

1           **SECTION 72.** 11.26 (1m) and (1t) of the statutes, as created by 2001 Wisconsin  
2 Act 109, are repealed.

3           **SECTION 73.** 11.26 (2) (intro.) of the statutes, as affected by 2001 Wisconsin Act  
4 109, is repealed and recreated to read:

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

11           **SECTION 74.** 11.26 (2) (a) of the statutes, as affected by 2001 Wisconsin Act 109,  
12 is repealed and recreated to read:

13           11.26 (2) (a) Candidates for governor, lieutenant governor, secretary of state,  
14 state treasurer, attorney general, state superintendent or justice, 4 percent of the  
15 value of the disbursement level specified in the schedule under s. 11.31 (1).

16           **SECTION 75.** 11.26 (2) (ae), (am), (as) and (av) of the statutes, as created by 2001  
17 Wisconsin Act 109, are repealed.

18           **SECTION 76.** 11.26 (2m) of the statutes, as created by 2001 Wisconsin Act 109,  
19 is repealed.

20           **SECTION 77.** 11.26 (2t) of the statutes, as created by 2001 Wisconsin Act 109,  
21 is repealed.

22           **SECTION 78.** 11.26 (3) of the statutes, as affected by 2001 Wisconsin Act 109,  
23 is repealed and recreated to read:

24           11.26 (3) The contribution limitations of subs. (1) and (2) apply cumulatively  
25 to the entire primary and election campaign in which a candidate participates,

1 whether or not there is a contested primary election. The total limitation may be  
2 apportioned in any manner desired between the primary and election. All moneys  
3 cumulate regardless of the time of contribution.

4 **SECTION 79.** 11.26 (4) of the statutes, as affected by 2001 Wisconsin Act 109,  
5 is repealed and recreated to read:

6 11.26 (4) No individual may make any contribution or contributions to all  
7 candidates for state and local offices and to any individuals who or committees which  
8 are subject to a registration requirement under s. 11.05, including legislative  
9 campaign committees and committees of a political party, to the extent of more than  
10 a total of \$10,000 in any calendar year.

11 **SECTION 80.** 11.26 (5) of the statutes, as affected by 2001 Wisconsin Act 109,  
12 is repealed and recreated to read:

13 11.26 (5) The contribution limits provided in subs. (1) and (4) do not apply to  
14 a candidate who makes any contribution or contributions to his or her own campaign  
15 for office from the candidate's personal funds or property or the personal funds or  
16 property which are owned jointly or as marital property with the candidate's spouse,  
17 with respect to any contribution or contributions made to that candidate's campaign  
18 only. A candidate's personal contributions shall be deposited in his or her campaign  
19 depository account and reported in the normal manner.

20 **SECTION 81.** 11.26 (6) of the statutes, as affected by 2001 Wisconsin Act 109,  
21 is repealed and recreated to read:

22 11.26 (6) When a candidate adopts a preexisting support committee as his or  
23 her personal campaign committee, the support committee is deemed to have been the  
24 same committee as the candidate's personal campaign committee for purposes of the  
25 application of subs. (1), (2) and (9). The limitations prescribed in subs. (2) and (9) do

1 not apply to the transfer of contributions which is made at the time of such adoption,  
2 but do apply to the contributions which have been made by any other committee to  
3 the support committee at the time of adoption.

4 **SECTION 82.** 11.26 (8) of the statutes, as affected by 2001 Wisconsin Act 109,  
5 is repealed and recreated to read:

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

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

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

18 **SECTION 83.** 11.26 (8n) and (8r) of the statutes, as created by 2001 Wisconsin  
19 Act 109, are repealed.

20 **SECTION 84.** 11.26 (9) (a) of the statutes, as affected by 2001 Wisconsin Act 109,  
21 is repealed and recreated to read:

22 11.26 (9) (a) No individual who is a candidate for state or local office may receive  
23 and accept more than 65 percent of the value of the total disbursement level  
24 determined under s. 11.31 for the office for which he or she is a candidate during any

1 primary and election campaign combined from all committees subject to a filing  
2 requirement, including political party and legislative campaign committees.

3 **SECTION 85.** 11.26 (9) (am) of the statutes, as created by 2001 Wisconsin Act  
4 109, is repealed.

5 **SECTION 86.** 11.26 (9) (b) of the statutes, as affected by 2001 Wisconsin Act 109,  
6 is repealed and recreated to read:

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

12 **SECTION 87.** 11.26 (9m) of the statutes, as created by 2001 Wisconsin Act 109,  
13 is repealed.

14 **SECTION 88.** 11.26 (10) of the statutes, as affected by 2001 Wisconsin Act 109,  
15 is repealed and recreated to read:

16 11.26 (10) No candidate for state office who files a sworn statement and  
17 application to receive a grant from the Wisconsin election campaign fund may make  
18 contributions of more than 200 percent of the amounts specified in sub. (1) to the  
19 candidate's own campaign from the candidate's personal funds or property or the  
20 personal funds or property which are owned jointly or as marital property with the  
21 candidate's spouse, unless the board determines that the candidate is not eligible to  
22 receive a grant, the candidate withdraws his or her application under s. 11.50 (2) (h),  
23 or s. 11.50 (2) (i) applies. For purposes of this subsection, any contribution received  
24 by a candidate or his or her personal campaign committee from a committee which  
25 is registered with the federal elections commission as the authorized committee of

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

7 **SECTION 89.** 11.26 (10a) of the statutes, as created by 2001 Wisconsin Act 109,  
8 is repealed.

9 **SECTION 90.** 11.26 (15) of the statutes, as affected by 2001 Wisconsin Act 109,  
10 is repealed and recreated to read:

11 11.26 (15) The fact that 2 or more committees, other than personal campaign  
12 committees, utilize common policies and practices concerning the endorsement of  
13 candidates or agree to make contributions only to such endorsed candidates does not  
14 affect the right of each committee independently to make contributions up to the  
15 amount specified under sub. (2).

16 **SECTION 91.** 11.26 (17) (a) of the statutes, as affected by 2001 Wisconsin Act  
17 109, is repealed and recreated to read:

18 11.26 (17) (a) For purposes of application of the limitations imposed in subs.  
19 (1), (2), (9) and (10), the "campaign" of a candidate begins and ends at the times  
20 specified in this subsection.

21 **SECTION 92.** 11.265 of the statutes is created to read:

22 **11.265 Legislative campaign committees. (1)** No more than one legislative  
23 campaign committee may be established by the members of one political party in  
24 each house of the legislature.

1           **(2)** A legislative campaign committee may accept no contributions and make  
2 no contributions or disbursements exceeding the amounts authorized for a political  
3 party under this chapter.

4           **(3)** Amounts contributed by a legislative campaign committee to a political  
5 party are not subject to limitation by this chapter.

6           **SECTION 93.** 11.31 (1) (intro.) of the statutes, as affected by 2001 Wisconsin Act  
7 109, is repealed and recreated to read:

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

12           **SECTION 94.** 11.31 (1) (a) to (d) of the statutes, as affected by 2001 Wisconsin  
13 Act 109, are repealed and recreated to read:

14           11.31 **(1)** (a) Candidates for governor, \$1,078,200.

15           (b) Candidates for lieutenant governor, \$323,475.

16           (c) Candidates for attorney general, \$539,000.

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

19           **SECTION 95.** 11.31 (1) (de) of the statutes, as created by 2001 Wisconsin Act 109,  
20 is repealed.

21           **SECTION 96.** 11.31 (1) (e) and (f) of the statutes, as affected by 2001 Wisconsin  
22 Act 109, are repealed and recreated to read:

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

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

4 **SECTION 97.** 11.31 (2) of the statutes, as affected by 2001 Wisconsin Act 109,  
5 is repealed and recreated to read:

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

19 **SECTION 98.** 11.31 (2m) of the statutes, as affected by 2001 Wisconsin Act 109,  
20 is repealed and recreated to read:

21 11.31 (2m) VOLUNTARY LIMITATION. Any candidate to whom sub. (2) and s. 11.26  
22 (10) do not apply may file an affidavit with his or her filing officer affirming that he  
23 or she has adhered and will adhere to the limitations imposed under sub. (2) and s.  
24 11.26 during the entire campaign. These limitations apply unless the candidate  
25 withdraws the affidavit by notifying his or her filing officer in writing no later than

1 the 7th day after the date of the primary in which the person filing the affidavit is  
2 a candidate, or the 7th day after the date that the primary would be held, if no  
3 primary is required.

4 **SECTION 99.** 11.31 (3) of the statutes, as affected by 2001 Wisconsin Act 109,  
5 is repealed and recreated to read:

6 11.31 (3) GUBERNATORIAL CAMPAIGNS. For purposes of compliance with the  
7 limitations imposed under sub. (2), candidates for governor and lieutenant governor  
8 of the same political party who both accept grants from the Wisconsin election  
9 campaign fund may agree to combine disbursement levels under sub. (1) (a) and (b)  
10 and reallocate the total level between them. The candidates shall each inform the  
11 board of any such agreement.

12 **SECTION 100.** 11.31 (3p) of the statutes, as created by 2001 Wisconsin Act 109,  
13 is repealed.

14 **SECTION 101.** 11.31 (9) of the statutes, as created by 2001 Wisconsin Act 109,  
15 is repealed.

16 **SECTION 102.** 11.38 (1) (a) 2. of the statutes, as affected by 2001 Wisconsin Act  
17 109, is repealed and recreated to read:

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



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

8 **SECTION 103.** 11.38 (6) of the statutes, as affected by 2001 Wisconsin Act 109,  
9 is repealed and recreated to read:

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

13 **SECTION 104.** 11.38 (8) (b) of the statutes, as affected by 2001 Wisconsin Act  
14 109, is repealed and recreated 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  
25 periodic reports under s. 11.20 providing the information required under s. 11.06 (1).

1           **SECTION 105.** 11.385 of the statutes, as created by 2001 Wisconsin Act 109, is  
2 repealed.

3           **SECTION 106.** 11.50 (1) (a) 1. (intro.) of the statutes, as created by 2001  
4 Wisconsin Act 109, is repealed.

5           **SECTION 107.** 11.50 (1) (a) 1. a. of the statutes, as affected by 2001 Wisconsin  
6 Act 109, is renumbered 11.50 (1) (a) 1.

7           **SECTION 108.** 11.50 (1) (a) 1. b. of the statutes, as affected by 2001 Wisconsin  
8 Act 109, is repealed.

9           **SECTION 109.** 11.50 (1) (a) 2. of the statutes, as affected by 2001 Wisconsin Act  
10 109, is repealed and recreated to read:

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

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

6 **SECTION 110.** 11.50 (1) (a) 2m. of the statutes, as created by 2001 Wisconsin Act  
7 109, is repealed.

8 **SECTION 111.** 11.50 (1) (am) of the statutes, as created by 2001 Wisconsin Act  
9 109, is repealed.

10 **SECTION 112.** 11.50 (1) (bm) and (cm) of the statutes, as created by 2001  
11 Wisconsin Act 109, are repealed.

12 **SECTION 113.** 11.50 (2) (a) of the statutes, as affected by 2001 Wisconsin Act 109,  
13 is repealed and recreated to read:

14 **11.50 (2) (a)** Any individual who desires to qualify as an eligible candidate may  
15 file an application with the board requesting approval to participate in the fund. The  
16 application shall be filed no later than the applicable deadline for filing nomination  
17 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.  
18 on the 7th day after the primary or date on which the primary would be held if  
19 required in the case of write-in candidates, or no later than 4:30 p.m. on the 7th day  
20 after appointment in the case of candidates appointed to fill vacancies. The  
21 application shall contain a sworn statement that the candidate and his or her  
22 authorized agents have complied with the contribution limitations prescribed in s.  
23 11.26 and the disbursement limitations prescribed under s. 11.31 at all times to  
24 which such limitations have applied to his or her candidacy and will continue to  
25 comply with the limitations at all times to which the limitations apply to his or her

1 candidacy for the office in contest, unless the board determines that the candidate  
2 is not eligible to receive a grant, the candidate withdraws his or her application  
3 under par. (h), or par. (i) applies.

4 **SECTION 114.** 11.50 (2) (b) 3. of the statutes, as affected by 2001 Wisconsin Act  
5 109, is repealed and recreated to read:

6 11.50 (2) (b) 3. The candidate has an opponent who is certified for placement  
7 on the election ballot as a candidate for the same office;

8 **SECTION 115.** 11.50 (2) (b) 4. of the statutes, as affected by 2001 Wisconsin Act  
9 109, is repealed and recreated to read:

10 11.50 (2) (b) 4. The financial reports filed by or on behalf of the candidate as  
11 of the date of the spring or September primary, or the date that the special primary  
12 is or would be held, if required, indicate that his or her statement filed with the  
13 application under par. (a) is true; and

14 **SECTION 116.** 11.50 (2) (b) 5. of the statutes, as affected by 2001 Wisconsin Act  
15 109, is repealed and recreated to read:

16 11.50 (2) (b) 5. The financial reports filed by or on behalf of the candidate as  
17 of the date of the spring or September primary, or the date that the special primary  
18 is or would be held, if required, indicate that the candidate has received at least the  
19 amount provided in this subdivision, from contributions of money, other than loans,  
20 made by individuals, which have been received during the period ending on the date  
21 of the spring primary and July 1 preceding such date in the case of candidates at the  
22 spring election, or the date of the September primary and January 1 preceding such  
23 date in the case of candidates at the general election, or the date that a special  
24 primary will or would be held, if required, and 90 days preceding such date or the  
25 date a special election is ordered, whichever is earlier, in the case of special election

1 candidates, which contributions are in the aggregate amount of \$100 or less, and  
2 which are fully identified and itemized as to the exact source thereof. A contribution  
3 received from a conduit which is identified by the conduit as originating from an  
4 individual shall be considered a contribution made by the individual. Only the first  
5 \$100 of an aggregate contribution of more than \$100 may be counted toward the  
6 required percentage. For a candidate at the spring or general election for an office  
7 identified in s. 11.26 (1) (a) or a candidate at a special election, the required amount  
8 to qualify for a grant is 5 percent of the candidate's authorized disbursement  
9 limitation under s. 11.31. For any other candidate at the general election, the  
10 required amount to qualify for a grant is 10 percent of the candidate's authorized  
11 disbursement limitation under s. 11.31.

12 **SECTION 117.** 11.50 (2) (b) 6. of the statutes, as created by 2001 Wisconsin Act  
13 109, is repealed.

14 **SECTION 118.** 11.50 (2) (c) of the statutes, as affected by 2001 Wisconsin Act 109,  
15 is repealed and recreated to read:

16 11.50 (2) (c) If a candidate has not filed financial reports as of the date of the  
17 spring primary, September primary, special primary, or date that the special primary  
18 would be held, if required, which indicate that he or she has met the qualification  
19 under par. (b) 5., the candidate may file a special report with the board. Such report  
20 shall be filed not later than the 7th day after the primary, or 7th day after the date  
21 the primary would be held, if required, and shall include such supplementary  
22 information as to sources of contributions which may be necessary to complete the  
23 candidate's qualification. The special report shall cover the period from the day after  
24 the last date covered on the candidate's most recent report, or from the date on which  
25 the first contribution was received or the first disbursement was made, whichever

1 is earlier, if the candidate has not previously filed a report, to the date of such report.  
2 All information included on the special report shall also be included in the  
3 candidate's next report under s. 11.20.

4 **SECTION 119.** 11.50 (2) (f) of the statutes, as affected by 2001 Wisconsin Act 109,  
5 is repealed and recreated to read:

6 11.50 (2) (f) The board shall inform each candidate in writing of the approval  
7 or disapproval of the candidate's application, as promptly as possible after the date  
8 of the spring primary, September primary, special primary, or date that the primary  
9 would be held, if required. With respect to a candidate at a special election who  
10 applies for a postelection grant under sub. (1) (a) 2., the board shall inform the  
11 candidate in writing of the conditional approval or disapproval of the candidate's  
12 application at the same time.

13 **SECTION 120.** 11.50 (2) (g) of the statutes, as affected by 2001 Wisconsin Act  
14 109, is repealed and recreated to read:

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

23 **SECTION 121.** 11.50 (2) (h) of the statutes, as affected by 2001 Wisconsin Act  
24 109, is repealed and recreated to read:

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

8           **SECTION 122.** 11.50 (2) (i) of the statutes, as affected by 2001 Wisconsin Act 109,  
9 is repealed and recreated to read:

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

22           **SECTION 123.** 11.50 (2) (j) of the statutes, as created by 2001 Wisconsin Act 109,  
23 is repealed.

24           **SECTION 124.** 11.50 (2m) of the statutes, as created by 2001 Wisconsin Act 109,  
25 is repealed.

1           **SECTION 125.** 11.50 (2s) of the statutes, as created by 2001 Wisconsin Act 109,  
2 is repealed.

3           **SECTION 126.** 11.50 (2w) of the statutes, as created by 2001 Wisconsin Act 109,  
4 is repealed.

5           **SECTION 127.** 11.50 (3) of the statutes is created to read:

6           11.50 (3) NONPARTISAN CANDIDATES. (a) Annually on August 15, all moneys  
7 appropriated to the fund shall be apportioned as follows by the state treasurer:

8           1. If an election for state superintendent is scheduled in the following year, 8  
9 percent of the fund shall be placed in a superintendency account. From this account,  
10 an equal amount shall be disbursed to the campaign depository account of each  
11 eligible candidate by the state treasurer.

12           2. If an election for justice is scheduled in the following year, 8 percent of the  
13 fund shall be placed in a supreme court account. From this account, an equal amount  
14 shall be disbursed to the campaign depository account of each eligible candidate by  
15 the state treasurer.

16           3. The balance shall be apportioned under sub. (4).

17           (b) If a vacancy occurs in the office of state superintendent or justice after  
18 August 15 in any year and an election is scheduled to fill the vacancy at the spring  
19 election in the following year, the state treasurer shall transfer an amount not  
20 exceeding 8 percent of the moneys transferred to the fund on the preceding August  
21 15 to the account for the office in which the vacancy occurs, such moneys to be drawn  
22 from any account within the accounts created under sub. (4) in the amount or  
23 amounts specified by the board.

24           **SECTION 128.** 11.50 (4) of the statutes, as affected by 2001 Wisconsin Act 109,  
25 is repealed and recreated to read:



1           11.50 (4) PARTISAN AND SPECIAL ELECTION CANDIDATES. After apportionment  
2 under sub. (3), the remaining moneys shall constitute the partisan campaign  
3 account.

4           (a) In the partisan campaign account, 25 percent of the moneys shall be  
5 apportioned into an executive campaign account and 75 percent of the moneys shall  
6 be apportioned into a legislative and special election campaign account.

7           (b) The executive campaign account shall be divided into accounts for each  
8 executive office as provided in this paragraph. The apportionment of moneys in the  
9 executive campaign account shall be made as follows:

10           1. Sixty-seven percent to be apportioned between all eligible candidates for  
11 governor.

12           2. Eight percent to be apportioned between all eligible candidates for  
13 lieutenant governor.

14           3. Seventeen percent to be apportioned between all eligible candidates for  
15 attorney general.

16           4. Four percent to be apportioned between all eligible candidates for state  
17 treasurer.

18           5. Four percent to be apportioned between all eligible candidates for secretary  
19 of state.

20           (c) The legislative and special election campaign account shall be divided into  
21 a senate campaign account to receive 25 percent of the moneys, and an assembly  
22 campaign account to receive 75 percent of the moneys. Each account shall then be  
23 apportioned between all eligible candidates for the same office in the entire state.

24 No apportionment shall be made by legislative district.

1 (cm) Each eligible candidate for the same office at a special election shall  
2 receive an equal amount, which amount shall be equivalent to the maximum grant  
3 which was payable to any candidate for that office at the most recent spring or  
4 general election. The amount shall be drawn from the senate campaign account and  
5 the assembly campaign account in the same proportions as the balance in each  
6 account bears to the total balance in both accounts at the time that payments are  
7 made. Whenever there are insufficient moneys in the senate campaign account and  
8 the assembly campaign account to make the payments required by this paragraph,  
9 payments shall be appropriately reduced or discontinued by the board.

10 (d) Within the accounts established under this subsection for each office at each  
11 general election, the entire amount of all available moneys shall be apportioned  
12 equally to all eligible candidates.

13 **SECTION 129.** 11.50 (5) of the statutes, as affected by 2001 Wisconsin Act 109,  
14 is repealed and recreated to read:

15 11.50 (5) TIME OF DISBURSEMENT. The state treasurer shall make the  
16 disbursements to the campaign depository account of each eligible candidate under  
17 subs. (3) and (4) by the end of the 3rd business day following notice from the board  
18 under s. 7.08 (2) (c) or (cm). Eligible candidates for governor and lieutenant governor  
19 of the same political party may combine accounts if desired.

20 **SECTION 130.** 11.50 (6) of the statutes, as affected by 2001 Wisconsin Act 109,  
21 is repealed and recreated to read:

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

1           **SECTION 131.** 11.50 (7) (intro.) of the statutes, as affected by 2001 Wisconsin  
2 Act 109, is repealed and recreated to read:

3           11.50 (7) (intro.) UTILIZATION. Grants distributed under this section may be  
4 utilized only for deposit in a campaign depository account under s. 11.10. Grants may  
5 be expended only for one or more of the following:

6           **SECTION 132.** 11.50 (8) of the statutes, as affected by 2001 Wisconsin Act 109,  
7 is repealed and recreated to read:

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

16           **SECTION 133.** 11.50 (9) of the statutes, as affected by 2001 Wisconsin Act 109,  
17 is repealed and recreated to read:

18           11.50 (9) LIMITATION ON GRANTS. The total grant available to an eligible  
19 candidate may not exceed that amount which, when added to all other contributions  
20 accepted from sources other than individuals, political party committees and  
21 legislative campaign committees, is equal to 45 percent of the disbursement level  
22 specified for the applicable office under s. 11.31. The board shall scrutinize accounts  
23 and reports and records kept under this chapter to assure that applicable limitations  
24 under ss. 11.26 (9) and 11.31 are not exceeded and any violation is reported. No

1 candidate or campaign treasurer may accept grants exceeding the amount  
2 authorized by this subsection.

3 **SECTION 134.** 11.50 (10) of the statutes is created to read:

4 11.50 (10) VOLUNTARY LIMITATION. Any eligible candidate may by written  
5 request limit his or her participation in the fund to a lesser amount than that  
6 authorized under sub. (9).

7 **SECTION 135.** 11.50 (10m) of the statutes, as affected by 2001 Wisconsin Act  
8 109, is repealed and recreated to read:

9 11.50 (10m) RETURN OF GRANTS. An individual who receives a grant prior to an  
10 election in which he or she is a candidate and who desires to return any portion of  
11 the grant shall return that portion no later than the 2nd Tuesday in October  
12 preceding a general election, the 4th Tuesday preceding a spring election or the 3rd  
13 Tuesday preceding a special election. A candidate who returns all or any portion of  
14 a grant under this subsection remains bound by the candidate's statement filed  
15 under sub. (2) (a).

16 **SECTION 136.** 11.50 (11) (e) of the statutes, as affected by 2001 Wisconsin Act  
17 109, is repealed and recreated to read:

18 11.50 (11) (e) No candidate may expend, authorize the expenditure of or incur  
19 any obligation to expend any grant if he or she violates the pledge required under  
20 sub. (2) (a) as a precondition to receipt of a grant, except as authorized in sub. (2) (h)  
21 or (i).

22 **SECTION 137.** 11.50 (14) of the statutes, as created by 2001 Wisconsin Act 109,  
23 is repealed.

24 **SECTION 138.** 11.60 (3r) of the statutes, as created by 2001 Wisconsin Act 109,  
25 is repealed.

1           **SECTION 139.** 11.60 (4) of the statutes, as affected by 2001 Wisconsin Act 109,  
2 is repealed and recreated to read:

3           **11.60 (4)** Actions under this section arising out of an election for state office or  
4 a statewide referendum may be brought by the board or by the district attorney of  
5 the county where the violation is alleged to have occurred, except as specified in s.  
6 11.38. Actions under this section arising out of an election for local office or a local  
7 referendum may be brought by the district attorney of the county where the violation  
8 is alleged to have occurred. Actions under this section arising out of an election for  
9 county office or a county referendum may be brought by the county board of election  
10 commissioners of the county wherein the violation is alleged to have occurred. If a  
11 violation concerns a district attorney or circuit judge or candidate for such offices, the  
12 action shall be brought by the attorney general. If a violation concerns the attorney  
13 general or a candidate for such office, the governor may appoint special counsel  
14 under s. 14.11 (2) to bring suit in behalf of the state. The counsel shall be independent  
15 of the attorney general and need not be a state employee at the time of appointment.

16           **SECTION 140.** 11.61 (1) (a) of the statutes, as affected by 2001 Wisconsin Act  
17 109, is repealed and recreated to read:

18           **11.61 (1) (a)** Whoever intentionally violates s. 11.05 (1), (2), (2g) or (2r), 11.07  
19 (1) or (5), 11.10 (1), 11.12 (5), 11.23 (6) or 11.24 (1) is guilty of a Class I felony.

20           **SECTION 141.** 20.510 (1) (q) of the statutes, as affected by 2001 Wisconsin Act  
21 109, is amended to read:

22           **20.510 (1) (q)** *Wisconsin election campaign fund.* As a continuing  
23 appropriation, from the Wisconsin election campaign fund, the moneys determined  
24 under s. 11.50 to provide for payments to eligible candidates ~~whose names are~~

1 certified under s. 7.08 (2) (c) and ~~(cm) and to provide for public information as~~  
2 ~~authorized under s. 11.50 (2m).~~

3 **SECTION 142.** 25.42 of the statutes, as affected by 2001 Wisconsin Act 109, is  
4 repealed and recreated to read:

5 **25.42 Wisconsin election campaign fund.** All moneys appropriated under  
6 s. 20.855 (4) (b) together with all moneys reverting to the state under s. 11.50 (8) and  
7 all gifts, bequests and devises received under s. 11.50 (13) constitute the Wisconsin  
8 election campaign fund, to be expended for the purposes of s. 11.50. All moneys in  
9 the fund not disbursed by the state treasurer shall continue to accumulate  
10 indefinitely.

11 **SECTION 143.** 71.07 (6s) of the statutes, as created by 2001 Wisconsin Act 109,  
12 is repealed.

13 **SECTION 144.** 71.08 (1) (intro.) of the statutes, as affected by 2001 Wisconsin  
14 Act 109 and 2003 Wisconsin Acts 99 and 135, is repealed and recreated to read:

15 **71.08 (1) IMPOSITION.** (intro.) If the tax imposed on a natural person, married  
16 couple filing jointly, trust or estate under s. 71.02, not considering the credits under  
17 ss. 71.07 (1), (2dd), (2de), (2di), (2dj), (2dL), (2dr), (2ds), (2dx), (2fd), (3m), (3n), (3s),  
18 (3t), z95b), (5d), (6), and (9e), 71.28 (1dd), (1de), (1di), (1dj), (1dL), (1ds), (1dx), (1fd),  
19 (2m), (3), (3n), and (3t) and 71.47 (1dd), (1de), (1di), (1dj), (1dL), (1ds), (1dx), (1fd),  
20 (2m), (3), (3n), and (3t) and subchs. VIII and IX and payments to other states under  
21 s. 71.07 (7), is less than the tax under this section, there is imposed on that natural  
22 person, married couple filing jointly, trust or estate, instead of the tax under s. 71.02,  
23 an alternative minimum tax computed as follows:

24 **SECTION 145.** 71.10 (3) of the statutes, as affected by 2001 Wisconsin Act 109,  
25 is repealed and recreated to read:

1           **71.10 (3) CAMPAIGN FUND.** (a) Every individual filing an income tax return who  
2 has a tax liability or is entitled to a tax refund may designate \$1 for the Wisconsin  
3 election campaign fund for the use of eligible candidates under s. 11.50. If the  
4 individuals filing a joint return have a tax liability or are entitled to a tax refund,  
5 each individual may make a designation of \$1 under this subsection.

6           (b) The secretary of revenue shall provide a place for those designations on the  
7 face of the individual income tax return and shall provide next to that place a  
8 statement that a designation will not increase tax liability. Annually on August 15,  
9 the secretary of revenue shall certify to the elections board, the department of  
10 administration and the state treasurer under s. 11.50 the total amount of  
11 designations made during the preceding fiscal year. If any individual attempts to  
12 place any condition or restriction upon a designation, that individual is deemed not  
13 to have made a designation on his or her tax return.

14           (c) The names of persons making designations under this subsection shall be  
15 strictly confidential.

16           **SECTION 146.** 71.10 (4) (gw) of the statutes, as created by 2001 Wisconsin Act  
17 109, is repealed.

18           **SECTION 147.** 806.04 (11m) of the statutes, as created by 2001 Wisconsin Act  
19 109, is repealed.

20           **SECTION 148.** 2001 Wisconsin Act 109, section 9115 (2v) and (2x) are repealed.

21           **SECTION 149.** 2001 Wisconsin Act 109, section 9115 (2y), as last affected by 2003  
22 Wisconsin Act 39, is repealed.

23           **SECTION 150.** 2001 Wisconsin Act 109, section 9132 (4v) is repealed.

24           **SECTION 151.** 2001 Wisconsin Act 109, section 9215 (3v) is repealed.

25           **SECTION 152.** 2001 Wisconsin Act 109, section 9244 (6v) is repealed.





**Barman, Mike**

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**From:** Griffiths, Terri  
**Sent:** Wednesday, May 04, 2005 9:01 AM  
**To:** LRB.Legal  
**Subject:** Draft review: LRB 05-1835/1 Topic: Campaign finance changes; income tax checkoff; television time for candidates

It has been requested by <Griffiths, Terri> that the following draft be jacketed for the ASSEMBLY:

Draft review: LRB 05-1835/1 Topic: Campaign finance changes; income tax checkoff; television time for candidates