



**ASSEMBLY SUBSTITUTE AMENDMENT 1,
TO 2009 ASSEMBLY BILL 494**

December 11, 2009 – Offered by Representative MASON.

- 1 **AN ACT** *to amend* 11.21 (16); and *to create* 11.211 of the statutes; **relating to:**
2 the methodology for filing campaign finance reports in electronic format.

Analysis by the Legislative Reference Bureau

Currently, each registrant under the campaign finance law for whom the Government Accountability Board (GAB) serves as filing officer and who or which accepts political contributions in a total amount or value of \$20,000 or more during a campaign period, as defined by law, must file reports in an electronic format. GAB is directed to specify, by rule, a type of software that is suitable for compliance with the electronic filing requirement. GAB must provide copies of the software to registrants at a price fixed by GAB that may not exceed cost.

This substitute amendment directs GAB to provide an Internet-based system that registrants may use to file campaign finance reports in an electronic format. The substitute amendment also directs GAB to permit registrants to file campaign finance reports in electronic format either by using the Internet-based system or by using software that produces a delimited file (such as Microsoft Office Excel software). The substitute amendment directs GAB to specify, by rule, the type of, and specifications for, the delimited file that may be used.

Currently, before a rule may be promulgated by GAB, the proposed rule must be submitted for the review and approval and disapproval by the appropriate standing committees of the legislature during a specified review period. If a standing committee objects to a proposed rule during a specified review period, the proposed

rule is subject to review and disapproval by the Joint Committee for Review of Administrative Rules (JCRAR) during a specified review period. Any action by JCRAR expires on a date specified by law unless it is affirmed by law prior to that date. This substitute amendment provides, in addition, that any proposed rule of GAB relating to the use of software for electronic filing of campaign finance reports must be submitted by GAB, following completion of the current review process, to the Joint Committee on Finance, which may modify or disapprove the proposed rule during a specified review period.

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

1 **SECTION 1.** 11.21 (16) of the statutes is amended to read:

2 11.21 **(16)** Require each registrant for whom the board serves as filing officer
3 and who or which accepts contributions in a total amount or value of \$20,000 or more
4 during a campaign period to file each campaign finance report that is required to be
5 filed under this chapter in an electronic format, and accept from any other registrant
6 for whom the board serves as a filing officer any campaign finance report that is
7 required to be filed under this chapter in an electronic format. A registrant who or
8 which becomes subject to a requirement to file reports in an electronic format under
9 this subsection shall initially file the registrant's report in an electronic format for
10 the period which includes the date on which the registrant becomes subject to the
11 requirement. ~~To facilitate implementation of this subsection, the~~ The board shall
12 provide an Internet-based system that registrants may use to file campaign finance
13 reports in an electronic format. The board shall permit registrants to file campaign
14 finance reports in electronic format either by using the Internet-based system or by
15 using software that produces a delimited file. The board shall specify, by rule, a type
16 of software that is suitable the type of, and specifications for, the delimited file that
17 may be used for compliance with the electronic filing requirement under this
18 subsection. Any rule or revision of a rule under this subsection is subject to approval

1 under s. 11.211. The board shall provide copies of the software to registrants at a
2 price fixed by the board that may not exceed cost. Each registrant who or which files
3 a report under this subsection in an electronic format shall also file a copy of the
4 report with the board that is recorded on a medium specified by the board. The copy
5 shall be signed by an authorized individual and filed with the board by each
6 registrant no later than the time prescribed for filing of the report under this chapter.
7 The board shall provide complete instructions to any registrant who or which files
8 a report under this subsection. In this subsection, the “campaign period” of a
9 candidate, personal campaign committee or support committee begins and ends with
10 the “campaign” of the candidate whose candidacy is supported, as defined in s. 11.26
11 (17), and the “campaign period” of any other registrant begins on January 1 of each
12 odd-numbered year and ends on December 31 of the following year.

13 **SECTION 2.** 11.211 of the statutes is created to read:

14 **11.211 Review of software rules; special procedure.** Following
15 completion of the review of a proposed rule or revision of a rule under s. 11.21 (16)
16 by the legislative council staff under s. 227.15 (2) and any review by the department
17 of administration under s. 227.138 (2), and prior to submittal of the notice required
18 under s. 227.19 (2), the board shall submit the proposed rule or revision to the
19 cochairpersons of the joint committee on finance for review of the committee. If the
20 cochairpersons do not notify the board that the committee has scheduled a meeting
21 for the purpose of reviewing the proposed rule or revision within 14 working days
22 after the date of the board’s submittal, the board may submit the notice required
23 under s. 227.19 (2). Notwithstanding s. 227.19 (2), if, within 14 working days after
24 the date of the board’s submittal, the cochairpersons of the committee notify the
25 board that the committee has scheduled a meeting for the purpose of reviewing the

1 proposed rule or revision, the board shall not submit the notice required under s.
2 227.19 (2) for the proposed rule or revision unless the committee approves the
3 proposed rule or revision or modifies and approves the proposed rule or revision. If
4 the committee modifies and approves the proposed rule or revision, the board may
5 submit the notice required under s. 227.19 (2) for the proposed rule or revision only
6 as modified by the committee. If, after submitting the notice required under s. 227.19
7 (2), the board determines to modify the proposed rule or revision, the board shall
8 resubmit the proposed rule or revision to the cochairpersons of the committee under
9 this section.

10 **(END)**