

ENGROSSED SENATE BILL 104

1 **SECTION 11.** 11.001 (2m) of the statutes is created to read:

2 11.001 (2m) The legislature finds a compelling justification for minimal
3 disclosure of all communications made near the time of an election that include a
4 reference to a candidate at that election, an office to be filled at that election, or a
5 political party in order to permit increased funding for candidates who are affected
6 by those communications. This minimal disclosure burden is outweighed by the need
7 to establish an effective funding mechanism for affected candidates to effectively
8 respond to communications that may impact an election.

9 **SECTION 13.** 11.01 (12s) of the statutes is repealed.

10 **SECTION 13m.** 11.01 (16) (a) 3. of the statutes is created to read:

11 11.01 (16) (a) 3. A communication that is made by means of one or more
12 communications media, other than a communication that is exempt from reporting
13 under s. 11.29, that is made during the period beginning on the 60th day preceding
14 an election and ending on the date of that election and that includes a reference to
15 a candidate whose name is certified under s. 7.08 (2) (a) or 8.50 (1) (d) to appear on
16 the ballot at that election, a reference to an office to be filled at that election, or a
17 reference to a political party.

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

20 11.05 (1) (a) Except as provided in s. 9.10 (2) (d), every committee, other than
21 a personal campaign committee, and every political group subject to registration
22 under s. 11.23 which that makes or accepts contributions, incurs obligations or
23 makes disbursements in a calendar year in an aggregate amount in excess of \$25
24 shall file a statement with the appropriate filing officer giving the information
25 required by sub. (3). In the case of any committee other than a personal campaign

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1 committee, the statement shall be filed by the treasurer. A personal campaign
2 committee shall register under sub. (2g) ~~or (2r)~~.

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

4 11.05 (1) (b) Every political group subject to registration under s. 11.23 which
5 makes or accepts contributions, incurs obligations, or makes disbursements in a
6 calendar year in an aggregate amount in excess of \$100 shall file a statement with
7 the appropriate filing officer giving the information required by sub. (3).

8 **SECTION 16.** 11.05 (2) of the statutes is renumbered 11.05 (2) (a) and amended
9 to read:

10 11.05 (2) (a) Except as provided in s. 9.10 (2) (d), every individual, other than
11 a candidate or agent of a candidate, who accepts contributions, incurs obligations,
12 or makes disbursements with respect to one or more elections for state or local office
13 in a calendar year in an aggregate amount in excess of \$25 shall file a statement with
14 the appropriate filing officer giving the information required by sub. (3). An
15 individual who guarantees a loan on which an individual, committee or group subject
16 to a registration requirement defaults is not subject to registration under this
17 subsection solely as a result of such default.

18 **SECTION 17.** 11.05 (2) (b) of the statutes is created to read:

19 11.05 (2)(b) Every individual who accepts contributions, incurs obligations, or
20 makes disbursements with respect to one or more referenda in a calendar year in an
21 aggregate amount in excess of \$100 shall file a statement with the appropriate filing
22 officer giving the information required by sub. (3).

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

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

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1 11.06 (2m) (a) Any person, committee or group, other than ~~a committee or an~~
2 individual or committee required to file an oath under s. 11.06 (7), who or which does
3 not anticipate accepting contributions, making disbursements or incurring
4 obligations in an aggregate amount in excess of \$1,000 in a calendar year and does
5 not anticipate accepting any contribution or contributions from a single source, other
6 than contributions made by a candidate to his or her own campaign, exceeding \$100
7 in that year may indicate on its registration statement that the person, committee
8 or group will not accept contributions, incur obligations or make disbursements in
9 the aggregate in excess of \$1,000 in any calendar year and will not accept any
10 contribution or contributions from a single source, other than contributions made by
11 a candidate to his or her own campaign, exceeding \$100 in ~~such~~ any calendar year.
12 Any registrant making such an indication is not subject to any filing requirement if
13 the statement is true. The registrant need not file a termination report. A registrant
14 not making such an indication on a registration statement is subject to a filing
15 requirement. The indication may be revoked and the registrant is then subject to a
16 filing requirement as of the date of revocation, or the date that aggregate
17 contributions, disbursements or obligations for the calendar year exceed \$1,000, or
18 the date on which the registrant accepts any contribution or contributions exceeding
19 \$100 from a single source, other than contributions made by a candidate to his or her
20 own campaign, during that any calendar year, whichever is earlier. ~~If the revocation~~
21 ~~is not timely, the registrant violates s. 11.27 (1).~~

22 **SECTION 20.** 11.05 (3) (c) of the statutes is amended to read:

23 11.05 (3) (c) In the case of a committee, a statement as to whether the
24 committee is a personal campaign committee, a political party committee, a

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1 ~~legislative campaign committee~~, a support committee or a special interest
2 committee.

3 **SECTION 21.** 11.05 (3) (m) of the statutes is created to read:

4 11.05 (3) (m) In the case of a personal campaign committee, the name of the
5 candidate on whose behalf the committee was formed or intends to operate and the
6 office or offices that the candidate seeks.

7 **SECTION 22.** 11.05 (3) (o) of the statutes is repealed.

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

9 11.05 (3) (r) In the case of a candidate or personal campaign committee of a
10 candidate, the telephone number or numbers and a facsimile transmission number
11 or electronic mail address, if any, at which the candidate may be contacted.

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

13 11.05 (5) CHANGE OF INFORMATION. Any change in information previously
14 submitted in a statement of registration shall be reported by the registrant to the
15 appropriate filing officer within 10 days following the change. This period does not
16 apply in case of change of an indication made under ~~sub. (2r)~~ s. 11.06 (2m), which
17 shall be reported no later than the date that a registrant is subject to a filing
18 requirement under ~~sub. (2r)~~ s. 11.06 (2m). Any such change may be reported only by
19 the individual or by the officer who has succeeded to the position of an individual who
20 signed the original statement; but in the case of a personal campaign committee, a
21 candidate or campaign treasurer may report a change in the statement except as
22 provided in s. 11.10 (2), and in the case of any other committee or group, the chief
23 executive officer or treasurer indicated on the statement may report a change. If a
24 preexisting support committee is adopted by a candidate as his or her personal
25 campaign committee, the candidate shall file an amendment to the committee's

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1 statement under this subsection indicating that all information contained in the
2 statement is true, correct and complete.

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

4 11.05 (9) (title) DEPOSIT OF CONTRIBUTIONS; CONDUITS.

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

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

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

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

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

24 11.06 (1) CONTENTS OF REPORT. (intro.) Except as provided in subs. (2), (2m),
25 (3) and (3m) and ~~ss. 11.05 (2r) and s. 11.19 (2)~~, each registrant under s. 11.05 shall

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1 make full reports, upon a form prescribed by the board and signed by the appropriate
2 individual under sub. (5), of all contributions received, contributions or
3 disbursements made, and obligations incurred. Each report shall contain the
4 following information, covering the period since the last date covered on the previous
5 report, unless otherwise provided:

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

7 11.06 (1) (e) An itemized statement of contributions over \$20 from a single
8 source donated to a charitable organization or to the common school fund, with the
9 full name and mailing address of the donee, and a statement of contributions over
10 \$20 transferred to the board for deposit in the Wisconsin election campaign fund.

11 **SECTION 30.** 11.06 (2) of the statutes is amended to read:

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

21 **SECTION 31.** 11.06 (2m) (b) to (d) of the statutes are created to read:

22 11.06 (2m) (b) Any individual or committee who or which is required to file an
23 oath under s. 11.06 (7) and who or which accepts contributions, makes disbursements
24 or incurs obligations for the purpose of supporting or opposing one or more
25 candidates for state office and who or which does not anticipate accepting

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1 contributions, making disbursements or incurring obligations in an aggregate
2 amount in excess of \$1,000 in a calendar year and does not anticipate accepting any
3 contribution or contributions from a single source exceeding \$100 in that year may
4 indicate on its registration statement that the individual or committee will not
5 accept contributions, incur obligations or make disbursements in the aggregate in
6 excess of \$1,000 in any calendar year and will not accept any contribution or
7 contributions from a single source exceeding \$100 in any calendar year. Any
8 registrant making such an indication is not subject to any filing requirement if the
9 statement is true. The registrant need not file a termination report. A registrant not
10 making such an indication on a registration statement is subject to a filing
11 requirement. The indication may be revoked and the registrant is then subject to a
12 filing requirement as of the date of revocation, or the date on which aggregate
13 contributions, disbursements or obligations for the calendar year exceed \$1,000, or
14 the date on which the registrant accepts any contribution or contributions exceeding
15 \$100 from a single source during any calendar year, whichever is earlier.

16 (c) Any individual or committee who or which is required to file an oath under
17 s. 11.06 (7) and who or which accepts contributions, makes disbursements or incurs
18 obligations for the purpose of supporting or opposing one or more candidates for local
19 office but not for the purpose of supporting or opposing any candidate for state office
20 and who or which does not anticipate accepting contributions, making
21 disbursements or incurring obligations in an aggregate amount in excess of \$100 in
22 a calendar year may indicate on its registration statement that the individual or
23 committee will not accept contributions, incur obligations or make disbursements in
24 the aggregate in excess of \$100 in any calendar year and will not accept any
25 contribution or contributions from a single source, other than contributions made by

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1 a candidate to his or her own campaign, exceeding \$100 in any calendar year. Any
2 registrant making such an indication is not subject to any filing requirement if the
3 statement is true. The registrant need not file a termination report. A registrant not
4 making such an indication on a registration statement is subject to a filing
5 requirement. The indication may be revoked and the registrant is then subject to a
6 filing requirement as of the date of revocation, or the date that aggregate
7 contributions, disbursements or obligations for the calendar year exceed \$100,
8 whichever is earlier.

9 (d) If a revocation by a registrant under this subsection is not timely, the
10 registrant violates s. 11.27 (1).

11 **SECTION 32.** 11.06 (4) (b) of the statutes is amended to read:

12 11.06 (4) (b) Unless it is returned or donated within 15 days of receipt, a
13 contribution must be reported as received and accepted on the date received. This
14 subsection paragraph applies notwithstanding the fact that the contribution is not
15 deposited in ~~the~~ a campaign depository account by the closing date for ~~the~~ a reporting
16 period as provided in s. 11.20 (8) or the reporting deadline provided in s. 11.21 (16).

17 **SECTION 33.** 11.06 (5) of the statutes is amended to read:

18 11.06 (5) **REPORT MUST BE COMPLETE.** A registered individual or treasurer of a
19 group or committee shall make a good faith effort to obtain all required information.
20 The first report shall commence no later than the date that the first contribution is
21 received and accepted or the first disbursement is made. Each report shall be filed
22 with the appropriate filing officer on the dates designated in s. 11.20 and, if the
23 registrant files reports under s. 11.21 (16), at the times specified in s. 11.21 (16). The
24 individual or the treasurer of the group or committee shall certify to the correctness
25 of each report. In the case of a candidate, the candidate or treasurer shall certify to

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1 the correctness of each report. If a treasurer is unavailable, any person designated
2 as a custodian under s. 11.05 (3) (e) may certify to the correctness of a report.

3 **SECTION 34.** 11.06 (7m) (a) of the statutes is amended to read:

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

19 **SECTION 35.** 11.06 (7m) (c) of the statutes is amended to read:

20 11.06 (7m) (c) A committee filing an oath under sub. (7) which desires to change
21 its status to a political party committee ~~or legislative campaign committee~~ may do
22 so as of December 31 of any even-numbered year. Section 11.26 does not apply to
23 contributions received by such a committee prior to the date of the change. Such a
24 committee may change its status at other times only by filing a termination

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1 statement under s. 11.19 (1) and reregistering as a newly organized committee under
2 s. 11.05.

3 **SECTION 36.** 11.06 (11) (c) of the statutes is amended to read:

4 11.06 (11) (c) A contribution of money received from a conduit, accompanied by
5 the information required under par. (a), is considered to be a contribution from the
6 original contributor for the purposes of ss. 11.26 (1) and (4) and 11.50 (2) (b) 5.

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

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

18 **SECTION 39.** 11.07 (5) of the statutes is amended to read:

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

25 **SECTION 40.** 11.09 (3) of the statutes is amended to read:

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1 11.09 (3) Each registrant whose filing officer is the board, who or which makes
2 disbursements in connection with elections for offices which serve or referenda
3 which affect only one county or portion thereof, except a candidate, personal
4 campaign committee, political party committee or other committee making
5 disbursements in support of or in opposition to a candidate for state senator,
6 representative to the assembly, court of appeals judge or circuit judge, shall file a
7 duplicate original of each financial report filed with the board with the county clerk
8 or board of election commissioners of the county in which the elections in which the
9 registrant participates are held. Such reports shall be filed no later than the dates
10 specified under s. 11.20 (2) and (4) for the filing of each report with the board. This
11 subsection does not apply to a registrant who or which files reports under s. 11.21
12 (16).

13 **SECTION 41.** 11.10 (1) of the statutes is amended to read:

14 11.10 (1) Each candidate in an election shall appoint one campaign treasurer.
15 Except as provided in s. 11.14 (3), each candidate shall designate one campaign
16 depository account within 5 business days after the candidate receives his or her first
17 contribution and before the candidate makes or authorizes any disbursement in
18 behalf of his or her candidacy. If a candidate adopts a preexisting support committee
19 as his or her personal campaign committee, the candidate shall make such
20 designation within 5 business days of adoption. The person designated as campaign
21 treasurer shall be the treasurer of the candidate's personal campaign committee, if
22 any. The candidate may appoint himself or herself or any other elector as campaign
23 treasurer. A registration statement under s. 11.05 (2g) ~~or (2r)~~ must be filed jointly
24 by every candidate and his or her campaign treasurer. The candidate does not
25 qualify for ballot placement until this requirement is met. Except as authorized

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1 under s. 11.06 (5), the campaign treasurer or candidate shall certify as to the
2 correctness of each report required to be filed, and the candidate bears the
3 responsibility for the accuracy of each report for purposes of civil liability under this
4 chapter, whether or not the candidate certifies it personally.

5 **SECTION 42.** 11.12 (2) of the statutes is amended to read:

6 11.12 (2) Any anonymous contribution exceeding \$10 received by a campaign
7 or committee treasurer or by an individual under s. 11.06 (7) may not be used or
8 expended. The contribution shall be donated to the common school fund or to any
9 charitable organization or transferred to the board for deposit in the Wisconsin
10 election campaign fund, at the option of the treasurer.

11 **SECTION 43.** 11.12 (2m) of the statutes is created to read:

12 11.12 (2m) If the campaign treasurer of a registrant receives a contribution in
13 the form of money that is made by an individual who has made contributions to the
14 registrant cumulatively within a calendar year exceeding \$100 in amount or value,
15 and the contributor has not provided to the treasurer the information required under
16 s. 11.06 (1) (b), the treasurer shall obtain the information from the contributor before
17 depositing the contribution in the campaign depository account. If the treasurer does
18 not receive the information within the period prescribed under s. 11.14 (1), the
19 treasurer shall return the contribution to the contributor.

20 **SECTION 44.** 11.12 (4) of the statutes is amended to read:

21 11.12 (4) Each registrant shall report contributions, disbursements and
22 incurred obligations in accordance with s. 11.20 and, if the registrant files reports
23 under s. 11.21 (16), in accordance with s. 11.21 (16). Except as permitted under s.
24 11.06 (2), (3) and (3m), each report shall contain the information which is required
25 under s. 11.06 (1).

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1 **SECTION 45.** 11.12 (5) of the statutes is amended to read:

2 11.12 (5) If any contribution or contributions of \$500 or more cumulatively are
3 received by a candidate for state office or by a committee or individual from a single
4 contributor later than 15 days prior to a primary or election such that it is not
5 included in the preprimary or preelection report submitted under s. 11.20 (3), the
6 treasurer of the committee or the individual receiving the contribution shall within
7 24 hours of receipt inform the appropriate filing officer of the information required
8 under s. 11.06 (1) in such manner as the board may prescribe. The information shall
9 also be included in the treasurer's or individual's next regular report. For purposes
10 of the reporting requirement under this subsection, only contributions received
11 during the period beginning with the day after the last date covered on the
12 preprimary or preelection report, and ending with the day before the primary or
13 election need be reported. This subsection does not apply to a registrant who or
14 which files reports under s. 11.21 (16).

15 **SECTION 46.** 11.12 (6) of the statutes is renumbered 11.12 (6) (a) and amended
16 to read:

17 11.12 (6) (a) If any an individual or committee incurs an obligation or makes
18 a disbursement of more than \$20 cumulatively is made to advocate the election or
19 defeat of a clearly identified candidate by an individual or committee later than 15
20 days prior to a primary or election in which the candidate's name appears on the
21 ballot without cooperation or consultation with a candidate or agent or authorized
22 committee of a candidate who is supported or whose opponent is opposed, and not in
23 concert with or at the request or suggestion of such a candidate, agent or committee,
24 the individual or treasurer of the committee shall, within 24 hours of after incurring
25 the obligation or making the disbursement, inform the appropriate filing officer of

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1 the information required under s. 11.06 (1) in such manner as the board may
2 prescribe. ~~The information shall also be included in the next regular report of the~~
3 ~~individual or committee under s. 11.20.~~ For purposes of this subsection, paragraph,
4 obligations and disbursements cumulate beginning with the day after the last date
5 covered on the preprimary or preelection report and ending with the day before the
6 primary or election. Upon receipt of a report under this subsection paragraph, the
7 filing officer shall, within 24 hours of receipt, mail a copy of the report to all
8 candidates for any office in support of or opposition to one of whom a an incurred
9 obligation or disbursement identified in the report is incurred or made. A committee
10 that files a report pertaining to a disbursement under par. (c) is not required to file
11 a report pertaining to the same disbursement under this paragraph. This paragraph
12 does not apply to a committee that files reports under s. 11.21 (16).

13 SECTION 47. 11.12 (6) (c) and (d) of the statutes are created to read:

14 11.12 (6) (c) 1. If any committee identified under s. 11.05 (3) (c) as a special
15 interest committee, other than a conduit, intends to receive any contribution, make
16 any disbursement, or incur any obligation to make a disbursement for the purpose
17 of advocating the election or defeat of a clearly identified candidate for a state office
18 specified in s. 11.31 (1) (a) to (de), (e), or (f) at the general or a special election, or any
19 such candidate who seeks a nomination for such an office at a primary election, or
20 for a purpose described in s. 11.01 (16) (a) 3., without cooperation or consultation with
21 a candidate or agent or authorized committee of a candidate who is supported or
22 whose opponent is opposed, and not in concert with or at the request or suggestion
23 of such a candidate, agent, or committee, the committee shall report to the board at
24 the times specified in s. 11.20 (2s), in such manner as the board may prescribe, the
25 name of each candidate who is supported or whose opponent is opposed and the total

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1 amount of contributions to be received, disbursements to be made, and obligations
2 to be incurred for such a purpose in support or opposition to that candidate during
3 the 21-day period following the date on which the report is due to be filed.

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

12 3. A committee which files a report under this paragraph concerning a
13 disbursement is not required to file a report pertaining to the same disbursement
14 under par. (a).

15 (d) All information reported by a registrant under this subsection shall also be
16 included in the next regular report of the registrant under s. 11.20.

17 **SECTION 48.** 11.12 (8) and (9) of the statutes are created to read:

18 11.12 (8) If a candidate for a state office specified in s. 11.31 (1) (a) to (de), (e),
19 or (f) who does not accept a grant under s. 11.50 makes any disbursement after that
20 candidate has accumulated cash in his or her campaign depository account or has
21 made disbursements during his or her campaign, as defined in s. 11.31 (7), exceeding
22 a combined total of 75% of the amount specified in s. 11.31 (1) (a) to (de), (c), or (f),
23 as adjusted under s. 11.31 (9), for the office that the candidate seeks, that candidate
24 or the candidate's personal campaign committee shall file daily reports with the
25 board and with each candidate whose name is certified to appear on the ballot for the

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1 office in connection with which the disbursement is made, by electronic mail or
2 facsimile transmission, on each day beginning with that date or the 7th day after the
3 primary election or the date that a primary would be held, if required, whichever is
4 later, and ending on the date of the election at which the candidate seeks office. Each
5 report shall contain information pertaining to each disbursement made by the
6 candidate or committee and shall be filed no later than 24 hours after that
7 disbursement is made. Each report shall include the same information concerning
8 each disbursement that is required to be reported for other disbursements under s.
9 11.06 (1). The information shall also be included in the next regular report of the
10 candidate or committee under s. 11.20.

11 (9) Whenever a report is required to be filed with a candidate by electronic mail
12 or facsimile transmission under this section, the report shall be filed at the address
13 or number of the candidate or personal campaign committee as shown on the
14 registration statement of the candidate or committee. If no electronic mail address
15 or facsimile transmission number is shown, the report shall be filed at the mailing
16 address shown on the statement.

17 **SECTION 49.** 11.14 (3) of the statutes is amended to read:

18 11.14 (3) Notwithstanding sub. (1), any candidate who serves as his or her own
19 campaign treasurer and who is authorized to make and makes an indication on his
20 or her registration statement under s. ~~11.05 (2r)~~ 11.06 (2m) that he or she will not
21 accept contributions, make disbursements or incur obligations in an aggregate
22 amount exceeding \$1,000 in a calendar year, and will not accept any contribution or
23 contributions from a single source, other than contributions made by the candidate
24 to his or her own campaign, exceeding \$100 in a calendar year, may designate a single
25 personal account as his or her campaign depository account, and may intermingle

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1 personal and other funds with campaign funds. If a separate depository account is
2 later established by the candidate, the candidate shall transfer all campaign funds
3 in the personal account to the new depository account. Disbursements made from
4 such personal account need not be identified in accordance with s. 11.16 (3).

5 **SECTION 50.** 11.16 (2) of the statutes is amended to read:

6 11.16 (2) LIMITATION ON CASH CONTRIBUTIONS. Every contribution of money
7 exceeding \$50 shall be made by negotiable instrument or evidenced by an itemized
8 credit card receipt bearing on the face the name of the remitter. No treasurer may
9 accept a contribution made in violation of this subsection. The treasurer shall
10 promptly return the contribution, ~~or donate it~~ the contribution to the common school
11 fund or to a charitable organization or transfer the contribution to the board for
12 deposit in the Wisconsin election campaign fund in the event that the donor cannot
13 be identified.

14 **SECTION 51.** 11.16 (5) of the statutes is amended to read:

15 11.16 (5) ESCROW AGREEMENTS. Any personal campaign committee, or political
16 party committee ~~or legislative campaign committee~~ may, pursuant to a written
17 escrow agreement with more than one candidate, solicit contributions for and
18 conduct a joint fund raising effort or program on behalf of more than one named
19 candidate. The agreement shall specify the percentage of the proceeds to be
20 distributed to each candidate by the committee conducting the effort or program.
21 The committee shall include this information in all solicitations for the effort or
22 program. All contributions received and disbursements made by the committee in
23 connection with the effort or program shall be received and disbursed through a
24 separate depository account under s. 11.14 (1) that is identified in the agreement.
25 For purposes of s. 11.06 (1), the committee conducting the effort or program shall

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1 prepare a schedule in the form prescribed by the board supplying all required
2 information under s. 11.06 (1) and items qualifying for exclusion under s. 11.31 (6)
3 for the effort or program, and shall transmit a copy of the schedule to each candidate
4 who receives any of the proceeds within the period prescribed in s. 11.06 (4) (c).

5 **SECTION 52.** 11.19 (title) of the statutes is amended to read:

6 **11.19 (title) ~~Dissolution~~ Carry-over of surplus funds; dissolution of**
7 **registrants; termination reports.**

8 **SECTION 53.** 11.19 (1) of the statutes is amended to read:

9 11.19 (1) Whenever any registrant disbands or determines that obligations will
10 no longer be incurred, and contributions will no longer be received nor disbursements
11 made during a calendar year, and the registrant has no outstanding incurred
12 obligations, the registrant shall file a termination report with the appropriate filing
13 officer. Such report shall indicate a cash balance on hand of zero at the end of the
14 reporting period and shall indicate the disposition of residual funds. Residual funds
15 may be used for any political purpose not prohibited by law, returned to the donors
16 in an amount not exceeding the original contribution, transferred to the board for
17 deposit in the Wisconsin election campaign fund or donated to a charitable
18 organization or the common school fund. The report shall be filed and certified as
19 were previous reports, and shall contain the information required by s. 11.06 (1). A
20 registrant to which s. 11.055 (1) applies shall pay the fee imposed under that
21 subsection with a termination report filed under this subsection. If a termination
22 report or suspension report under sub. (2) is not filed, the registrant shall continue
23 to file periodic reports with the appropriate filing officer, no later than the dates
24 specified in s. 11.20 and, if the registrant files reports under s. 11.21 (16), no later

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1 than the times specified in s. 11.21 (16). This subsection does not apply to any
2 registrant making an indication under s. ~~11.05 (2r)~~ 11.06 (2m).

3 **SECTION 54.** 11.20 (1) of the statutes is amended to read:

4 11.20 (1) All reports required by s. 11.06 which relate to activities which
5 promote or oppose candidates for state office or statewide referenda and all reports
6 under s. 11.08 shall be filed with the board. All reports required by s. 11.06 which
7 relate to activities which promote or oppose candidates for local office or local
8 referenda shall be filed with the appropriate filing officer under s. 11.02, except
9 reports filed under s. 11.08. Each registrant shall file the reports required by this
10 section. If the registrant is subject to a requirement under s. 11.21 (16) to report
11 electronically the same information that is reportable under this section, the
12 registrant shall, in addition, file the reports required by this section recorded on a
13 medium specified by the board.

~~14~~ **SECTION 54g.** 11.20 (2s) of the statutes is created to read:

15 11.20 (2s) A registrant who or which is required to file reports under s. 11.12
16 (6) (c) 1. with respect to a candidate at the general election shall file the reports on
17 the 63rd, 42nd, and 21st day prior to that election. A registrant who is required to
18 file reports under s. 11.12 (6) (c) 1. with respect to a special election shall file a report
19 on the 21st day prior to that election.

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

21 11.20 (2t) A registrant who or which is required to file reports under s. 11.12
22 (6) (c) 2. with respect to a candidate at the general election shall file the reports no
23 later than the 39th and 18th days prior to that election. A registrant who or which
24 is required to file reports under s. 11.12 (6) (c) 2. with respect to a candidate at a
~~25~~ special election shall file the reports no later than the 18th day prior to that election.

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1 **SECTION 55.** 11.20 (7) of the statutes is amended to read:

2 11.20 (7) ~~In~~ Except as otherwise required under s. 11.21 (16), in the event that
3 any report is required to be filed under this ~~section~~ chapter on a nonbusiness day, it
4 may be filed on the next business day thereafter.

5 **SECTION 56.** 11.20 (9) of the statutes is amended to read:

6 11.20 (9) Except as provided in ss. ~~11.05 (2r)~~ 11.06 (2m) and 11.19 (2), the duty
7 to file reports under this section continues until a termination report is filed in
8 accordance with s. 11.19.

9 **SECTION 57.** 11.20 (10) (a) of the statutes is amended to read:

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

17 **SECTION 58.** 11.20 (12) of the statutes is amended to read:

18 11.20 (12) If a candidate is unopposed in a primary or election, the obligation
19 to file the reports required by this chapter does not cease. Except as provided in ss.
20 ~~11.05 (2r)~~ 11.06 (2m) and 11.19 (2), a registrant who makes or receives no
21 contributions, makes no disbursements or incurs no obligations shall so report on the
22 dates designated in subs. (2) and (4).

23 **SECTION 59.** 11.21 (2) of the statutes is amended to read:

24 11.21 (2) Furnish to each registrant prescribed forms for the making of reports
25 and statements. Forms shall be sent by 1st class mail not earlier than 21 days and

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1 not later than 14 days prior to the applicable filing deadline under s. 11.20, and
2 addressed to the attention of the treasurer or other person indicated on the
3 registration statement. Forms need not be sent to a registrant who has made an
4 indication that aggregate contributions, disbursements and obligations will not
5 exceed the amount specified under s. ~~11.05 (2r)~~ 11.06 (2m) or to a registrant who has
6 been granted a suspension under s. 11.19 (2). Forms for reports shall not be sent by
7 the board to a registrant if the registrant is required to file reports with the board
8 in an electronic format. Whenever any notice of filing requirements under this
9 chapter is sent to a candidate's campaign treasurer, the board shall also send a notice
10 to the candidate if he or she has appointed a separate treasurer. Failure to receive
11 any form or notice does not exempt a registrant from compliance with this chapter.

12 **SECTION 60.** 11.21 (15) of the statutes is amended to read:

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

19 **SECTION 61.** 11.21 (16) of the statutes is amended to read:

20 11.21 (16) Require each registrant for whom the board serves as filing officer
21 and who or which accepts contributions in a total amount or value of \$20,000 or more
22 during a campaign period to file each campaign finance report that is required to be
23 filed under this chapter in an electronic format, and accept from any other registrant
24 for whom the board serves as a filing officer any campaign finance report that is
25 required to be filed under this chapter in an electronic format. A registrant who or

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1 which becomes subject to a requirement to file reports in an electronic format under
2 this subsection shall initially file the registrant's report in an electronic format for
3 the period which includes the date on which the registrant becomes subject to the
4 requirement or, if the registrant is required to report transactions within 24 hours
5 of their occurrence, within 24 hours after the date on which the registrant becomes
6 subject to the requirement. To facilitate implementation of this subsection, the board
7 shall specify, by rule, a type of software that is suitable for compliance with the
8 electronic filing requirement under this subsection. The board shall provide copies
9 of the software to registrants at a price fixed by the board that may not exceed cost.
10 Each registrant who or which files a report under this subsection in an electronic
11 format shall also file a copy of the report with the board that is recorded on a medium
12 specified by the board. The copy shall be signed by an authorized individual and filed
13 with the board by each registrant no later than the time prescribed for filing of the
14 report under this chapter. If a registrant is a committee, the copy shall be certified
15 by an authorized individual and filed with the board by the registrant no later than
16 24 hours after the occurrence of any transaction that is reportable under s. 11.06 (1).
17 If a registrant or other person becomes subject to a requirement to report
18 electronically under this subsection, the registrant or other person shall continue to
19 report electronically regardless of the amount of contributions accepted or
20 expenditures made by the registrant or other person, until a termination report is
21 filed. The board shall provide complete instructions to any registrant who or which
22 files a report under this subsection. In this subsection, the "campaign period" of a
23 candidate, personal campaign committee or support committee begins and ends with
24 the "campaign" of the candidate whose candidacy is supported, as defined in s. 11.26
25 (17), and the "campaign period" of any other registrant begins on January 1 of each

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1 odd-numbered year and ends on December 31 of the following year. Section 990.001
2 (4) does not apply to the computation of time permitted for compliance with the filing
3 requirements under this subsection.

4 **SECTION 62.** 11.22 (3) of the statutes is amended to read:

5 11.22 (3) Furnish to each registrant prescribed forms for the making of reports
6 and statements. Forms shall be sent by 1st class mail not earlier than 21 days and
7 not later than 14 days prior to the applicable filing deadline under s. 11.20 and
8 addressed to the attention of the treasurer or other person indicated on the
9 registration statement. Forms need not be sent to a registrant who has made an
10 indication that aggregate contributions, disbursements and obligations will not
11 exceed the amount specified under s. ~~11.05 (2r)~~ 11.06 (2m) or to a registrant who has
12 been granted a suspension under s. 11.19 (2). Whenever any notice of the filing
13 requirements under this chapter is sent to a candidate's campaign treasurer, the
14 filing officer shall also send a notice to the candidate if he or she has appointed a
15 separate treasurer. Failure to receive any form or notice does not exempt a registrant
16 from compliance with this chapter.

17 **SECTION 63.** 11.23 (1) of the statutes is amended to read:

18 11.23 (1) Any group or individual may promote or oppose a particular vote at
19 any referendum in this state. Before making disbursements, receiving contributions
20 or incurring obligations in excess of ~~\$25~~ \$100 in the aggregate in a calendar year for
21 such purposes, the group or individual shall file a registration statement under s.
22 11.05 (1), or (2) ~~or (2r)~~. In the case of a group the name and mailing address of each
23 of its officers shall be given in the statement. Every group and every individual
24 under this section shall designate a campaign depository account under s. 11.14.
25 Every group shall appoint a treasurer, who may delegate authority but is jointly

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1 responsible for the actions of his or her authorized designee for purposes of civil
2 liability under this chapter. The appropriate filing officer shall be notified by a group
3 of any change in its treasurer within 10 days of the change under s. 11.05 (5). The
4 treasurer of a group shall certify the correctness of each statement or report
5 submitted by it under this chapter.

6 **SECTION 64.** 11.23 (2) of the statutes is amended to read:

7 11.23 (2) Any anonymous contribution exceeding \$10 received by an individual
8 or group treasurer may not be used or expended. The contribution shall be donated
9 to the common school fund or to any charitable organization or transferred to the
10 board for deposit in the Wisconsin election campaign fund, at the option of the
11 treasurer.

12 **SECTION 65.** 11.24 (1w) of the statutes is created to read:

13 11.24 (1w) No candidate or personal campaign committee of a candidate who
14 applies for a grant under s. 11.50 may accept any contribution from a committee
15 other than a political party committee.

16 **SECTION 66.** 11.24 (2) of the statutes is renumbered 11.24 (5).

17 **SECTION 67.** 11.24 (4) of the statutes is created to read:

18 11.24 (4) (a) No person may make a contribution to an incumbent partisan state
19 elective official or to the personal campaign committee or support committee
20 authorized under s. 11.05 (3) (p) of that official for the purpose of promoting that
21 official's nomination or reelection to the office held by the official during the period
22 beginning on the first Monday of January in each odd numbered year and ending
23 on the date of enactment of the biennial budget act.

24 (b) Notwithstanding par. (a), a person may make a contribution to an
25 incumbent partisan state elective official against whom a recall petition has been

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1 filed during the period beginning on the date that the petition offered for filing is filed
2 under s. 9.10 (3) (b) and ending on the date of the recall election unless the official
3 resigns at an earlier date under s. 9.10 (3) (c).

~~4~~ **SECTION 67m.** 11.25 (2) (b) of the statutes is amended to read:

5 11.25 (2) (b) Notwithstanding par. (a), a registrant may accept contributions
6 and make disbursements from a campaign depository account for the purpose of
7 making expenditures in connection with a campaign for national office; for payment
8 of civil penalties incurred by the registrant under this chapter but not under any
9 other chapter; or for payment of the expenses of nonpartisan campaigns to increase
10 voter registration or participation. Notwithstanding par. (a), a personal campaign
11 committee or support committee may accept contributions and make disbursements
12 from a campaign depository account for payment of inaugural expenses of an
13 individual who is elected to state or local office. If such expenses are paid from
14 contributions made to the campaign depository account, they are reportable under
15 s. 11.06 (1) as disbursements. Otherwise, such expenses are not reportable under s.
16 11.06 (1). If contributions from the campaign depository account are used for such
~~17~~ expenses, they are subject to s. 11.26.

18 **SECTION 68.** 11.26 (1) (intro.) of the statutes is amended to read:

19 11.26 (1) (intro.) No individual, except an individual serving as a conduit, may
20 make any contribution or contributions to a candidate for election or nomination to
21 any of the following offices and to any individual or committee under s. 11.06 (7)
22 acting solely in support of such a candidate or solely in opposition to the candidate's
23 opponent to the extent of more than a total of the amounts specified per candidate:

24 **SECTION 69.** 11.26 (2) (intro.) of the statutes is amended to read:

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1 11.26 (2) (intro.) No committee, other than a political party committee or
2 ~~legislative campaign committee, and no individual or committee serving as a~~
3 conduit, may make any contribution or contributions to a candidate for election or
4 nomination to any of the following offices and to any individual or committee under
5 s. 11.06 (7) acting solely in support of such a candidate or solely in opposition to the
6 candidate's opponent to the extent of more than a total of the amounts specified per
7 candidate:

8 SECTION 70. 11.26 (2) (a) of the statutes is amended to read:

9 11.26 (2) (a) Candidates for governor, ~~lieutenant governor, secretary of state,~~
10 ~~state treasurer, attorney general, state superintendent or justice, 4% of the value of~~
11 ~~the disbursement level specified in the schedule under s. 11.31 (1) \$45,000.~~

12 SECTION 71. 11.26 (2) (ad) to (au) of the statutes are created to read:

13 11.26 (2) (ad) Candidates for lieutenant governor, \$15,000.

14 (am) Candidates for attorney general, \$25,000.

15 (au) Candidates for secretary of state, state treasurer, state superintendent, or
16 justice, \$10,000.

17 SECTION 72. 11.26 (4) of the statutes is amended to read:

18 11.26 (4) ~~No~~ Except as provided in sub. (10), no individual, except an individual
19 serving as a conduit, may make any contribution or contributions to all candidates
20 for state and local offices and to any individuals who or committees which are subject
21 to a registration requirement under s. 11.05, including ~~legislative campaign~~
22 ~~committees and committees of a political party, to the extent of more than a total of~~
23 \$10,000 in any calendar year.

24 SECTION 73. 11.26 (8) of the statutes is amended to read:

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1 11.26 (8) (a) No political party as defined in s. 5.02 (13) may receive more than
2 a total of ~~\$150,000~~ \$450,000 in value of its contributions in any biennium from all
3 other committees, excluding ~~contributions from legislative campaign committees~~
4 ~~and~~ transfers between party committees of the party. In this paragraph, a biennium
5 commences with January 1 of each odd-numbered year and ends with December 31
6 of each even-numbered year.

7 (b) No such political party may receive more than a total of ~~\$6,000~~ \$18,000 in
8 value of its contributions in any calendar year from any specific committee or its
9 subunits or affiliates, excluding ~~legislative campaign and~~ political party committees.

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

14 **SECTION 74.** 11.26 (8m) of the statutes is created to read:

15 11.26 (8m) (a) Except as provided in par. (b), no committee may make a
16 contribution to any other committee except a political party, personal campaign, or
17 support committee.

18 (b) Paragraph (a) does not apply to any contribution made by a committee that
19 is affiliated with a labor organization to any other committee that is affiliated with
20 the same labor organization.

21 **SECTION 75b.** 11.26 (9) (a) of the statutes is renumbered 11.26 (9) (a) (intro.)
22 and amended to read:

23 11.26 (9) (a) (intro.) No individual who is a candidate for state or local office may
24 receive and accept more than ~~65% of the value of the total disbursement level~~
25 ~~determined under s. 11.31 for the office for which he or she is a candidate~~ the

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1 following amount during any primary and election campaign combined from all
2 committees ~~subject to a filing requirement, including political party and legislative~~
3 ~~campaign committees;~~

4 SECTION 75c. 11.26 (9) (a) 1. to 7. of the statutes are created to read:

5 11.26 (9) (a) 1. For a candidate for the office of governor, \$400,000.

6 2. For a candidate for the office of lieutenant governor, \$100,000.

7 3. For a candidate for the office of attorney general, \$100,000.

8 4. For a candidate for the office of secretary of state, state treasurer, justice or
9 state superintendent, \$50,000.

10 5. For a candidate for the office of state senator, \$24,000.

11 6. For a candidate for the office of representative to the assembly, \$12,000.

12 7. For a candidate for any other state or local office, 20% of the value of the total
13 disbursement level, as determined under s. 11.31 (1) and adjusted as provided under
14 s. 11.31 (9) but without respect to any adjustment under s. 11.31 (1m), for the office
15 for which he or she is a candidate.

16 SECTION 75d. 11.26 (9) (b) of the statutes is renumbered 11.26 (9) (b) (intro.)
17 and amended to read:

18 11.26 (9) (b) (intro.) No individual who is a candidate for state or local office may
19 receive and accept more than 45% of the value of the total disbursement level
20 ~~determined under s. 11.31 for the office for which he or she is a candidate~~ the
21 following amount during any primary and election campaign combined from all
22 committees other than political party and legislative campaign committees subject
23 to a filing requirement;

24 SECTION 75e. 11.26 (9) (b) 1. to 7. of the statutes are created to read:

25 11.26 (9) (b) 1. For a candidate for the office of governor, \$485,190.

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- 1 2. For a candidate for the office of lieutenant governor, \$145,564.
- 2 3. For a candidate for the office of attorney general, \$ 242,550.
- 3 4. For a candidate for the office of secretary of state, state treasurer, justice or
- 4 state superintendent, \$97,031.
- 5 5. For a candidate for the office of state senator, \$15,525.
- 6 6. For a candidate for the office of representative to the assembly, \$7,763.
- 7 7. For a candidate for any other state or local office, 25% of the value of the total
- 8 disbursement level, as determined under s. 11.31 (1) and as adjusted as provided
- 9 under s. 11.31 (9) but without respect to any adjustment under s. 11.31 (1m), for the
- 10 office for which he or she is a candidate.

11 **SECTION 76.** 11.26 (9) (c) of the statutes is repealed.

12 **SECTION 77.** 11.26 (10) of the statutes is amended to read:

13 **11.26 (10)** No candidate for state office who files a sworn statement and

14 application to receive a grant from the Wisconsin election campaign fund may make

15 contributions of more than 200% of the amounts specified in sub. (1) to the

16 candidate's own campaign from the candidate's personal funds or property or the

17 personal funds or property which are owned jointly or as marital property with the

18 candidate's spouse, unless the board determines that the candidate is not eligible to

19 receive a grant, ~~the candidate withdraws his or her application under s. 11.50 (2) (h),~~

20 ~~or s. 11.50 (2) (i) applies.~~ For purposes of this subsection, any contribution received

21 by a candidate or his or her personal campaign committee from a committee which

22 is registered with the federal elections commission as the authorized committee of

23 the candidate under 2 USC 432 (e) shall be treated as a contribution made by the

24 candidate to his or her own campaign. The contribution limit of sub. (4) applies to

25 amounts contributed by such a candidate personally to the candidate's own

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1 campaign and to other campaigns, except that a candidate may exceed the limitation
2 if authorized under this subsection to contribute more than the amount specified to
3 the candidate's own campaign, up to the amount of the limitation.

4 **SECTION 78.** 11.26 (12m) of the statutes is amended to read:

5 11.26 (12m) For purposes of ~~this section~~ subs. (1) and (4), a contribution of
6 money received from a conduit identified in the manner prescribed in s. 11.06 (11)
7 (a) shall be considered a contribution received from the original contributor.

8 **SECTION 79.** 11.265 of the statutes is repealed.

9 **SECTION 81.** 11.31 (1) (intro.) of the statutes is amended to read:

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

15 **SECTION 82.** 11.31 (1) (a) to (d) of the statutes are amended to read:

16 11.31 (1) (a) Candidates for governor, ~~\$1,078,200~~ \$2,000,000.

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

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

19 (d) Candidates for secretary of state, state treasurer, justice or state
20 superintendent, ~~\$215,625~~ \$250,000.

21 **SECTION 83.** 11.31 (1) (de) of the statutes is created to read:

22 11.31 (1) (de) Candidates for justice, \$300,000.

23 **SECTION 84.** 11.31 (1) (e) and (f) of the statutes are amended to read:

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

4 (f) Candidates for representative to the assembly, ~~\$17,250~~ [✓] \$50,000 total in the
5 primary and election, with disbursements not exceeding ~~\$10,775~~ \$36,000 for either
6 the primary or the election.

7 **SECTION 85.** 11.31 (1m) of the statutes is created to read:

8 **11.31 (1m) DISBURSEMENT LEVEL FOR CANDIDATES IN COMPETITIVE PARTISAN**
9 **PRIMARY ELECTIONS.** The total disbursement level for any candidate for a partisan
10 office at a general or special election whose name appears on the ballot as a candidate
11 for an office at a primary election preceding that election and who receives less than
12 twice as many votes at that primary election as another candidate for the same office
13 within the same political party, and who has an opponent in the general or special
14 election who received at least 6% of the votes cast for all candidates for the office that
15 the candidate seeks on all ballots at the September primary or any special primary
16 preceding the general or special election, is 120% of the amount specified in sub. (1)
17 for the candidate for the same office who receives the greatest number of votes in the
18 primary election, as adjusted as provided in sub. (9).

19 **SECTION 86.** 11.31 (2) of the statutes is amended to read:

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

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

10 **SECTION 87.** 11.31 (2m) of the statutes is repealed:

11 **SECTION 88.** 11.31 (3) of the statutes is amended to read:

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

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

19 11.31 (3p) CANDIDATES RECEIVING ADDITIONAL GRANTS; EXCEPTION. If a candidate
 20 receives a grant under s. 11.50 (9) ^{3✓}(ba) ^{3✓}or (bb), the disbursement limitation of that
 21 candidate for the campaign in which the grant is received is increased by the amount
 22 of that grant.

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

24 11.31 (9) ADJUSTMENT OF DISBURSEMENT LEVELS. (a) In this subsection,
 25 "consumer price index" means the average of the consumer price index over each

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

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

16 **SECTION 91.** 11.38 (1) (a) 2. of the statutes is amended to read:

17 11.38 (1) (a) 2. Notwithstanding subd. 1., any such corporation or association
18 may establish and administer a separate segregated fund and solicit contributions
19 from individuals to the fund to be utilized by such corporation or association, for the
20 purpose of supporting or opposing any candidate for state or local office but the
21 corporation or association may not make any contribution to the fund. The fund shall
22 appoint a treasurer and shall register as a political committee under s. 11.05. A
23 parent corporation or association engaging solely in this activity is not subject to
24 registration under s. 11.05, but shall register and file special reports on forms
25 prescribed by the board disclosing its administrative and solicitation expenses on

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1 behalf of such fund. A corporation not domiciled in this state need report only its
2 expenses for administration and solicitation of contributions in this state together
3 with a statement indicating where information concerning other administration and
4 solicitation expenses of its fund may be obtained. The reports shall be filed with the
5 filing officer for the fund specified in s. 11.02 in the manner provided under s. 11.21
6 (16), if applicable, or otherwise in the manner in which continuing reports are filed
7 under s. 11.20 (4) and (8).

8 **SECTION 92.** 11.38 (6) of the statutes is amended to read:

9 11.38 (6) Any individual or campaign treasurer who receives funds in violation
10 of this section shall promptly return such funds to the contributor or, donate the
11 funds to the common school fund or a charitable organization or transfer the funds
12 to the board for deposit in the Wisconsin election campaign fund, at the treasurer's
13 option.

14 **SECTION 93.** 11.38 (8) (b) of the statutes is amended to read:

15 11.38 (8) (b) Except as authorized in s. 11.05 (12) (b) and (13), prior to making
16 any disbursement on behalf of a political group which is promoting or opposing a
17 particular vote at a referendum and prior to accepting any contribution or making
18 any disbursement to promote or oppose a particular vote at a referendum, a
19 corporation or association organized under ch. 185 shall register with the
20 appropriate filing officer specified in s. 11.02 and appoint a treasurer. The
21 registration form of the corporation or association under s. 11.05 shall designate an
22 account separate from all other corporation or association accounts as a campaign
23 depository account, through which all moneys received or expended for the adoption
24 or rejection of the referendum shall pass. The corporation or association shall file

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1 periodic reports under s. 11.20 and under s. 11.21 (16), if applicable, providing the
2 information required under s. 11.06 (1).

3 **SECTION 94.** 11.50 (1) (a) 1. (intro.) of the statutes is created to read:

4 11.50 (1) (a) 1. (intro.) For purposes of qualification for a grant from the general
5 account:

6 **SECTION 95.** 11.50 (1) (a) 1. of the statutes is renumbered 11.50 (1) (a) 1. a.

7 **SECTION 96.** 11.50 (1) (a) 2. of the statutes is renumbered 11.50 (1) (a) 1. b.

8 **SECTION 97.** 11.50 (1) (a) 2m. of the statutes is created to read:

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

15 **SECTION 98.** 11.50 (1) (am) of the statutes is created to read:

16 11.50 (1) (am) "Eligible political party" means any of the following:

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

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

ENGROSSED SENATE BILL 104**SECTION 99**

1 **SECTION 99.** 11.50 (1) (bm) and (cm) of the statutes are created to read:

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

4 (cm) “Political party account” means an account in the fund created under sub.
5 (2s).

6 **SECTION 100.** 11.50 (2) (a) of the statutes is amended to read:

7 11.50 (2) (a) Any individual who desires to qualify as an eligible candidate may
8 file an application with the board requesting approval to participate in the fund. The
9 application shall be filed no later than the applicable deadline for filing nomination
10 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.
11 on the 7th day after the primary or date on which the primary would be held if
12 required in the case of write-in candidates, or no later than 4:30 p.m. on the 7th day
13 after appointment in the case of candidates appointed to fill vacancies. The
14 application shall contain a sworn statement that the candidate and his or her
15 authorized agents have complied with the contribution limitations prescribed in s.
16 11.26 and the disbursement limitations ~~prescribed~~ imposed under s. 11.31 (2), as
17 adjusted under s. 11.31 (9), at all times to which such limitations have applied to his
18 or her candidacy and will continue to comply with the limitations at all times to
19 which the limitations apply to his or her candidacy for the office in contest, unless
20 the board determines that the candidate is not eligible to receive a grant, ~~the~~
21 ~~candidate withdraws his or her application under par. (h), or par. (i) s. 11.31 (3p)~~
22 applies. The application shall also contain a sworn statement that the candidate and
23 his or her agents have not accepted any contribution made by a committee other than
24 a political party committee during the campaign, or, if any such contribution has
25 been accepted, that the contribution has been returned or donated as provided in par.

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1 (j), and the candidate and his or her agents will not accept any such contribution
2 during the campaign, unless the candidate is determined by the board to be ineligible
3 to receive a grant after the date of that determination.

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

5 11.50 (2) (b) 5. The financial reports filed by or on behalf of the candidate as
6 of the date of the spring or September primary, or the date that the special primary
7 is or would be held, if required, indicate that the candidate has received an amount
8 equal to at least the amount provided in this subdivision 3% of the applicable
9 authorized disbursement limitation, as determined under s. 11.31 (1) and adjusted
10 under s. 11.31 (9) but without respect to any adjustment under s. 11.31 (1m), from
11 contributions of money, other than loans, made by individuals who reside in this
12 state and, in the case of a candidate for legislative office, by individuals at least 50%
13 of whom reside in a county having territory within the legislative district in which
14 the candidate seeks office, which contributions have been received during the period
15 ending on the date of the spring primary and July 1 preceding such date in the case
16 of candidates at the spring election, or the date of the September primary and
17 January 1 preceding such date in the case of candidates at the general election, or
18 the date that a special primary will or would be held, if required, and 90 days
19 preceding such date or the date a special election is ordered, whichever is earlier, in
20 the case of special election candidates at a special election, which contributions are
21 in the aggregate amount of \$100 or less, and which contributions are fully identified
22 and itemized as to the exact source thereof. A contribution received from a conduit
23 which is identified by the conduit as originating from an individual shall be
24 considered a contribution made by the individual. Only the first \$100 of an aggregate
25 contribution of more than \$100 may be counted toward the required percentage. For

ENGROSSED SENATE BILL 104**SECTION 101**

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

6 **SECTION 102.** 11.50 (2) (c) of the statutes is amended to read:

7 11.50 (2) (c) If a candidate has not filed financial reports as of the date of the
8 spring primary, September primary, special primary, or date that the special primary
9 would be held, if required, which indicate that he or she has met the qualification
10 under par. (b) 5., the candidate may file a special report with the board. Such report
11 shall be filed not later than the 7th day after the primary, or 7th day after the date
12 the primary would be held, if required, and shall include such supplementary
13 information as to sources of contributions which may be necessary to complete the
14 candidate's qualification. The special report shall cover the period from the day after
15 the last date covered on the candidate's most recent report, or from the date on which
16 the first contribution was received or the first disbursement was made, whichever
17 is earlier, if the candidate has not previously filed a report, to the date of such report.
18 All information included on the special report shall also be included in the
19 candidate's next report under s. 11.20. This paragraph does not apply to a candidate
20 who files reports under s. 11.21 (16).

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

22 11.50 (2) (g) A candidate who voluntarily files an application to receive a grant
23 in accordance with this subsection accepts and agrees to comply with the
24 contribution limitations prescribed in s. 11.26 and the disbursement limitations
25 imposed under s. 11.31 (2), as adjusted under s. 11.31 (9), as binding upon himself

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1 or herself and his or her agents during the campaign of that candidate as defined in
2 s. 11.31 (7), as a precondition to receipt of a grant under this section, unless the board
3 determines that the candidate is not eligible to receive a grant, ~~the candidate~~
4 ~~withdraws the application under par. (h), or par. (i) s. 11.31 (3p) applies.~~

5 **SECTION 104.** 11.50 (2) (h) of the statutes is repealed.

6 **SECTION 105.** 11.50 (2) (i) of the statutes is repealed.

7 **SECTION 106.** 11.50 (2) (j) of the statutes is created to read:

8 11.50 (2) (j) If a candidate who desires to apply for a grant has accepted, or the
9 candidate's personal campaign committee has accepted, a contribution from a
10 committee other than a political party committee during the campaign for the office
11 that the candidate seeks, the candidate shall, before filing an application to receive
12 a grant, return the contribution or its monetary equivalent to the contributor, or, at
13 the contributor's option, donate an amount equal to the contribution to the fund or
14 to the common school fund. If the board later determines that the candidate is
15 ineligible to receive a grant, the candidate may then accept contributions from
16 committees other than political party committees after the date of that
17 determination.

18 **SECTION 107.** 11.50 (2m) of the statutes is created to read:

19 11.50 (2m) PUBLIC INFORMATION. (a) Annually, no later than September 1, the
20 board may notify the state treasurer that an amount not exceeding 5% of the amount
21 transferred to the fund in that year shall be placed in a public information account.
22 Moneys in this account shall be expended by the board for the purpose of providing
23 public information concerning the purpose and effect of this section and s. 71.10 (3).

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1 (b) As part of the public information program under par. (a), the board shall
2 prepare an easily understood description of the purpose and effect of this section and
3 s. 71.10 (3).

4 (c) Any amount placed in the public information account that is not expended
5 by the board in any year shall be retained in that account.

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

7 11.50 (2s) POLITICAL PARTY ACCOUNTS. (a) There is established a political party
8 account for each eligible political party. Each political party account consists of all
9 moneys designated by individuals for deposit in that account under s. 71.10 (3) (a).

10 (b) From the account of each eligible political party, the board shall apportion
11 moneys to eligible candidates representing that party who qualify to receive grants.
12 Whenever an eligible candidate representing an eligible political party receives a
13 grant, the state treasurer shall first make payment of the grant from the political
14 party account of that party, to the extent that sufficient moneys are available in that
15 account to make payment of the grant.

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

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

20 11.50 (2w) GENERAL ACCOUNT. There is established a general account within
21 the fund consisting of all moneys designated by individuals for deposit in that
22 account under s. 71.10 (3) (a).

23 **SECTION 110.** 11.50 (3) of the statutes is repealed.

24 **SECTION 111.** 11.50 (4) of the statutes is repealed and recreated to read:

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1 11.50 (4) PAYMENT OF GRANT AMOUNTS. The state treasurer shall make payment
2 of each grant to an eligible candidate from the political party account of that
3 candidate's political party, if any, if there are sufficient moneys in that account to
4 make full payment of the grant, and then from the general account. If there are
5 insufficient moneys in the general account to make full payment of a grant, the state
6 treasurer shall supplement the general account from the appropriation under s.
7 20.855 (4) (ba) in an amount sufficient to make full payment of the grant. Except as
8 provided in subs. (4m) and (10), the amount of each grant is the amount specified in
9 sub. (9).

10 **SECTION 112.** 11.50 (4m) of the statutes is created to read:

11 11.50 (4m) GRANTS FOR PRIMARY CAMPAIGNS. If an eligible candidate who
12 qualifies to receive a grant in a spring, general, or special election was opposed in the
13 spring or September primary, or in a special primary, by a candidate who qualified
14 to have his or her name appear on the primary ballot and the eligible candidate won
15 nomination in that primary, the board shall award to that candidate the primary
16 grant specified in sub. (9) (a) at the same time that grants are distributed under that
17 paragraph for the spring, general, or special election, provided that the candidate
18 has filed with the board, no later than the time specified in s. 8.10 (2) (a), 8.15 (1),
19 8.20 (8) (a), or 8.50 (3) (a) nomination papers containing at least the following number
20 of valid signatures of electors for the office that the candidate seeks:

21 (a) For candidates for statewide offices, not less than 4,000 electors.

22 (b) For candidates for state senator, not less than 800 electors.

23 (c) For candidates for representative to the assembly, not less than 400 electors.

24 **SECTION 113.** 11.50 (5) of the statutes is amended to read:

ENGROSSED SENATE BILL 104**SECTION 113**

1 11.50 (5) TIME OF DISBURSEMENT. The state treasurer shall make the
2 disbursements of grants under sub. (9) (a) to the campaign depository account of each
3 eligible candidate ~~under subs. (3) and (4)~~ by the end of the 3rd business day following
4 notice from the board under s. 7.08 (2) (c) or (cm). If an eligible candidate notifies the
5 state treasurer of the information required to make electronic transfers to the
6 candidate's campaign depository account, the state treasurer shall transfer to the
7 candidate any supplemental grants under sub. (9) (ba) or (bb) for which the candidate
8 qualifies immediately following notice from the board under s. 7.08 (2) (c) or (cm).
9 Eligible candidates for governor and lieutenant governor of the same political party
10 may combine accounts if desired.

11 **SECTION 114.** 11.50 (6) of the statutes is amended to read:

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

16 **SECTION 115.** 11.50 (9) (title) of the statutes is amended to read:

17 11.50 (9) (title) ~~LIMITATION ON~~ AMOUNT OF GRANTS.

18 **SECTION 116.** 11.50 (9) of the statutes is renumbered 11.50 (9) (a) and amended
19 to read:

20 11.50 (9) (a) ~~The~~ Except as provided in this paragraph and pars. (ba) and (bb)
21 the total grant available to an eligible candidate may not exceed an amount equal to
22 the lesser of 45% of the disbursement level specified for the office that the candidate
23 seeks, as determined under s. 11.31 (1) and adjusted under s. 11.31 (9) but without
24 respect to any adjustment under s. 11.31 (1m) or that amount which, when added to
25 all other contributions accepted from sources other than individuals, political party

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1 committees and legislative campaign committees by the candidate, is equal to 45%
 2 of the disbursement level specified for the applicable office that the candidate seeks,
 3 as determined under s. 11.31 (1) and adjusted as provided under s. 11.31 (9) but
 4 without respect to any adjustment under s. 11.31 (1m). Except as provided in pars.
 5 (b), (ba), and (bb), the total grant available to an eligible candidate who qualifies for
 6 a grant for primary campaign expenses under sub. (4m) may not exceed an amount
 7 equal to the lesser of 55% of the disbursement level specified for the office that the
 8 candidate seeks, as determined under s. 11.31 (1) and adjusted under s. 11.31 (9), but
 9 without respect to any adjustment under s. 11.31 (1m), or that amount which, when
 10 added to all other contributions accepted by the candidate, is equal to the
 11 disbursement level specified for the office that the candidate seeks, as determined
 12 under s. 11.31 (1) and adjusted under s. 11.31 (9) but without respect to any
 13 adjustment under s. 11.31 (1m). The board shall scrutinize accounts and reports and
 14 records kept under this chapter to assure that applicable limitations under ss. 11.26
 15 (9) and 11.31 are not exceeded and any violation is reported. No candidate or
 16 campaign treasurer may accept grants exceeding the amount authorized by this
 17 subsection.

18 ~~that is required to be reported under s. 11.12 (6) (c)~~

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(b), ✓

19 **SECTION 117m.** 11.50 (9) (ba) and (bb) of the statutes are created to read: *MAA*
 20 ~~adjusted under s. 11.31 (9) but without respect to any adjustment under s. 11.31 (1m)~~

21 11.50 (9) (b) If an eligible candidate who accepts a grant is opposed by one or
 22 more candidates in a general or special election whose names are certified under s.
 23 7.08 (2) (a) or 8.50 (1) (d) to appear on the ballot, and if a committee intends to receive
 24 or receives any contribution or contributions that are intended to be used or that are
 25 used to oppose the election of the eligible candidate who accepts a grant or to support

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1 a certified opponent of that candidate without cooperation or consultation with any
 2 certified opposing candidate or such a candidate's agent or authorized committee,
 3 and not in concert with, or at the request or suggestion of any certified opposing
 4 candidate's agent or authorized committee, then the board shall make an additional
 5 grant to the eligible candidate who accepts a grant in an amount equal to the total
 6 amount of contributions received for the purpose of advocating the election of the
 7 certified opposing candidate or for the purpose of opposing the election of the eligible
 8 candidate who accepts the grant, as reported by committees under s. 11.12 (6) (c).

9 **11.50 (9)** (ba) If an eligible candidate at a primary or election, or both, who
 10 accepts a grant is opposed by one or more candidates who are required, or whose
 11 personal campaign committees are required, to file a report under s. 11.12 (8), then
 12 the board shall make an additional grant to the eligible candidate who accepts a
 13 grant in an amount equal to the total amount or value of disbursements, as reported
 14 under s. 11.12 (8), made by the opposing candidate or candidates exceeding the
 15 amount specified under s. 11.31 (1) (a) to (de), (e), or (f) for the office which the
 16 candidate seeks, as adjusted under s. 11.31 (9) but without respect to any adjustment
 17 under s. 11.31 (1m) .

18 (bb) If the sum of the aggregate disbursements made against an eligible
 19 candidate and of the disbursements made for that candidate's opponent, as reported
 20 under s. 11.12 (6) (c), exceed 10% of the amount specified under s. 11.31 (1) (a) to (de),
 21 (e), or (f), as adjusted under s. 11.31 (9) but without respect to any adjustment under
 22 s. 11.31 (1m), then the board shall make an additional grant to the eligible candidate.

23 The amount of the additional grant shall equal the total of such disbursements made.

24 **SECTION 118.** 11.50 (11) (a) of the statutes is amended to read:

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1 ~~opposing the election of the eligible candidate who accepts the grant, exceeding 10%~~
2 ~~of the disbursement limitation for the office that the eligible candidate seeks as~~
3 ~~reported by committees under s. 11.12 (6) (c).~~

4 (ba) If an eligible candidate at a primary or election, or both, who accepts a
5 grant is opposed by one or more candidates who are required, or whose personal
6 campaign committees are required, to file a report under s. 11.12 (8), then the board
7 shall make an additional grant to the eligible candidate who accepts a grant in an
8 amount equal to the total amount or value of disbursements made by the opposing
9 candidate or candidates exceeding the amount specified under s. 11.31 (1) (a) to (d),
10 (e), or (f) for the office which the candidate seeks, as reported by the opposing
11 candidate under s. 11.12 (8).

12 (bb) ~~When the sum of the aggregate independent expenditures made against~~
13 ~~an eligible candidate, and the independent expenditures made for that candidate's~~
14 ~~opponent, as reported under sub. (1), exceed 20% of the amount determined under~~

15 ~~par. (a) for the office that the eligible candidate seeks in the primary and election for~~
16 ~~which the expenditures are made, the board shall make an additional grant to the~~
17 ~~eligible candidate. The amount of the additional grant shall equal the total of such~~
18 ~~independent expenditures made.~~

19 **SECTION 118.** 11.50 (11) (a) of the statutes is amended to read:

20 11.50 (11) (a) ~~No~~ Except as authorized for candidates who are awarded grants
21 ~~under sub. (4m), no grant may be utilized in any primary.~~

22 **SECTION 119.** 11.50 (11) (e) of the statutes is amended to read:

23 11.50 (11) (e) No candidate may expend, authorize the expenditure of or incur
24 ~~any obligation to expend any grant if he or she violates the pledge required under~~

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1 11.50 (11) (a) ~~No~~ Except as authorized for candidates who are awarded grants
2 under sub. (4m), no grant may be utilized in any primary.

3 **SECTION 119.** 11.50 (11) (e) of the statutes is amended to read:

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

8 **SECTION 120.** 11.50 (14) of the statutes is created to read:

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

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

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

18 (b) As soon as possible after receiving a valid application from an eligible
19 candidate under sub. (2) (a) and determining that the candidate is eligible to receive
20 a grant, the board shall certify to the secretary of revenue the full name of that
21 candidate as the name appears on the candidate's nomination papers.

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

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

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

11 (3t) Notwithstanding sub. (1), if any candidate or committee, other than a
12 conduit, accepts one or more contributions, makes one or more disbursements, or
13 incurs one or more obligations to make disbursements for the purpose of supporting
14 or opposing a candidate for an office specified in s. 11.31 (1) (a) to (de), (e), or (f) in
15 an amount or value that differs from the amount reported by that individual or
16 committee under s. 11.12 (6) (c) or (8) or 11.20 (3) or (4):

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

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

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

25 **SECTION 121.** 11.60 (4) of the statutes is amended to read:

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1 11.60 (4) Actions under this section arising out of an election for state office or
2 a statewide referendum may be brought by the board or by the district attorney of
3 the county where the violation is alleged to have occurred, except as specified in s.
4 11.38. Actions under this section arising out of an election for local office or local
5 referendum may be brought by the district attorney of the county where the violation
6 is alleged to have occurred. Actions under this section arising out of an election for
7 county office or a county referendum may be brought by the county board of election
8 commissioners of the county wherein the violation is alleged to have occurred. In
9 addition, whenever a candidate or personal campaign committee or agent of a
10 candidate is alleged to have violated this chapter, action may be brought by the
11 district attorney of any county any part of which is contained within the jurisdiction
12 or district in which the candidate seeks election. If a violation concerns a district
13 attorney or circuit judge or candidate for such offices, the action shall be brought by
14 the attorney general. If a violation concerns the attorney general or a candidate for
15 such office, the governor may appoint special counsel under s. 14.11 (2) to bring suit
16 in behalf of the state. The counsel shall be independent of the attorney general and
17 need not be a state employe at the time of appointment.

18 **SECTION 122.** 11.61 (1) (a) of the statutes is amended to read:

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

22 **SECTION 124.** 13.625 (3m) of the statutes is created to read:

23 13.625 (3m) No elective state official and no personal campaign committee of
24 an elective state official may solicit a lobbyist or principal to arrange for another
25 person to make a campaign contribution to that official or personal campaign

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1 committee or to another elective state official or the personal campaign committee
2 of that official.

3 **SECTION 124b.** 19.42 (3m), (4g) and (4r) of the statutes are created to read:

4 19.42 (3m) "Candidate," except as otherwise provided, has the meaning given
5 in s. 11.01 (1).

6 (4g) "Clearly identified," when used in reference to a communication
7 containing a reference to a person, means one of the following:

8 (a) The person's name appears.

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

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

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

16 **SECTION 124d.** 19.45 (13) of the statutes is created to read:

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

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1 that contains a reference to a clearly identified state public official holding an
2 elective office or to a candidate for state public office.

3 **SECTION 124f.** 19.49 (1m) of the statutes is created to read:

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

9 **SECTION 124h.** 19.49 (5) of the statutes is renumbered 19.49 (5) (a) and
10 amended to read:

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

14 **SECTION 124k.** 19.49 (5) (b) of the statutes is created to read:

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

18 **SECTION 124m.** 19.53 (6) of the statutes is amended to read:

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