

State of Wisconsin



2009 Assembly Bill 913

Date of enactment: **April 29, 2010**
Date of publication*: **April 30, 2010**

2009 WISCONSIN ACT 216

AN ACT *to repeal* 11.522 (2); *to renumber* 11.522 (1); *to amend* 11.26 (9) (a) and (b), 11.501 (7), (13) and (15), 11.509, 11.511 (1) and 11.522 (title); *to create* 11.511 (7) of the statutes; and *to affect* 2009 Wisconsin Act 89, section 31 (1); **relating to**: public financing of campaigns for the office of justice of the supreme court.

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

SECTION 1. 11.26 (9) (a) and (b) of the statutes, as affected by 2009 Wisconsin Act 89, are amended to read:

11.26 (9) (a) Except as provided in par. (ba), no individual who is a candidate for state or local office may receive and accept more than 65 percent of the value of the total disbursement level determined under s. 11.31 or 11.511 (7) (a) for the office for which he or she is a candidate during any primary and election campaign combined from all committees subject to a filing requirement, including political party and legislative campaign committees.

(b) Except as provided in par. (ba), no individual who is a candidate for state or local office may receive and accept more than 45 percent of the value of the total disbursement level determined under s. 11.31 or 11.511 (7) (a) for the office for which he or she is a candidate during any primary and election campaign combined from all committees other than political party and legislative campaign committees subject to a filing requirement.

SECTION 2. 11.501 (7), (13) and (15) of the statutes, as created by 2009 Wisconsin Act 89, are amended to read:

11.501 (7) "Exploratory period" means the period that begins after the date of a spring election immediately

preceding a public financing qualifying period and ends on the first day of the public financing qualifying period for the next election for justice.

(13) "Primary election campaign period" means the period beginning on the day after the last day prescribed by law for filing nomination papers for that the office of justice and ending on the day of the spring primary election for that office or the day on which the primary election would be held, if required.

(15) "Public financing qualifying period" means, for each election for the office of justice, the period beginning on the first day of July of any the year immediately preceding the year of that election and ending on the day before the beginning of the primary election campaign period for that office.

SECTION 3. 11.509 of the statutes, as created by 2009 Wisconsin Act 89, is amended to read:

11.509 Excess contributions. If an eligible candidate receives and accepts excess seed money contributions or qualifying contributions on in an aggregate basis, the candidate may retain the contributions and make disbursements derived from the contributions, in an amount not exceeding \$15,000. An amount equivalent to the excess contributions shall be deducted by the board from the candidate's public financing benefit. An eligible candidate amount greater than the limits prescribed in s. 11.502 (2) or 11.508 (1), the candidate shall transfer to the

* Section 991.11, WISCONSIN STATUTES 2007-08 : Effective date of acts. "Every act and every portion of an act enacted by the legislature over the governor's partial veto which does not expressly prescribe the time when it takes effect shall take effect on the day after its date of publication as designated" by the secretary of state [the date of publication may not be more than 10 working days after the date of enactment].

board all seed money and qualifying contributions that exceed the limits prescribed in this section within 48 hours after the end of the exploratory public financing qualifying period. The board shall deposit all contributions transferred under this section in the democracy trust fund.

SECTION 4. 11.511 (1) of the statutes, as created by 2009 Wisconsin Act 89, is amended to read:

11.511 (1) The state treasurer shall provide to each eligible candidate who qualifies to receive a public financing benefit for the primary or election campaign period separate lines of credit for the public financing benefits payable to the candidate for the primary and election campaign periods in the amounts specified in this section, subject to any required adjustment under s. ~~11.509~~, 11.512 (2) or 11.513 (2). An eligible candidate may use this public financing benefit to finance any lawful disbursements during the primary and election campaign periods to further the election of the candidate in that primary or election. An eligible candidate shall not use this public financing benefit to repay any loan, or in violation of ss. 11.502 to 11.522 or any other applicable law.

SECTION 5. 11.511 (7) of the statutes is created to read:

11.511 (7) (a) Except as provided in par. (b), no candidate for the office of justice who files an application for a public financing benefit and certification under s. 11.51 (1) and who accepts a public financing benefit may make or authorize total disbursements in a campaign, beginning with the first day of the exploratory period and ending on the date of the spring election, to the extent of more than the maximum amounts specified in ss. 11.502 (2)

and 11.508 (1), plus the amount specified in s. 11.511 (3), as adjusted under s. 11.511 (6), and, if there is a primary for the office of justice, the amount specified in s. 11.511 (2), as adjusted under s. 11.511 (6).

(b) If a candidate specified in par. (a) receives an additional public financing benefit under s. 11.512 (2) or 11.513 (2), the candidate may make disbursements in a campaign under par. (a) in an additional amount equivalent to the additional public financing benefit received.

SECTION 6. 11.522 (title) of the statutes, as created by 2009 Wisconsin Act 89, is amended to read:

11.522 (title) Contributions to nonparticipating candidates; attributions.

SECTION 7. 11.522 (1) of the statutes, as created by 2009 Wisconsin Act 89, is renumbered 11.522.

SECTION 8. 11.522 (2) of the statutes, as created by 2009 Wisconsin Act 89, is repealed.

SECTION 9. 2009 Wisconsin Act 89, section 31 (1) is amended to read:

[2009 Wisconsin Act 89] Section 31 (1) This act takes effect on ~~December~~ May 1 following the date of publication.

SECTION 10. Nonstatutory provisions.

(1) On the effective date of this subsection, the unencumbered balance in the justice account of the Wisconsin election campaign fund is transferred to the democracy trust fund.

(2) Notwithstanding section 11.501 (7) of the statutes, as created by 2009 Wisconsin Act 89, the exploratory period in 2010 begins on May 1, 2010.

SECTION 11. Effective date.

(1) This act takes effect on May 1, 2010.
