

**SENATE AMENDMENT 3,
TO SENATE SUBSTITUTE AMENDMENT 1,
TO 2001 SENATE BILL 104**

January 24, 2002 – Offered by COMMITTEE ON FINANCE.

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

2 **1.** Page 2, line 14: delete “and”.

3 **2.** Page 2, line 15: after “appropriations” insert “, and providing penalties”.

4 **3.** Page 22, line 23: delete the material beginning with that line and ending
5 with page 23, line 16, and substitute:

6 “11.12 **(6)** (c) 1. If any committee identified under s. 11.05 (3) (c) as a special
7 interest committee, other than a conduit, intends to receive any contribution, make
8 any disbursement, or incur any obligation to make a disbursement for the purpose
9 of advocating the election or defeat of a clearly identified candidate for a state office
10 specified in s. 11.31 (1) (a) to (de), (e), or (f) at the general or a special election, or any
11 such candidate who seeks a nomination for such an office at a primary election,
12 without cooperation or consultation with a candidate or agent or authorized

1 committee of a candidate who is supported or whose opponent is opposed, and not in
2 concert with or at the request or suggestion of such a candidate, agent, or committee,
3 the committee shall report to the board at the times specified in s. 11.20 (2s), in such
4 manner as the board may prescribe, the name of each candidate who is supported or
5 whose opponent is opposed and the total amount of contributions to be received,
6 disbursements to be made, and obligations to be incurred for such a purpose in
7 support or opposition to that candidate during the 21–day period following the date
8 on which the report is due to be filed.

9 2. A committee which is required to file reports under this paragraph shall also
10 report to the board, at the times specified in s. 11.20 (2t), in such manner as the board
11 may prescribe, the amount and date of each contribution received, disbursement
12 made, or obligation incurred for the purpose of advocating the election or defeat of
13 a candidate specified in this paragraph in the manner specified in this paragraph,
14 and the name of the candidate in support of or in opposition to whom the contribution
15 was received, disbursement made, or obligation incurred, during the 21–day period
16 ending on each date specified in s. 11.20 (2t).

17 3. A committee which files a report under this paragraph concerning a
18 disbursement is not required to file a report pertaining to the same disbursement
19 under par. (a).”.

20 **4.** Page 27, line 14: after that line insert:

21 “**SECTION 54g.** 11.20 (2s) of the statutes is created to read:

22 11.20 (2s) A registrant who or which is required to file reports under s. 11.12
23 (6) (c) 1. with respect to a candidate at the general election shall file the reports on
24 the 63rd, 42nd, and 21st day prior to that election. A registrant who is required to

1 file reports under s. 11.12 (6) (c) 1. with respect to a special election shall file a report
2 on the 21st day prior to that election.

3 **SECTION 54r.** 11.20 (2t) of the statutes is created to read:

4 11.20 (2t) A registrant who or which is required to file reports under s. 11.12
5 (6) (c) 2. with respect to a candidate at the general election shall file the reports no
6 later than the 39th and 18th days prior to that election. A registrant who or which
7 is required to file reports under s. 11.12 (6) (c) 2. with respect to a candidate at a
8 special election shall file the reports no later than the 18th day prior to that election.”.

9 **5.** Page 49, line 14: delete the material beginning with that line and ending
10 with page 50, line 3, and substitute:

11 “11.50 (9) (b) If an eligible candidate who accepts a grant is opposed by one or
12 more candidates in a general or special election whose names are certified under s.
13 7.08 (2) (a) or 8.50 (1) (d) to appear on the ballot, and if a committee intends to receive
14 or receives any contribution or contributions that are intended to be used or that are
15 used to oppose the election of the eligible candidate who accepts a grant or to support
16 a certified opponent of that candidate without cooperation or consultation with any
17 certified opposing candidate or such a candidate’s agent or authorized committee,
18 and not in concert with, or at the request or suggestion of any certified opposing
19 candidate’s agent or authorized committee, then the board shall make an additional
20 grant to the eligible candidate who accepts a grant in an amount equal to the total
21 amount of contributions received for the purpose of advocating the election of the
22 certified opposing candidate or for the purpose of opposing the election of the eligible
23 candidate who accepts the grant, as reported by committees under s. 11.12 (6) (c).”.

24 **6.** Page 51, line 18: after that line insert:

1 “**SECTION 120m.** 11.60 (3s) and (3t) of the statutes are created to read:

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

12 **(3t)** Notwithstanding sub. (1), if any candidate or committee, other than a
13 conduit, accepts one or more contributions, makes one or more disbursements, or
14 incurs one or more obligations to make disbursements for the purpose of supporting
15 or opposing a candidate for an office specified in s. 11.31 (1) (a) to (de), (e), or (f) in
16 an amount or value that differs from the amount reported by that individual or
17 committee under s. 11.12 (6) (c) or (8) or 11.20 (3) or (4):

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

21 (b) By more than 10% but not more than 15% cumulatively, the candidate or
22 other individual or committee shall forfeit 6 times the amount or value of the
23 difference.

1 (c) By more than 15% cumulatively, the candidate or other individual or
2 committee shall forfeit 8 times the amount of the difference.”.

3 (END)