for the same office.

10           SECTION 181. 11.50 (5) of the statutes is renumbered 11.50 (5) (a) and amended  
11 to read: *lpr*

12           11.50 (5) (a) The state treasurer shall make the disbursements of grants under  
13 sub. (4) to the campaign depository account of each eligible candidate under subs. (3)  
14 and (4) and each eligible political party under sub. (2s) by the end of the 3rd business  
15 day following notice from the board under s. 7.08 (2) (c) or (cm).

16           (b) Eligible candidates for governor and lieutenant governor of the same  
17 political party may combine accounts if desired. *lps*

18           SECTION 182. 11.50 (6) of the statutes is amended to read:

19           11.50 (6) EXCESS MONEYS. If the amounts which are to be apportioned to each  
20 eligible candidate under subs. (3) and (4) are more than the amount which a  
21 candidate may accept under sub. (9), or more than the amount which a candidate  
22 elects to accept under sub. (10), the excess moneys shall be retained in the fund.

23           SECTION 183. 11.50 (7) (intro.) of the statutes is amended to read:

24           11.50 (7) UTILIZATION. (intro.) Grants distributed under this section and  
25 contributions received from a political party under sub. (2s) (f) may be utilized only

*lpr*

1 for deposit in a campaign depository account under s. 11.10. Grants and  
2 contributions received from a political party under sub. (2s)(f) may be expended only  
3 for one or more of the following: *1px*

4 SECTION ~~184~~. 11.50 (8) of the statutes is amended to read:

5 11.50 (8) LAPSING GRANTS. All grants disbursed to eligible candidates under sub.  
6 (5) remain the property of the state until disbursed or encumbered for a lawful  
7 purpose. All grant moneys received by an eligible candidate that are unspent and  
8 unencumbered by a candidate on the day after the election in which the candidate  
9 participates shall revert to the state. All deposits and refunds derived from grant  
10 moneys ~~that are received by a~~ an eligible candidate that are received at any time  
11 after the day of the election in which the candidate participates shall revert to the  
12 state. All reversions shall be returned to the board by the candidate and shall be  
13 deposited in the fund. *1p2*

14 SECTION ~~185~~. 11.50 (9) of the statutes is renumbered 11.50 (9) (a) and amended  
15 to read:

16 11.50 (9) (a) ~~The~~ Except as provided in sub. (4) (bg) and (br), the total grant  
17 available to an eligible candidate for the office of governor may not exceed that  
18 amount which, when added to all other contributions accepted from sources other  
19 than individuals, and political party committees ~~and legislative campaign~~  
20 ~~committees~~, is equal to ~~45%~~ 35% of the disbursement level specified for the ~~applicable~~  
21 office that the candidate seeks, as determined under s. 11.31 (1) and adjusted as  
22 provided under s. 11.31 (9).

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

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

3 **SECTION 186.** 11.50 (9) (b) of the statutes is created to read:

4 11.50 (9) (b) Except as provided in sub. (4) (bg) and (br), the total grant available  
5 to an eligible candidate for any other state office may not exceed that amount which,  
6 when added to all other contributions accepted from sources other than individuals  
7 and political party committees, is equal to 40% of the disbursement level specified  
8 for the office that the candidate seeks, as determined under s. 11.31 (1) and adjusted  
9 under s. 11.31 (9). *lgd*

10 **SECTION 187.** 11.50 (10) of the statutes is repealed.

11 **SECTION 188.** 11.50 (10m) of the statutes is amended to read:

12 11.50 (10m) RETURN OF GRANTS. An individual who receives a grant prior to an  
13 election in which he or she is a candidate and who desires to return any portion of  
14 the grant shall return that portion no later than the 2nd Tuesday in October  
15 preceding a general election, the 4th Tuesday preceding a spring election or the 3rd  
16 Tuesday preceding a special election. A candidate who returns all or any portion of  
17 a grant under this subsection remains bound by the candidate's statement affidavit  
18 filed under s. 11.31 (2m) (a) and the candidate's statement filed under sub. (2) (a).

19 **SECTION 189.** 11.50 (11) (e) of the statutes is amended to read:

20 11.50 (11) (e) No candidate may expend, authorize the expenditure of or incur  
21 any obligation to expend any grant if he or she violates the pledge in the affidavit  
22 required under sub. (2) (a) as a precondition to receipt of a grant, except as authorized  
23 in sub. (2) (h) or (i).

24 **SECTION 190.** 11.50 (14) of the statutes is created to read:  
*lgi*

1           11.50 (14) CERTIFICATIONS TO SECRETARY OF REVENUE. (a) No later than July 1  
2 of each year, the board shall certify to the secretary of revenue:

3           1. The name of each political party that qualifies under sub. (1) (am) 2. as an  
4 eligible political party as of the preceding June 1 and whose state chairperson has  
5 filed a request to establish an account for the party under sub. (2s) (a).

6           2. The name of each political party that qualifies under sub. (1) (am) 1. as an  
7 eligible political party as of the date of the preceding general election.

8           (b) In each certification under this subsection, the board shall specify the  
9 expiration date of the certification. *lg L*

10           ~~SECTION 191.~~ 11.60 (3r) of the statutes is created to read:

11           11.60 (3r) Notwithstanding sub. (1), any committee who violates s. 11.12 (6)  
12 (am) or (c) may be required to forfeit not more than \$500 for each day of continued  
13 violation. If an amount of a disbursement reported under s. 11.12 (6) (am) or (c)  
14 varies from the actual amount of the disbursement by greater than 5%, the  
15 committee filing the report shall also be required to forfeit the total amount of the  
16 actual disbursement. *lgn*

17           ~~SECTION 192.~~ 11.60 (4) of the statutes is amended to read:

18           11.60 (4) Actions under this section arising out of an election for state office or  
19 a statewide referendum may be brought by the board or by the district attorney of  
20 the county where the violation is alleged to have occurred, except as specified in s.  
21 11.38. Actions under this section arising out of an election for local office or local  
22 referendum may be brought by the district attorney of the county where the violation  
23 is alleged to have occurred. Actions under this section arising out of an election for  
24 county office or a county referendum may be brought by the county board of election  
25 commissioners of the county wherein the violation is alleged to have occurred. In

Page 3, line 17: after that line insert.

1 addition, whenever a candidate or personal campaign committee or agent of a  
 2 candidate is alleged to have violated this chapter, action may be brought by the  
 3 district attorney of any county any part of which is contained within the jurisdiction  
 4 or district in which the candidate seeks election. If a violation concerns a district  
 5 attorney or circuit judge or candidate for such offices, the action shall be brought by  
 6 the attorney general. If a violation concerns the attorney general or a candidate for  
 7 such office, the governor may appoint special counsel under s. 14.11 (2) to bring suit  
 8 in behalf of the state. The counsel shall be independent of the attorney general and  
 9 need not be a state employe<sup>e</sup> at the time of appointment.

10 " SECTION 193. 11.61 (1) (a) of the statutes is amended to read:  
 11 11.61 (1) (a) Whoever intentionally violates s. 11.05 (1), (2), <sup>as affected by 2001 Wisconsin Act...</sup> (2g) or (2r), 11.07  
 12 (1) or (5), 11.10 (1), 11.12 (5), 11.23 (6), or 11.24 (1) <sup>is guilty of a class I felony</sup> may be fined not more than \$10,000  
 13 or imprisoned for not more than 4 years and 6 months or both.

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14 SECTION 194. 19.42 (3m), (4g), (4r) and (7p) of the statutes are created to read:  
 15 19.42 (3m) "Candidate," except as otherwise provided, has the meaning given  
 16 in s. 11.01 (1).  
 17 (4g) "Clearly identified," when used in reference to a communication  
 18 containing a reference to a person, means one of the following:  
 19 (a) The person's name appears.  
 20 (b) A photograph or drawing of the person appears.  
 21 (c) The identity of the person is apparent by unambiguous reference.  
 22 (4r) "Communication" means a message transmitted by means of a printed  
 23 advertisement, billboard, handbill, sample ballot, radio or television advertisement,  
 24 telephone call, or any medium that may be utilized for the purpose of disseminating

1 addition, whenever a candidate or personal campaign committee or agent of a  
 2 candidate is alleged to have violated this chapter, action may be brought by the  
 3 district attorney of any county any part of which is contained within the jurisdiction  
 4 or district in which the candidate seeks election. If a violation concerns a district  
 5 attorney or circuit judge or candidate for such offices, the action shall be brought by  
 6 the attorney general. If a violation concerns the attorney general or a candidate for  
 such office, the governor may appoint special counsel under s. 14.11 (2) to bring suit  
 in behalf of the state. The counsel shall be independent of the attorney general and  
 need not be a state employe at the time of appointment.

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10 ~~SECTION 193.~~ 11.61 (1) (a) of the statutes is amended to read:

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

14 ~~SECTION 194.~~ 19.42 (3m), (4g), (4r) and (7p) of the statutes are created to read:

15 19.42 (3m) "Candidate," except as otherwise provided, has the meaning given  
 16 in s. 11.01 (1).

17 (4g) "Clearly identified," when used in reference to a communication  
 18 containing a reference to a person, means one of the following:

- 19 (a) The person's name appears.
- 20 (b) A photograph or drawing of the person appears.
- 21 (c) The identity of the person is apparent by unambiguous reference.

22 (4r) "Communication" means a message transmitted by means of a printed  
 23 advertisement, billboard, handbill, sample ballot, radio or television advertisement,  
 24 telephone call, or any medium that may be utilized for the purpose of disseminating

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1 district attorney of any county any part of which is contained within the jurisdiction  
2 or district in which the candidate seeks election. If a violation concerns a district  
3 attorney or circuit judge or candidate for such offices, the action shall be brought by  
4 the attorney general. If a violation concerns the attorney general or a candidate for  
5 such office, the governor may appoint special counsel under s. 14.11 (2) to bring suit  
6 in behalf of the state. The counsel shall be independent of the attorney general and  
7 need not be a state employe at the time of appointment.

8 SECTION 126. 11.61 (1) (a) of the statutes is amended to read:

9 11.61 (1) (a) Whoever intentionally violates s. 11.05 (1), (2), ~~or (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 or imprisoned for not more than 4 years and 6 months or both.

12 SECTION 127. 13.625 (3m) of the statutes is created to read:

13 13.625 (3m) No elective state official and no personal campaign committee of  
14 an elective state official may solicit a lobbyist or principal to arrange for another  
15 person to make a campaign contribution to that official or personal campaign  
16 committee or to another elective state official or the personal campaign committee  
17 of that official.

18 "SECTION 128. 19.42 (3m), (4g) and (4r) of the statutes are created to read:

19 19.42 (3m) <sup>23m</sup> "Candidate," except as otherwise provided, has the meaning given  
20 in s. 11.01 (1).

21 (4g) "Clearly identified," when used in reference to a communication  
22 containing a reference to a person, means one of the following:

- 23 (a) The person's name appears.
- 24 (b) A photograph or drawing of the person appears.
- 25 (c) The identity of the person is apparent by unambiguous reference.

Page 11, line 9: after that line insert:



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# Page 11, line 18: after that line meet:

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(4r) "Communication" <sup>has the meaning given in s. 11.01 (4m)</sup> means a message transmitted by means of a printed advertisement, billboard, handbill, sample ballot, radio or television advertisement, telephone call, or any medium that may be utilized for the purpose of disseminating or broadcasting a message, but not including a poll conducted solely for the purpose of identifying or collecting data concerning the attitudes or preferences of electors.

SECTION 129. 19.45 (13) of the statutes is created to read:

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

SECTION 130. 19.49 (1m) of the statutes is created to read:

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

SECTION 131. 19.49 (5) of the statutes is renumbered 19.49 (5) (a) and amended to read:

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1           19.49 (5) (a) ~~No~~ Except as provided in par. (b), no action may be taken on any  
2 complaint ~~which that~~ is filed later than 3 years after a violation of this subchapter  
3 or subch. III of ch. 13 is alleged to have occurred.

4           SECTION ~~132.~~ <sup>25i</sup> 19.49 (5) (b) of the statutes is created to read:

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

8           SECTION ~~133.~~ <sup>25k</sup> 19.53 (6) of the statutes is amended to read:

9           19.53 (6) An order requiring the accused to forfeit not more than \$500 for each  
10 violation of s. 19.43, 19.44, or 19.56 (2) or not more than \$5,000 for each violation of  
11 any other provision of this subchapter, or not more than the applicable amount  
12 specified in s. 13.69 for each violation of subch. III of ch. 13; ~~and, if,~~ If the board  
13 determines that the accused has realized economic gain as a result of the violation,  
14 an the board may, in addition, order requiring the accused to forfeit the amount  
15 gained as a result of the violation. In addition, if the board determines that a state  
16 public official has violated s. 19.45 (13), the board may order the official to forfeit an  
17 amount equal to the amount or value of any political contribution, service, or other  
18 thing of value that was wrongfully obtained. If the board determines that a state  
19 public official has violated s. 19.45 (13) and no political contribution, service or other  
20 thing of value was obtained, the board may order the official to forfeit an amount  
21 equal to the maximum contribution authorized under s. 11.26 (1) for the office held  
22 or sought by the official, whichever amount is greater. The attorney general, when  
23 so requested by the board, shall institute proceedings to recover any forfeiture  
24 incurred under this section or s. 19.545 which is not paid by the person against whom  
25 it is assessed.

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<sup>25m</sup>  
SECTION ~~134~~. 19.535 of the statutes is created to read:

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

<sup>25p</sup>  
SECTION ~~135~~. 19.59 (1) (br) of the statutes is created to read:

**19.59 (1) (br)** No local public official holding an elective office may, directly or by means of an agent, give, or offer or promise to give, or withhold, or offer or promise to withhold, his or her vote or influence, or promise to take or refrain from taking official action with respect to any proposed or pending matter in consideration of, or upon condition that, any other person make or refrain from making a political contribution, or provide or refrain from providing any service or other thing of value, to or for the benefit of a candidate, a political party, any other person who is subject to a registration requirement under s. 11.05, or any person making a communication that contains a reference to a clearly identified local public official holding an elective office or to a candidate for local public office.

SECTION ~~136~~. 19.59 (7) of the statutes is renumbered 19.59 (7) (a) and amended to read:

<sup>25r</sup>

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

6 SECTION ~~137~~<sup>25t</sup>. 19.59 (7) (b) of the statutes is created to read:

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

13 SECTION ~~138~~<sup>25v</sup>. 19.59 (8) (c) of the statutes is amended to read:

14 19.59 (8) (c) If the district attorney fails to commence an action to enforce sub.  
15 (1) (a), (b), or (c) to (g) within 20 days after receiving a verified complaint or if the  
16 district attorney refuses to commence such an action, the person making the  
17 complaint may petition the attorney general to act upon the complaint. The attorney  
18 general may then bring an action under par. (a) or (b), or both.

19 SECTION ~~139~~<sup>25v</sup>~~x~~. 19.59 (8) (cm) and (cn) of the statutes are created to read:

20 19.59 (8) (cm) No complaint alleging a violation of sub. (1) (br) may be filed  
21 during the period beginning 120 days before a general or spring election, or during  
22 the period commencing on the date of the order of a special election under s. 8.50, and  
23 ending on the date of that election, against a candidate who files a declaration of  
24 candidacy to have his or her name appear on the ballot at that election.



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

10 ~~SECTION 140. 20.510 (1) (g) of the statutes is amended to read:~~

11 20.510 (1) (g) *Wisconsin election campaign fund.* As a continuing  
12 appropriation, from the Wisconsin election campaign fund, the moneys determined  
13 under s. 11.50 to provide for payments to eligible candidates whose names are  
14 certified under s. 7.08 (2) (c) and (cm) and to provide for public information as  
15 authorized under s. 11.50 (2m).

16 SECTION 141. 20.855 (4) (ba) of the statutes is created to read:

17 20.855 (4) (ba) *Wisconsin election campaign fund supplement.* A sum sufficient  
18 equal to the amounts required to make full payment of grants which candidates  
19 qualify to receive from the Wisconsin election campaign fund, to be transferred from  
20 the general fund to the Wisconsin election campaign fund no later than the time  
21 required to make payments of grants under s. 11.50 (5).

22 SECTION 142. 25.42 of the statutes is amended to read:

23 25.42 *Wisconsin election campaign fund.* All moneys appropriated under  
24 s. 20.855 (4) (b) and (ba) together with all moneys deposited under ss. 8.35 (4) (a),  
25 11.07 (5), 11.12 (2), 11.16 (2), 11.19 (1), 11.23 (2), and 11.38 (6) all moneys reverting

1 or broadcasting a message, but not including a poll conducted solely for the purpose  
2 of identifying or collecting data concerning the attitudes or preferences of electors.

3 (7p) "Independent expenditure" has the meaning given in s. 11.01 (11m).

4 SECTION 195. 19.45 (13) of the statutes is created to read:

5 19.45 (13) No state public official holding an elective office may, directly or by  
6 means of an agent, give, or offer or promise to give, or withhold, or offer or promise  
7 to withhold, his or her vote or influence, or promise to take or refrain from taking  
8 official action with respect to any proposed or pending matter in consideration of, or  
9 upon condition that, any other person make or refrain from making a political  
10 contribution, or provide or refrain from providing any service or other thing of value,  
11 to or for the benefit of a candidate, a political party, any other person who is subject  
12 to a registration requirement under s. 11.05, or any person who makes an  
13 independent expenditure for the purpose of making a communication that contains  
14 a reference to a candidate for state public office.

15 SECTION 196. 19.49 (1m) of the statutes is created to read:

16 19.49 (1m) No complaint alleging a violation of s. 19.45 (13) may be filed during  
17 the period beginning 120 days before a general or spring election, or during the  
18 period commencing on the date of the order of a special election under s. 8.50, and  
19 ending on the date of that election, against a candidate who files a declaration of  
20 candidacy to have his or her name appear on the ballot at that election.

21 SECTION 197. 19.49 (5) of the statutes is renumbered 19.49 (5) (a) and amended  
22 to read:

23 19.49 (5) (a) ~~No~~ Except as provided in par. (b), no action may be taken on any  
24 complaint ~~which~~ that is filed later than 3 years after a violation of this subchapter  
25 or subch. III of ch. 13 is alleged to have occurred.

1 ~~SECTION 198. 19.49 (5) (b) of the statutes is created to read:~~

2 19.49 (5) (b) The period of limitation under par. (a) is tolled for a complaint  
3 alleging a violation of s. 19.45 (13) or 19.59 (1) (br) for the period during which such  
4 a complaint may not be filed under s. 19.49 (1m) or 19.59 (8) (cm).

5 ~~SECTION 199. 19.53 (6) of the statutes is amended to read:~~

6 19.53 (6) An order requiring the accused to forfeit not more than \$500 for each  
7 violation of s. 19.43, 19.44, or 19.56 (2) or not more than \$5,000 for each violation of  
8 any other provision of this subchapter, or not more than the applicable amount  
9 specified in s. 13.69 for each violation of subch. III of ch. 13; and, if, If the board  
10 determines that the accused has realized economic gain as a result of the violation,  
11 an the board may, in addition, order requiring the accused to forfeit the amount  
12 gained as a result of the violation. In addition, if the board determines that a state  
13 public official has violated s. 19.45 (13), the board may order the official to forfeit an  
14 amount equal to the amount or value of any political contribution, service, or other  
15 thing of value that was wrongfully obtained. If the board determines that a state  
16 public official has violated s. 19.45 (13) and no political contribution, service, or other  
17 thing of value was obtained, the board may order the official to forfeit an amount  
18 equal to the maximum contribution authorized under s. 11.26 (1) for the office held  
19 or sought by the official, whichever amount is greater. The attorney general, when  
20 so requested by the board, shall institute proceedings to recover any forfeiture  
21 incurred under this section or s. 19.545 which is not paid by the person against whom  
22 it is assessed.

23 ~~SECTION 200. 19.535 of the statutes is created to read:~~

24 19.535 **Direct enforcement.** If the board refuses or otherwise fails to  
25 authorize an investigation under s. 19.49 (3) with respect to a violation of s. 19.45 (13)

1 ~~within 30 days after receiving a verified complaint alleging a violation of s. 19.45 (13),~~  
2 the person making the complaint may bring an action to recover the forfeiture under  
3 s. 19.53 (6) on his or her relation in the name, and on behalf, of the state. In such  
4 actions, the court may award actual and necessary costs of prosecution, including  
5 reasonable attorney fees, to the relator if he or she prevails, but any forfeiture  
6 recovered shall be paid to the state. If the court finds in any such action that the  
7 cause of action was frivolous as provided in s. 814.025, the court shall award costs  
8 and fees to the defendant under that section.

9 **SECTION 201.** 19.59 (1) (br) of the statutes is created to read:

10 19.59 (1) (br) No local public official holding an elective office may, directly or  
11 by means of an agent, give, or offer or promise to give, or withhold, or offer or promise  
12 to withhold, his or her vote or influence, or promise to take or refrain from taking  
13 official action with respect to any proposed or pending matter in consideration of, or  
14 upon condition that, any other person make or refrain from making a political  
15 contribution, or provide or refrain from providing any service or other thing of value,  
16 to or for the benefit of a candidate, a political party, any other person who is subject  
17 to a registration requirement under s. 11.05, or any person who makes an  
18 independent expenditure for the purpose of making a communication that contains  
19 a reference to a candidate for local public office.

20 **SECTION 202.** 19.59 (7) of the statutes is renumbered 19.59 (7) (a) and amended  
21 to read:

22 19.59 (7) (a) Any person who violates sub. (1) may be required to forfeit not  
23 more than \$1,000 for each violation, and, if the court determines that the accused has  
24 violated sub. (1) (br), the court may, in addition, order the accused to forfeit an



1 amount equal to the amount or value of any political contribution, service, or other  
2 thing of value that was wrongfully obtained.

3 **SECTION 203.** 19.59 (7) (b) of the statutes is created to read:

4 19.59 (7) (b) Any person who violates sub. (1) may be required to forfeit not  
5 more than \$1,000 for each violation, and, if the court determines that a local public  
6 official has violated sub. (1) (br) and no political contribution, service, or other thing  
7 of value was obtained, the court may, in addition, order the accused to forfeit an  
8 amount equal to the maximum contribution authorized under s. 11.26 (1) for the  
9 office held or sought by the official, whichever amount is greater.

10 **SECTION 204.** 19.59 (8) (c) of the statutes is amended to read:

11 19.59 (8) (c) If the district attorney fails to commence an action to enforce sub.  
12 (1) (a), (b), or (c) to (g) within 20 days after receiving a verified complaint or if the  
13 district attorney refuses to commence such an action, the person making the  
14 complaint may petition the attorney general to act upon the complaint. The attorney  
15 general may then bring an action under par. (a) or (b), or both.

16 **SECTION 205.** 19.59 (8) (cm) and (cn) of the statutes are created to read:

17 19.59 (8) (cm) No complaint alleging a violation of sub. (1) (br) may be filed  
18 during the period beginning 120 days before a general or spring election, or during  
19 the period commencing on the date of the order of a special election under s. 8.50, and  
20 ending on the date of that election, against a candidate who files a declaration of  
21 candidacy to have his or her name appear on the ballot at that election.

22 (cn) If the district attorney refuses or otherwise fails to commence an action to  
23 enforce sub. (1) (br) within 30 days after receiving a verified complaint alleging a  
24 violation of sub. (1) (br), the person making the complaint may bring an action to  
25 recover the forfeiture under sub. (7) on his or her relation in the name, and on behalf,

# Page 19, line 20: after that line insert:

1 of the state. In such actions, the court may award actual and necessary costs of  
2 prosecution, including reasonable attorney fees, to the relator if her or she prevails,  
3 but any forfeiture recovered shall be paid to the state. If the court finds in any such  
4 action that the cause of action was frivolous as provided in s. 814.025, the court shall  
5 award costs and fees to the defendant under that section.

6 "SECTION 206. 20.510 (1) (q) of the statutes is amended to read:

7 20.510 (1) (q) *Wisconsin election campaign fund.* As a continuing  
8 appropriation, from the Wisconsin election campaign fund, the moneys determined  
9 under s. 11.50 to provide for payments to eligible candidates whose names are  
10 certified under s. 7.08 (2) (c) and (cm) and to provide for public information as  
11 authorized under s. 11.50 (2m)."

12 "SECTION 207. 25.42 of the statutes is amended to read:

13 **25.42 Wisconsin election campaign fund.** All moneys appropriated under  
14 s. 20.855 (4) (b) together with all moneys deposited under ss. 8.35 (4) (a), 11.07 (5),  
15 11.12 (2), 11.16 (2), 11.19 (1), 11.23 (2), 11.26 (1t) and (2t), and 11.38 (6), all moneys  
16 reverting to the state under s. 11.50 (8) and all gifts, bequests and devises received  
17 under s. 11.50 (13) constitute the Wisconsin election campaign fund, to be expended  
18 for the purposes of s. 11.50. All moneys in the fund not disbursed by the state  
19 treasurer shall continue to accumulate indefinitely."

20 ~~SECTION 208. 59.05 (2) of the statutes is amended to read:~~

21 ~~59.05 (2) If two-fifths of the legal voters of any county, to be determined by the~~  
22 ~~registration or poll lists of the last previous general election held in the county, the~~  
23 ~~names of which voters shall appear on some one of the registration or poll lists of such~~  
24 ~~election, present to the board a petition conforming to the requirements of s. 8.40~~  
25 ~~asking for a change of the county seat to some other place designated in the petition,~~

# Page 28, line 8: after that line insert:

✓ # Page 66, line 15: after that line insert:

1 ~~the board shall submit the question of removal of the county seat to a vote of the~~  
 2 ~~qualified voters of the county. The board shall file the question as provided in s. 8.37.~~  
 3 ~~The election shall be held only on the day of the general election, notice of the election~~  
 4 ~~shall be given and the election shall be conducted as in the case of the election of~~  
 5 ~~officers on that day, and the votes shall be canvassed, certified and returned in the~~  
 6 ~~same manner as other votes at that election. The question to be submitted shall be~~  
 7 ~~"Shall the county seat of .... county be removed to ....?"~~

8 "SECTION 209. 71.07 (6s) of the statutes is created to read:

9 71.07 (6s) CAMPAIGN FUND TAX CREDIT. (a) *Definitions*. In this subsection:

- 10 1. "Claimant" means an individual who makes a designation.
- 11 2. "Designation" means an amount that may be designated under s. 71.10 (3)
- 12 (am).

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

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

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

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

23 SECTION 210. 71.08 (1) (intro.) of the statutes is amended to read:

24 71.08 (1) IMPOSITION. (intro.) If the tax imposed on a natural person, married  
 25 couple filing jointly, trust or estate under s. 71.02, not considering the credits under

1 ss. 71.07 (1), (2dd), (2de), (2di), (2dj), (2dL), (2dr), (2ds), (2dx), (2fd), (3m), (3s), (6),  
2 ~~(6s)~~ and (9e), 71.28 (1dd), (1de), (1di), (1dj), (1dL), (1ds), (1dx), (1fd), (2m) and (3) and  
3 71.47 (1dd), (1de), (1di), (1dj), (1dL), (1ds), (1dx), (1fd), (2m) and (3) and subchs. VIII  
4 and IX and payments to other states under s. 71.07 (7), is less than the tax under this  
5 section, there is imposed on that natural person, married couple filing jointly, trust  
6 or estate, instead of the tax under s. 71.02, an alternative minimum tax computed  
7 as follows:

8 ~~SECTION 211.~~ <sup>170n</sup> 71.10 (3) (a) of the statutes is renumbered 71.10 (3) (am) and  
9 amended to read:

10 71.10 (3) (am) Every individual, who is a full-year resident of this state, filing  
11 an income tax return who has ~~would have~~ a tax liability or is entitled to a tax refund  
12 before making a designation under this paragraph may designate \$1 ~~the lesser of \$15~~ <sup>\$20</sup>  
13 or the individual's tax liability for transfer to the Wisconsin election campaign fund  
14 for the use of eligible candidates under s. 11.50. If the individuals filing a joint return  
15 would have a tax liability or are entitled to a tax refund before making a designation  
16 under this paragraph, each individual may make a designation of \$1 ~~the lesser of \$15~~ <sup>\$20</sup>  
17 or one-half of the married couple's tax liability under this subsection. Each  
18 individual making a designation shall indicate whether the amount designated by  
19 that individual shall be placed in the general account for the use of all eligible  
20 candidates for state office, or in the account of an eligible political party whose name  
21 is certified to the secretary of revenue under s. 11.50 (14). If an individual does not  
22 indicate that the amount of his or her designation shall be placed in the account of  
23 a particular eligible political party, that amount shall be placed in the general  
24 account.

25 SECTION ~~212.~~ <sup>170p</sup> 71.10 (3) (ac) of the statutes is created to read:

170r  
1 71.10 (3) (ac) In this subsection, "tax liability" means any amount of tax  
2 determined by an individual or by an individual and his or her spouse after he or she  
3 calculates the order of computation through s. 71.10 (4) (gu).

4 SECTION 213. 71.10 (3) (b) of the statutes is amended to read:

5 71.10 (3) (b) The secretary of revenue shall ~~provide a place for these~~ ensure that  
6 space for the designations under par. (am) is provided on the face of the individual  
7 income tax return and in a manner that is convenient to the individual filing the  
8 return. The secretary of revenue shall provide next to that the place on the return  
9 where designation under par. (am) is made a statement that a designation will not  
10 increase tax liability, that the amount of a designation may be claimed as a credit  
11 under s. 71.07 (6s), and that by making a designation the individual is also claiming  
12 the credit. The department of revenue shall ensure that an individual may make the  
13 designation under par. (am) and claim the credit under s. 71.07 (6s) by marking only  
14 one box, which shall be on the face of the individual income tax return. The secretary  
15 of revenue shall also provide and highlight a place in the instructions that  
16 accompany the return for information submitted to the secretary by the elections  
17 board under s. 11.50 (2m) without cost to the board. Annually on August 15, the  
18 secretary of revenue shall certify to the elections board, the department of  
19 administration, and the state treasurer under s. 11.50 the total amount of  
20 designations made on returns processed by the department of revenue during the  
21 preceding fiscal year and the amount of designations made during that fiscal year  
22 for the general account and for the account of each eligible political party. If any  
23 individual designates an amount greater than the amount authorized under par.  
24 (am) or attempts to place any condition or restriction upon a designation not

1 authorized under par. (am), that individual is deemed not to have made a designation  
2 on his or her tax return.

3 **SECTION 214.** 71.10 (3) (d) of the statutes is created to read:

4 71.10 (3) (d) If an individual's income tax return is prepared by a paid tax  
5 preparer and if the individual does not make a designation under par. (am), the tax  
6 preparer shall obtain from the individual his or her signature, on a form prepared  
7 by the department of revenue, acknowledging that he or she chooses not to make a  
8 designation under par. (am). The form shall contain information regarding the  
9 purposes of the designation. No penalty may be imposed on a paid tax preparer who  
10 fails to obtain from any individual the form that is required under this paragraph.

11 **SECTION 215.** 71.10 (4) (gw) of the statutes is created to read:

12 71.10 (4) (gw) 1. The addition of the campaign fund designation under sub. (3)  
13 (am).

14 2. The subtraction of the campaign fund tax credit under s. 71.07 (6s).

15 ~~**SECTION 216.** 117.20 (2) of the statutes is amended to read:~~

16 117.20 (2) The clerk of each affected school district shall publish notice, as  
17 required under s. 8.55, in the territory of that school district. The procedures for  
18 school board elections under s. 120.06 (5), (9), (11), (13) and (14) apply to a  
19 referendum held under this section. The school board and school district clerk of each  
20 affected school district shall each perform, for that school district, the functions  
21 assigned to the school board and the school district clerk, respectively, under those  
22 subsections. The form of the ballot shall correspond to the form prescribed by the  
23 elections board under ss. 5.64 (2) and 7.08 (1) (a). The clerk of each affected school  
24 district shall file with the secretary of the board a certified statement prepared by

# Page 229, line 10: after that line insert:

1 the school district board of canvassers of the results of the referendum in that school  
2 district.

3 SECTION 217. 120.06 (5) of the statutes is repealed.

4 SECTION 218. 125.05 (2) (h) of the statutes is amended to read:

5 125.05 (2) (h) *Number of electors.* The number of electors in a residence district  
6 shall equal not less than the number of names with residences in the district which  
7 appear on ~~a~~ the registration list, as defined in s. 5.02 (17). ~~If there is no registration~~  
8 ~~list, the number of electors shall equal the number of names with residences in the~~  
9 ~~district which appear on a poll list as defined in s. 5.02 (14) compiled at the last~~  
10 ~~gubernatorial or presidential election, whichever is most recent, for the residence~~  
11 district on the date that the remonstrance, consent, or counter petition is filed. A  
12 person whose name does not appear on a registration list ~~or poll list~~ may not sign a  
13 protest petition, consent or counter petition.

14 " SECTION 219. <sup>519m</sup> 806.04 (11m) of the statutes is created to read:

15 806.04 (11m) CAMPAIGN FINANCE REGISTRATION. Any person who proposes to  
16 publish, disseminate, or broadcast, or causes to be published, disseminated, or  
17 broadcast, any communication may commence a proceeding under this section to  
18 determine the application to that person of a registration requirement under s. 11.05  
19 (1), (2), or (2g). "

20 ~~Section 220. Nonstatutory provisions.~~ ✓

21 " (1) <sup>2v</sup> WISCONSIN ELECTION CAMPAIGN FUND BALANCE TRANSFER. The balances in all  
22 accounts within the Wisconsin election campaign fund on the effective date of this  
23 subsection are credited to the general account of the Wisconsin election campaign  
24 fund established under section 11.50 (2w) of the statutes, as created by this act.

25 (2) <sup>2w</sup> RULES FOR PUBLIC ACCESS CHANNELS AND PUBLIC TELEVISION STATIONS.

# Page 355, line 14: after that line insert:

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

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

14 (1) (3) DECLARATORY JUDGMENT. The legislature directs the attorney general to  
 15 promptly commence an action seeking a declaratory judgment that the treatment of  
 16 chapter 11 of the statutes by this act, including specifically the treatment of sections  
 17 11.01 (16) (a) 3., 11.06 (2), 11.12 (6) (am) and (c), 11.24 (1w), 11.26 (1) (intro.), (1m),  
 18 (2) (a), (ae), (am), (as), and (av), (2m), (8), (8n), (8r), (9) (a), and (9m), 11.31 (3p), 11.50  
 19 (2)(f) and (4) (bg) and (br), and 11.60 (3r) are constitutional. The legislature directs the  
 20 attorney general to petition for leave to commence the action as an original action  
 21 before the Wisconsin supreme court. If such a petition is denied, the legislature  
 22 directs the attorney general to commence the action in the circuit court for Dane  
 23 County. If the attorney general fails to commence an action under this subsection  
 24 by the 61st day following the effective date of this subsection, the joint committee on

#. Page 359, line 1: after that line insert.

MOVE TO P. 102-1A

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1. legislative organization shall, within 30 days thereafter, retain counsel for the  
2 purpose of commencing such an action. ))

3 (4) STATEWIDE VOTER REGISTRATION LIST.

4 (2X) (a) Notwithstanding section 16.42 (1) of the statutes, the elections board shall

5 submit as a part of its budget request for the 2003-05 fiscal biennium under section

6 16.42 of the statutes a proposal to finance the creation of a statewide, centralized

7 voter registration list system. In developing the system, the elections board shall

8 consider at least each of the following issues:

9 1. How the list should be created and maintained.

10 2. The fiscal impact upon the state and local governments of maintaining the

11 list.

12 3. How accuracy of the list should be ensured.

13 4. Whether, to use the list, an electronic connection would need to be  
14 established between each polling place in the state and the board and how such a  
15 connection would be established and maintained.

16 5. How registrations on election day would be integrated into the list.

17 6. How procedures for corroboration of the identities of electors would be  
18 affected by maintenance of the list.

19 7. How absentee balloting would be affected by the creation of the list.

20 8. The impact of maintenance of the list upon transient populations, such as  
21 college students.

22 9. How the list could be accurately purged of the names of convicted felons who  
23 are ineligible to vote while ensuring that no eligible electors are disenfranchised.

24 10. How the list should be purged of the names of ineligible or inactive electors  
25 while ensuring that no eligible electors are disenfranchised.

end of  
move

1  
2  
3

(2X)

together with proposed legislation required to initially implement the system for the 2004 September primary election.

1           11. Whether the list should be publicly maintained or a private entity should  
2 be retained to maintain the list.

3           12. If a private entity were retained to maintain the list, the standards to which  
4 the entity should be held to account.

5           13. Whether and how provisional voting of challenged electors could be  
6 facilitated after the list is established.

7           (b) The elections board shall study and prepare <sup>specific</sup> recommendations for  
8 implementing the <sup>proposal submitted under paragraph (a)</sup> requirement of this act for creation of a statewide voter  
9 registration list. In conducting its study, the board shall address each of the issues  
10 specified in paragraph (a). The board shall submit the results of its study and  
11 recommendations to the legislature in the manner provided in section 13.172 (2) of  
12 the statutes no later than the first day of the 10th month beginning after the effective  
13 date of this paragraph.

14           (5) NONSEVERABILITY. <sup>24</sup>

15           (a) Notwithstanding section 990.001 (11) of the statutes, if a court finds that  
16 all or any portion of sections 11.01 (17g) and (17r) and 11.21 (17) of the statutes, as  
17 created by this act, or SECTION 220 (2) of this act are unconstitutional, then sections  
18 11.01 (17g) and (17r) and 11.21 (17) of the statutes, as created by this act, and SECTION  
19 220 (2) of this act are void in their entirety.

20           (b) Notwithstanding section 990.001 (11) of the statutes, if a court finds that  
21 any part of this act other than the parts specified in paragraph (a) is  
22 unconstitutional, this entire act is void. "

23           ~~SECTION 221. Appropriation changes, elections board.~~

24           (1) In the schedule under section 20.005 (3) of the statutes for the appropriation  
25 to the elections board under section 20.510 (1) (a) of the statutes, as affected by the

✓ #Page 388, line 10: after that line insert:

# Page 413, line 8: after that line insert:

1 acts of 2001, the dollar amount is increased by \$85,100 for fiscal year 2002-03 to  
2 increase the authorized FTE positions for the elections board by 1.0 GPR/campaign  
3 finance investigator position and 1.0 GPR auditor position and to fund supporting  
4 expenses for these positions. "

5 **SECTION 222. Appropriation changes; revenue.**

6 " (1) <sup>6V</sup> In the schedule under section 20.005 (3) of the statutes for the appropriation  
7 to the department of revenue under section 20.566 (1) (a) of the statutes, as affected  
8 by the acts of 2001, the dollar amount is increased by \$96,500 for fiscal year 2002-03  
9 to increase funding for the cost of changing income tax forms. "

10 **SECTION 223. Initial applicability.**

11 ~~(1) STATEWIDE VOTER REGISTRATION. The treatment of sections 5.02 (17), 6.20,~~  
12 ~~6.24 (3), (4) (a) and (c), and (8), 6.27 (1) and (2) to (5), 6.28 (2) (b) and (3), 6.29 (2) (a),~~  
13 ~~6.50 (1) (intro.) and (2m) (a), 6.55 (2) (a) 1. (intro.) and (c) 1. and (3), 6.79 (intro.), (1),~~  
14 ~~(2), (4), (5), and (6) (a) and (b), 6.82 (1) (a), 6.86 (3) (a) 1. and 2., 6.88 (3) (a), 6.94, 6.95,~~  
15 ~~7.08 (1) (c), 7.10 (1) (b), 7.15 (1) (c) and (4), 7.37 (7), 7.51 (2) (a), (c), and (e), (4) (a),~~  
16 ~~and (5) (a), 9.01 (1) (b) 1., 59.05 (2), 117.20 (2), 120.06 (5), and 125.05 (2) (h) of the~~  
17 ~~statutes first applies with respect to the 2004 spring primary election.~~

18 " (1) <sup>2V</sup> NONRESIDENT REGISTRANT REPORTING. The treatment of sections 11.06 (1)  
19 (intro.) and (3) (b) (intro.) and 11.12 (4) of the statutes first applies with respect to  
20 reporting periods which begin on or after the effective date of this subsection.

21 (1) <sup>2W</sup> COST-OF-LIVING ADJUSTMENTS. The treatment of sections 11.26 (10a) and  
22 11.31 (9) of the statutes first applies to adjustments for the 2-year period beginning  
23 on January 1, 2006. "

24 " (1) <sup>2V</sup> CAMPAIGN FUND TAX CREDIT. The treatment of sections 71.07 (6s), 71.08 (1)  
25 (intro.), and 71.10 (3) (b) and (4) (gw) of the statutes, the renumbering and

# Page 437, line 9: after that line insert:

# Page 435, line 9: after that line insert:

1 amendment of section 71.10 (3) (a) of the statutes, and the creation of section 71.10  
2 (3) (ac) of the statutes first apply to taxable years beginning on January 1, 2002. '11

3 **SECTION 224. Effective dates.** This act takes effect on July 1, 2003, except as  
4 follows:

5 (1) The treatment of sections 71.07 (6s), 71.08 (1) (intro.), and 71.10 (3) (b) and  
6 (4) (gw) of the statutes, the renumbering and amendment of section 71.10 (3) (a) of  
7 the statutes, and the creation of section 71.10 (3) (ac) of the statutes and SECTION 223  
8 (4) of this act take effect on the day after publication. '11

9 (END)

→ Ins. 104-4

# Page 445, line 20: after that line insert:

↙