

2013 Senate Bill 655 (LRB-4285)

An Act to repeal 11.38 (1) (a) 3.; to amend 11.05 (1), 11.05 (2), 11.05 (2r), 11.05 (12) (b), 11.07 (1), 11.12 (5), 11.12 (6), 11.21 (16), 11.23 (1), 11.26 (9) (a), 11.26 (9) (b), 11.30 (4), 13.625 (1) (b) 3., 13.625 (1) (c) (intro.) and 13.625 (3); and to create 11.01 (6) (b) 8. and 9., 11.01 (7) (a) 5. to 7., 11.01 (7) (b) 6. to 8., 11.01 (12m), 11.05 (3) (q), 11.06 (11) (d), 11.06 (13) and 11.185 of the statutes; relating to: various changes in the campaign finance and lobbying laws.

2014

03-03.	S.	Introduced by Senators Lazich and S. Fitzgerald	725
03-03.	S.	Read first time and referred to Elections and Urban Affairs	725
03-05.	S.	Public hearing held	
03-06.	S.	Senate Amendment 1 offered by Senator Lazich (LRB a2039)	738
03-06.	S.	Executive action taken	
03-07.	S.	Report adoption of Senate Amendment 1 recommended by Elections and Urban Affairs, Ayes 5, Noes 0	741
03-07.	S.	Report passage as amended recommended by Elections and Urban Affairs, Ayes 3, Noes 2	741
03-07.	S.	Available for scheduling	
03-07.	S.	Placed on calendar 3-11-2014 pursuant to Senate Rule 18(1)	743
03-11.	S.	Placed at the foot of the 12th on the calendar of 3-11-2014, Ayes 18, Noes 15	753
03-11.	S.	Senate Amendment 2 offered by Senators Erpenbach, Carpenter, L. Taylor, Vinehout, Harris, Shilling, Miller, T. Cullen, Risser, C. Larson and Hansen (LRB a2067)	751
03-11.	S.	Senate Amendment 3 offered by Senators Miller, T. Cullen, Wirch, C. Larson, Lassa, Hansen, Carpenter, L. Taylor, Vinehout, Harris, Shilling and Lehman (LRB a2081)	751
03-11.	S.	Read a second time	765
03-11.	S.	Senate Amendment 1 adopted	765
03-11.	S.	Point of order that Senate Amendment 2 was not germane well taken	765
03-11.	S.	Decision of the Chair stands as the judgement of the Senate, Ayes 18, Noes 14	765
03-11.	S.	Senate Amendment 3 rejected, Ayes 18, Noes 14	765
03-11.	S.	Ordered to a third reading	765
03-12.	S.	Read a third time and passed , Ayes 17, Noes 16	769
03-12.	S.	Ordered immediately messaged	770
03-12.	A.	Received from Senate	737
03-12.	A.	Read first time and referred to committee on Campaigns and Elections	738
03-12.	A.	Public hearing held	
03-12.	A.	Executive action taken	
03-12.	A.	Report concurrence recommended by Committee on Campaigns and Elections, Ayes 5, Noes 3	737
03-12.	A.	Referred to Committee on Rules	737
03-18.	A.	Made a special order of business at 10:52 AM on 3-20-2014 pursuant to Assembly Resolution 28	767
03-20.	A.	Read a second time	
03-20.	A.	Assembly Amendment 1 offered by Representatives C. Taylor, Berceau, Ringhand and Pope (LRB a2208)	
03-20.	A.	Assembly Amendment 1 laid on table, Ayes 54, Noes 37	
03-20.	A.	Ordered to a third reading	
03-20.	A.	Rules suspended	
03-20.	A.	Read a third time and concurred in , Ayes 54, Noes 37	
03-20.	A.	Ordered immediately messaged	
03-21.	S.	Received from Assembly concurred in	

2013
ENROLLED BILL

13en S B-655

ADOPTED DOCUMENTS:

Orig Engr SubAmdt

13-428511

Amendments to above (if none, write "NONE"): SA1 — a 2039/1

Corrections - show date (if none, write "NONE"): None

Topic Rel

3-25-14

Date

JR Miller

Enrolling Drafter



2013 SENATE BILL 655

March 3, 2014 – Introduced by Senators LAZICH and S. FITZGERALD. Referred to Elections and Urban Affairs.

1 **AN ACT to repeal** 11.38 (1) (a) 3.; **to amend** 11.05 (1), 11.05 (2), 11.05 (2r), 11.05
2 (12) (b), 11.07 (1), 11.12 (5), 11.12 (6), 11.21 (16), 11.23 (1), 11.26 (9) (a), 11.26
3 (9) (b), 11.30 (4), 13.625 (1) (b) 3., 13.625 (1) (c) (intro.) and 13.625 (3); and **to**
4 **create** 11.01 (6) (b) 8. and 9., 11.01 (7) (a) 5. to 7., 11.01 (7) (b) 6. to 8., 11.01
5 (12m), 11.05 (3) (q), 11.06 (11) (d), 11.06 (13) and 11.185 of the statutes; **relating**
6 **to:** various changes in the campaign finance and lobbying laws.

Analysis by the Legislative Reference Bureau

This bill makes various changes in the campaign finance and lobbying laws. Significant provisions include:

Internet political activity; individual and public communications

Currently, with certain exceptions, payments for political communications are subject to disclosure under the campaign finance law, regardless of the medium that is used to conduct the communications. Payments for Internet communications are treated like payments for other communications. Currently, the cost of news stories, political interviews, editorial commentary, or endorsements, regardless of the medium by which they are distributed, are not contributions or disbursements and therefore are not reportable. The costs of communications by an organization other than a political party or personal campaign committee that are limited to the organization's members, shareholders, or subscribers are generally not reportable.

SENATE BILL 655

In addition, all services for a political purpose by an individual on behalf of a campaign finance registrant are not reportable and are not subject to the current prohibition on contributions and disbursements by corporations and cooperatives unless the individual performing the services is compensated specifically for those services.

This bill provides that any cost incurred to conduct Internet activity is not a contribution or disbursement, and is therefore not reportable if it is performed by an individual acting in his or her own behalf, or acting in behalf of another person, and if the individual is not compensated specifically for his or her services. This includes the cost or value of any equipment and services used by the individual to conduct the activity, but does not include professional video production services purchased by the individual. The bill similarly provides that any cost incurred in covering a news story, commentary, or editorial by a broadcasting station, cable television operator, producer, or programmer, Internet site, or newspaper or other periodical publication, including an Internet or other periodical publication, except the cost of a news story that appears in a medium that is owned by a candidate, candidate's authorized committee, or political party, is not a contribution or disbursement and is therefore not reportable. In addition, the bill provides specifically that the following are disbursements, and are therefore reportable: a) any payment for a communication to the general public for a political purpose except an Internet communication that is not a disbursement under the bill; b) any payment for the purchase or rental of an electronic-mail address list that is made at the direction of a campaign finance registrant for a political purpose; or c) any payment for an electronic-mail address list that is transferred to a registrant for a political purpose. The bill provides however, that the following are not disbursements, and are therefore not reportable: a) a communication or Internet activity by an individual acting in his or her own behalf, or acting in behalf of another person if the individual is not compensated specifically for those services, including the cost or value of any electronic equipment and services used by the individual to conduct the activity; or b) a nominal fee paid for a communication to the general public.

Solicitation expenditure limit

Currently, if a corporation or cooperative establishes a segregated fund for the purpose of supporting a candidate for state or local office, the corporation or cooperative may not expend more than \$500 annually to solicit contributions to the fund or to a conduit. This bill eliminates this limit on expenditures made to solicit contributions.

Committee transfers

Under current law, no individual who is a candidate for state or local office may receive in contributions more than 65 percent of the value of the total disbursement level for the office for which he or she is a candidate during any primary and election campaign combined from all committees, including political party and legislative campaign committees. The bill modifies this limitation so that the amount does not include any transfer from any personal campaign committee to another personal campaign committee.

SENATE BILL 655

Under current law, no individual who is a candidate for state or local office may receive in contributions more than 45 percent of the value of the total disbursement level 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. The bill modifies this limitation so that the amount includes any transfer from any personal campaign committee to another personal campaign committee.

Electronic filing

Under current law, Government Accountability Board (GAB) must require each registrant for whom GAB serves as a filing officer under the campaign finance laws and who or which accepts contributions of \$20,000 or more during a campaign period to file campaign finance reports electronically. In addition, GAB must accept campaign finance reports electronically from any other registrant for whom GAB serves as a filing officer. Current law requires GAB to specify, by rule, software that is suitable for complying with the electronic filing requirement and must provide the software to registrants at a price not to exceed its cost. Any registrant who or which files reports electronically with GAB must also submit a copy of the report to GAB and the copy must be signed by an authorized individual.

Under the bill, the software that GAB specifies for electronic filing must allow an authorized individual to provide an electronic signature that is subject to a security procedure. The bill also eliminates the requirement that a registrant who or which files a report electronically must file a copy with GAB. A registrant who or which files a report electronically may, however, file with GAB that portion of the report signed by an authorized individual rather than submit the electronic signature of that individual.

Registration

Under current law, before any group makes or accepts contributions, makes disbursements, or incurs obligations exceeding \$750 in the aggregate in any year to promote or oppose a referendum, or before any individual accepts contributions, makes disbursements, or incurs obligations exceeding \$750 in the aggregate in any year for such purpose, that group or individual must file a registration statement with the appropriate filing officer. This bill increases the threshold for filing a registration statement for referendum-related activity from \$750 to \$2,500.

Under current law, every committee, other than a personal campaign committee, that makes or accepts contributions, makes disbursements, or incurs obligations exceeding \$25 in the aggregate in any year must file a registration statement. The bill increases the registration threshold for such a committee from \$25 to \$500.

Finally, under current law, every individual, other than a candidate or a candidate's agent, who accepts contributions, makes disbursements, or incurs obligations exceeding \$25 in the aggregate in any year to support or oppose the election or nomination of a candidate must file a registration statement. The bill increases the registration threshold for such an individual from \$25 to \$1,000.

SENATE BILL 655***Campaign finance reporting***

Under current law, a committee that is not acting in concert with a candidate and that makes one or more disbursements totaling \$20 or more to advocate the election or defeat of a candidate within 15 days before a primary or election must submit a report documenting the disbursement to the appropriate filing officer within 24 hours and must include information about the disbursement in its next regular report. Similarly, under current law, if any contribution or contributions from a single contributor and totaling \$500 or more are made to a candidate for state office or to a committee or individual within 15 days before a primary or election and the contribution is not included in a preprimary or preelection report, the recipient of the contribution must, within 24 hours, make a report to the appropriate filing officer, and must include the contribution in its next regular report. This bill extends the reporting period for such late filings from 24 hours to 48 hours.

Conduits; redirection of certain unclaimed contributions

The bill allows a conduit to redirect contributions made to the conduit but unclaimed for a period of two years to a committee, other than a personal campaign committee, that sponsors the conduit if there is such a committee or, if there is not such a committee, to the conduit's administrative fund. Prior to redirecting the unclaimed contribution, the conduit must either receive authorization from the surviving spouse or executor of the estate of a deceased individual to redirect the contribution or make at least ten good faith attempts to contact a contributor over the two-year period without success. The conduit may attempt to contact the contributor by U.S. mail, by electronic mail, or by telephone. The required attempts to contact the contributor may not all occur within one 30-day period. The bill requires the conduit to identify the sponsor on the conduit's registration form and to include on the conduit's financial report when a contribution is redirected.

Campaign contributions by lobbyists

Currently, no lobbyist may furnish anything of pecuniary value to a state agency official, legislative employee of the state, elective state official, candidate for elective state office, or the personal campaign committee of such an official, employee, or candidate except that a lobbyist may make a campaign contribution to an official or candidate who seeks office at the general (November) election or a partisan special election. The period during which a lobbyist may make a campaign contribution to an official or candidate at the general election or to the personal campaign committee of such an official or candidate begins on June 1 immediately preceding the election and ends on the date of the election.

This bill provides that a lobbyist may furnish a campaign contribution to such an official, employee, candidate, or committee at any time but that no lobbyist may personally make a campaign contribution except during the period when contributions are permitted to be made. This bill also extends the time during which a lobbyist may make such a contribution to between the first day authorized by law

SENATE BILL 655

for the circulation of nomination papers as a candidate and the day of the election or special election.

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

1 **SECTION 1.** 11.01 (6) (b) 8. and 9. of the statutes are created to read:

2 11.01 (6) (b) 8. Any cost incurred to conduct Internet activity for a political
3 purpose by an individual acting in his or her own behalf, or acting in behalf of another
4 person if the individual is not compensated specifically for those services, including
5 the cost or value of any equipment and services identified in s. 11.06 (13), but not
6 including professional video production services purchased by the individual.

7 9. Any cost incurred for covering or carrying a news story, commentary, or
8 editorial by a broadcasting station, cable television operator, producer, or
9 programmer, Internet site, or newspaper or other periodical publication, including
10 an Internet or other electronic publication except the cost of a news story that
11 appears in a medium that is owned or controlled by a candidate, personal campaign
12 committee of a candidate, support committee of a candidate that is authorized under
13 s. 11.05 (3) (p), or a political party.

14 **SECTION 2.** 11.01 (7) (a) 5. to 7. of the statutes are created to read:

15 11.01 (7) (a) 5. Any payment for a communication to the general public for a
16 political purpose by means of any broadcast, satellite communication, newspaper or
17 other periodical publication, outdoor advertising facility, mass mailing, or mass
18 telephoning to the general public, or any other form of advertising to the general
19 public, except communications over the Internet by an individual acting in his or her
20 own behalf, or acting in behalf of another person if the individual is not compensated

SENATE BILL 655**SECTION 2**

1 specifically for those services, including the cost or value of any equipment and
2 services identified in s. 11.06 (13).

3 6. Any payment for the purchase or rental of an electronic-mail address list
4 made at the direction of a registrant for a political purpose.

5 7. Any payment for an electronic-mail address list that is transferred to a
6 registrant for a political purpose.

7 **SECTION 3.** 11.01 (7) (b) 6. to 8. of the statutes are created to read:

8 11.01 (7) (b) 6. A communication or Internet activity by an individual acting
9 in his or her own behalf, or acting in behalf of another person if the individual is not
10 compensated specifically for those services, including the cost or value of any
11 equipment and services identified in s. 11.06 (13), but not including professional
12 video production services purchased by the individual.

13 7. Any cost incurred in covering or carrying a news story, commentary, or
14 editorial by a broadcasting station, cable television operator, programmer or
15 producer, Internet site, or newspaper or other periodical publication, including an
16 Internet or electronic publication, except the cost of a news story that appears in a
17 medium that is owned or controlled by a candidate, personal campaign committee
18 of a candidate, support committee of a candidate that is authorized under s. 11.05 (3)
19 (p), or a political party.

20 8. A nominal fee paid for a communication to the general public.

21 **SECTION 4.** 11.01 (12m) of the statutes is created to read:

22 11.01 (12m) "Internet activity" includes sending or forwarding an electronic
23 message; providing a hyperlink or other direct access on a person's Internet site to
24 an Internet site operated by another person; blogging; creating, maintaining, or
25 hosting an Internet site; payment by a person of a nominal fee for the use of an

SENATE BILL 655

1 Internet site operated by another person; or any other form of communication
2 distributed over the Internet.

3 **SECTION 5.** 11.05 (1) of the statutes is amended to read:

4 11.05 (1) COMMITTEES AND GROUPS. Except as provided in s. 9.10 (2) (d), every
5 committee other than a personal campaign committee which makes or accepts
6 contributions, incurs obligations, or makes disbursements in a calendar year in an
7 aggregate amount in excess of \$25 ~~(\$500)~~ ^{INS SAI-1}, and every political group subject to
8 registration under s. 11.23 shall file a statement with the appropriate filing officer
9 giving the information required by sub. (3). In the case of any committee other than
10 a personal campaign committee, the statement shall be filed by the treasurer. A
11 personal campaign committee shall register under sub. (2g) or (2r).

12 **SECTION 6.** 11.05 (2) of the statutes is amended to read:

13 11.05 (2) INDIVIDUALS. Except as provided in s. 9.10 (2) (d), every individual,
14 other than a candidate or agent of a candidate, who accepts contributions, incurs
15 obligations, or makes disbursements in a calendar year in an aggregate amount in
16 excess of \$25 ~~(\$1,000)~~ ^{INS. SAI-2} to support or oppose the election or nomination of a candidate
17 at an election and every individual subject to registration under s. 11.23 shall file a
18 statement with the appropriate filing officer giving the information required by sub.
19 (3). An individual who guarantees a loan on which an individual, committee or group
20 subject to a registration requirement defaults is not subject to registration under this
21 subsection solely as a result of such default.

22 **SECTION 7.** 11.05 (2r) of the statutes is amended to read:

23 11.05 (2r) GENERAL REPORTING EXEMPTIONS. Any committee, group, or
24 individual, other than a committee or individual required to file an oath under s.
25 11.06 (7), who or which does not anticipate accepting contributions, making

SENATE BILL 655**SECTION 7**

1 disbursements or incurring obligations in an aggregate amount in excess of \$1,000
2 in a calendar year and does not anticipate accepting any contribution or
3 contributions from a single source, other than contributions made by a candidate to
4 his or her own campaign, exceeding \$100 in that year, or exceeding ~~\$750~~ \$2,500 in
5 that year for a group or individual subject to registration under s. 11.23, may indicate
6 on its registration statement that the committee, group, or individual will not accept
7 contributions, incur obligations or make disbursements in the aggregate in excess
8 of \$1,000 in any calendar year and will not accept any contribution or contributions
9 from a single source, other than contributions made by a candidate to his or her own
10 campaign, exceeding \$100 in that year, or exceeding ~~\$750~~ \$2,500 in that year for a
11 group or individual subject to registration under s. 11.23. Any registrant making
12 such an indication is not subject to any filing requirement if the statement is true.
13 The registrant need not file a termination report. A registrant not making such an
14 indication on a registration statement is subject to a filing requirement. The
15 indication may be revoked and the registrant is then subject to a filing requirement
16 as of the date of revocation, or the date that aggregate contributions, disbursements
17 or obligations for the calendar year exceed \$1,000, or the date on which the registrant
18 accepts any contribution or contributions exceeding \$100 from a single source, or
19 exceeding ~~\$750~~ \$2,500 from a single source for a group or individual subject to
20 registration under s. 11.23, other than contributions made by a candidate to his or
21 her own campaign, during that year, whichever is earlier. If the revocation is not
22 timely, the registrant violates s. 11.27 (1).

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

SENATE BILL 655

1 11.05 (3) (q) In the case of a conduit, the name and mailing address of a sponsor,
2 as defined in s. 11.185 (1), to which contributions may be redirected as provided
3 under s. 11.185.

4 **SECTION 9.** 11.05 (12) (b) of the statutes is amended to read:

5 11.05 (12) (b) Except as authorized under sub. (13), a committee, group or
6 individual that becomes subject to a registration requirement under sub. (1) or (2),
7 other than a candidate or agent of a candidate, shall comply with sub. (1) or (2) no
8 later than the 5th business day commencing after receipt of the first contribution by
9 the committee, group or individual exceeding the amount specified under sub. (1) or
10 (2) or s. 11.23 (1), and before making any disbursement exceeding that amount. No
11 committee ~~or individual~~ supporting or opposing the election or nomination of a
12 candidate at an election, other than ~~a candidate or an~~ agent of a candidate, may
13 accept any contribution or contributions exceeding \$25 ~~(\$500)~~ INS 5A1-3 no individual
14 supporting or opposing the election or nomination of a candidate at an election, other
15 than a candidate or agent of a candidate, may accept any contribution or
16 contributions exceeding ~~(\$1,000)~~ INS. 5A1-4 and no group or individual subject to registration
17 under s. 11.23 may accept any contribution or contributions exceeding ~~\$750~~ \$2,500,
18 in the aggregate during a calendar year at any time when the committee, group or
19 individual is not registered under this section except within the initial 5-day period
20 authorized by this paragraph.

21 **SECTION 10.** 11.06 (11) (d) of the statutes is created to read:

22 11.06 (11) (d) A conduit shall include in each report under s. 11.12 (5) or 11.20
23 whether, during the reporting period, any contribution was redirected to a sponsor
24 as permitted under s. 11.185.

25 **SECTION 11.** 11.06 (13) of the statutes is created to read:

SENATE BILL 655

SECTION 11

1 11.06 (13) INTERNET ACTIVITY. (a) In this subsection, "equipment and services"
2 includes computers, software, Internet domain names, Internet service providers,
3 and any other technology that is used to provide access to or use of the Internet.

4 (b) If an individual conducts Internet activity for a political purpose in his or
5 her own behalf or in behalf of another person and is not compensated specifically for
6 those services, the cost or value of any equipment and services used by the individual
7 to conduct the activity, other than professional video production services purchased
8 by the individual, is not a contribution to the registrant as provided in s. 11.01 (6) (b)
9 8., regardless of who owns the equipment and services.

10 SECTION 12. 11.07 (1) of the statutes is amended to read:

11 11.07 (1) Every nonresident committee making contributions and every
12 nonresident individual or committee making disbursements to support or oppose the
13 election or nomination of a candidate at an election exceeding \$25²(\$500) cumulatively INS. SA1-5
14 in a calendar year within this state, every nonresident individual making
15 disbursements to support or oppose the election or nomination of a candidate at an
16 election exceeding \$1,000² cumulatively in a calendar year within this state, and INS. SA1-6
17 every nonresident group making contributions and every nonresident group or
18 individual making disbursements to support or oppose a particular vote at a
19 referendum exceeding \$750 \$2,500 cumulatively in a calendar year within this state,
20 shall file name, mailing and street address and the name and the mailing and street
21 address of a designated agent within the state with the office of the secretary of state.
22 An agent may be any adult individual who is a resident of this state. After any
23 change in the name or address of such agent the new address or name of the successor
24 agent shall be filed within 30 days. Service of process in any proceeding under this

SENATE BILL 655

1 chapter or ch. 12, or service of any other notice or demand may be made upon such
2 agent.

3 **SECTION 13.** 11.12 (5) of the statutes is amended to read:

4 11.12 (5) If any contribution or contributions of \$500 or more cumulatively are
5 received by a candidate for state office or by a committee or individual from a single
6 contributor later than 15 days prior to a primary or election such that it is not
7 included in the preprimary or preelection report submitted under s. 11.20 (3), the
8 treasurer of the committee or the individual receiving the contribution shall within
9 24 48 hours of receipt inform the appropriate filing officer of the information required
10 under s. 11.06 (1) in such manner as the board may prescribe. The information shall
11 also be included in the treasurer's or individual's next regular report. For purposes
12 of the reporting requirement under this subsection, only contributions received
13 during the period beginning with the day after the last date covered on the
14 preprimary or preelection report, and ending with the day before the primary or
15 election need be reported.

16 **SECTION 14.** 11.12 (6) of the statutes is amended to read:

17 11.12 (6) If any disbursement of more than \$20 cumulatively is made to
18 advocate the election or defeat of a clearly identified candidate by an individual or
19 committee later than 15 days prior to a primary or election in which the candidate's
20 name appears on the ballot without cooperation or consultation with a candidate or
21 agent or authorized committee of a candidate who is supported or opposed, and not
22 in concert with or at the request or suggestion of such a candidate, agent or
23 committee, but such that the disbursement is not included in a preprimary or
24 preelection report submitted under s. 11.20 (3), the individual or treasurer of the
25 committee shall, within 24 48 hours of making the disbursement, inform the

SENATE BILL 655**SECTION 14**

1 appropriate filing officer of the information required under s. 11.06 (1) in such
2 manner as the board may prescribe. The information shall also be included in the
3 next regular report of the individual or committee under s. 11.20. For purposes of
4 this subsection, 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, the filing officer
7 shall, within 24 hours of receipt, mail a copy of the report to all candidates for any
8 office in support of or opposition to one of whom a disbursement identified in the
9 report is made.

10 **SECTION 15.** 11.185 of the statutes is created to read:

11 **11.185 Redirection of contributions made to conduits.** (1) In this
12 section, "sponsor" means a committee, including a support committee, political party
13 committee, legislative campaign committee, and special interest committee, but
14 excluding a personal campaign committee, that is associated with a conduit.

15 (2) A conduit may redirect any contribution received from an individual or
16 organization to a sponsor or, if there is no sponsor, to an administrative fund of the
17 conduit if all of the following apply:

18 (a) The conduit has held the contribution for at least 24 consecutive months,
19 including the 24 months immediately preceding the effective date of this paragraph
20 ... [LRB inserts date], over which time the individual or organization that made the
21 contribution has made no contact with the conduit.

22 (b) Either of the following apply:

23 1. The conduit has, over the 24-month period described in par. (a), attempted
24 in good faith to contact the individual or organization that made the contribution at
25 least 10 times, and has documented each such attempt, but has been unable to make

SENATE BILL 655

1 contact with the individual or organization. A conduit may satisfy the requirement
2 to contact the individual or organization by telephoning the individual or
3 organization at the last-known telephone number; by sending a letter or postcard
4 to the individual or organization by U.S. mail; by sending a message by electronic
5 mail; or by any combination of the foregoing. A conduit may not satisfy the
6 requirement to attempt in good faith to contact the individual or organization at least
7 10 times if all 10 attempted contacts occur within a period of 30 consecutive days.

8 2. The surviving spouse or executor of the estate of a deceased individual that
9 made the contribution authorizes the redirection of the contribution.

10 (3) If a conduit redirects a contribution under this section, the conduit shall
11 include in its report under s. 11.12 (5) or 11.20 for the reporting period during which
12 the contribution is redirected the information about the original contributor
13 required for reporting purposes under s. 11.06 (1) (a) and (b) for the dates on which
14 the contribution is received and redirected and whether the contribution is
15 redirected to a sponsor or to an administrative fund of the conduit.

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

17 11.21 (16) Require each registrant for whom the board serves as filing officer
18 and who or which accepts contributions in a total amount or value of \$20,000 or more
19 during a campaign period to file each campaign finance report that is required to be
20 filed under this chapter in an electronic format, and accept from any other registrant
21 for whom the board serves as a filing officer any campaign finance report that is
22 required to be filed under this chapter in an electronic format. A registrant who or
23 which becomes subject to a requirement to file reports in an electronic format under
24 this subsection shall initially file the registrant's report in an electronic format for
25 the period which includes the date on which the registrant becomes subject to the

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SAI-7

SENATE BILL 655**SECTION 16**

1 requirement. To facilitate implementation of this subsection, the board shall specify,
2 by rule, a type of software that is suitable for compliance with the electronic filing
3 requirement under this subsection. The software shall allow an authorized
4 individual to provide an electronic signature, as defined in s. 137.11 (8), that is
5 subject to a security procedure, as defined in s. 137.11 (13). The board shall provide
6 copies of the software to registrants at a price fixed by the board that may not exceed
7 cost. ~~Each registrant who or which files a report under this subsection in an~~
8 ~~electronic format shall also file a copy of the report with the board that is recorded~~
9 ~~on a medium specified by the board. The copy shall be signed by an authorized~~
10 ~~individual and filed with the board by each registrant no later than the time~~
11 ~~prescribed for filing of the report under this chapter. A registrant who or which files~~
12 a report under this subsection in an electronic format may file with the board that
13 portion of the report signed by an authorized individual rather than submit the
14 electronic signature of that individual. The board shall provide complete
15 instructions to any registrant who or which files a report under this subsection. In
16 this subsection, the "campaign period" of a candidate, personal campaign committee
17 or support committee begins and ends with the "campaign" of the candidate whose
18 candidacy is supported, as defined in s. 11.26 (17), and the "campaign period" of any
19 other registrant begins on January 1 of each odd-numbered year and ends on
20 December 31 of the following year.

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

22 11.23 (1) Any group or individual may promote or oppose a particular vote at
23 any referendum in this state. Except as authorized in s. 11.05 (12) (b) and (13), before
24 a group makes or accepts contributions, makes disbursements, or incurs obligations
25 in excess of \$750 \$2,500 in the aggregate in a calendar year for such purposes, and

SENATE BILL 655

1 before an individual accepts contributions, makes disbursements, or incurs
2 obligations in excess of ~~\$750~~ \$2,500 in the aggregate in a calendar year for such
3 purposes, the group or individual shall file a registration statement under s. 11.05
4 (1), (2) or (2r). In the case of a group the name and mailing address of each of its
5 officers shall be given in the statement. Every group and every individual under this
6 section shall designate a campaign depository account under s. 11.14. Every group
7 shall appoint a treasurer, who may delegate authority but is jointly responsible for
8 the actions of his or her authorized designee for purposes of civil liability under this
9 chapter. The appropriate filing officer shall be notified by a group of any change in
10 its treasurer within 10 days of the change under s. 11.05 (5). The treasurer of a group
11 shall certify the correctness of each statement or report submitted by it under this
12 chapter.

13 **SECTION 18.** 11.26 (9) (a) of the statutes is amended to read:

14 11.26 (9) (a) No individual who is a candidate for state or local office may receive
15 and accept more than 65 percent of the value of the total disbursement level
16 determined under s. 11.31 for the office for which he or she is a candidate during any
17 primary and election campaign combined from all committees subject to a filing
18 requirement, including political party and legislative campaign committees, not
19 including any transfer from any personal campaign committee to another personal
20 campaign committee.

21 **SECTION 19.** 11.26 (9) (b) of the statutes is amended to read:

22 11.26 (9) (b) No individual who is a candidate for state or local office may receive
23 and accept more than 45 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
25 primary and election campaign combined from all committees other than political

SENATE BILL 655

SECTION 19

INS.
SAI-8

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party and legislative campaign committees subject to a filing requirement, including any transfer from any personal campaign committee to another personal campaign committee.

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SECTION 20. 11.30 (4) of the statutes is amended to read:

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11.30 (4) No owner or other person with a financial interest in a communications medium may utilize such medium in support of or in opposition to a candidate or referendum except as provided in this chapter.

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(4m) This chapter shall not be construed to restrict fair coverage of bona fide news stories, interviews with candidates and other politically active individuals, editorial comment or endorsement. Such activities editorials by any broadcasting station, cable television operator or producer, Internet site, or newspaper or other periodical publication, including an Internet or electronic publication, unless the communication is made by a candidate, personal campaign committee, support committee of a candidate authorized under s. 11.05 (3) (p), or a political party. Activities that are not restricted under this subsection are not subject to an attribution requirement under sub. (2) and need not be reported as a contribution or disbursement.

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SECTION 21. 11.38 (1) (a) 3. of the statutes is repealed.

SECTION 22. 13.625 (1) (b) 3. of the statutes is amended to read:

13.625 (1) (b) 3. Food, meals, beverages, money or any other thing of pecuniary value, except that a lobbyist may furnish a campaign contribution that is not made personally by the lobbyist at any time and no lobbyist may personally make a campaign contribution except as permitted under this subdivision or par. (c). A lobbyist may personally make a campaign contribution to a partisan elective state official or, to a candidate for national, state, or local office, or to the official's or

SENATE BILL 655

1 candidate's personal campaign committee; but a lobbyist may make a contribution
2 to which par. (c) applies only as authorized in par. (c)

INS. SA 1-10

3 SECTION 23. 13.625 (1) (c) (intro.) of the statutes is amended to read:

4 13.625 (1) (c) (intro.) Except as permitted in this subsection, personally make
5 a campaign contribution, as defined in s. 11.01 (6), to a partisan elective state official
6 for the purpose of promoting the official's election to any national, state, or local
7 office; or to a candidate for a partisan elective state office to be filled at the general
8 election or a special election; or to the official's or candidate's personal campaign
9 committee. A lobbyist may personally make a campaign contribution to a partisan
10 elective state official or candidate for partisan elective state office or his or her to the
11 personal campaign committee may be made of the official or candidate in the year
12 of a candidate's election between June 1 the first day authorized by law for the
13 circulation of nomination papers as a candidate at a general election or special
14 election and the day of the general election or special election, except that:

15 SECTION 24. 13.625 (3) of the statutes is amended to read:

16 13.625 (3) No candidate for an elective state office, elective state official, agency
17 official or legislative employee of the state may solicit or accept anything of pecuniary
18 value from a lobbyist or principal, except as permitted under subs. (1) (b) 3. and (e),
19 (2), (4), (5), (6), (7), (8) and (9) and except that such a candidate, official, or employee
20 may accept a campaign contribution if the contribution is not prohibited under sub.
21 (1) (b) 3. or (c). No personal campaign committee of a candidate for state office may
22 accept anything of pecuniary value from a lobbyist or principal, except as permitted
23 for such a candidate under subs. (1) (b) 3. and (e), (2) and (6) and except that such a

SENATE BILL 655

SECTION 24

1 committee may accept a campaign contribution if the contribution is not prohibited

2 under sub. (1) (b) 3. or (c).

3 (END)



**SENATE AMENDMENT 1,
TO SENATE BILL 655**

March 6, 2014 – Offered by Senator LAZICH.

- 1 At the locations indicated, amend the bill as follows:
- 2 **1.** Page 7, line 7: delete “\$500” and substitute “\$300”. SAI-1
- 3 **2.** Page 7, line 16: delete “\$1,000” and substitute “\$300”. SAI-2
- 4 **3.** Page 9, line 13: delete “\$500” and substitute “\$300”. SAI-3
- 5 **4.** Page 9, line 16: delete “\$1,000” and substitute “\$300”. SAI-4
- 6 **5.** Page 10, line 13: delete “\$500” and substitute “\$300”. SAI-5
- 7 **6.** Page 10, line 16: delete “\$1,000” and substitute “\$300”. SAI-6
- 8 **7.** Page 13, line 3: after “number;” insert “by sending a text message to the SAI-7
- 9 individual or organization at the last-known cellular telephone number or pager
- 10 number capable of receiving text messages; by sending a facsimile transmission to
- 11 the individual or organization at the last-known facsimile transmission number;”.
- 12 **8.** Page 15, line 18: delete “not”.

SAI-9

1 **9.** Page 16, line 1: after "requirement," insert "not".

2 **10.** Page 16, line 18: delete the material beginning with that line and ending
3 with page 17, line 2, and substitute:

4 "**SECTION 21m.** 11.38 (1) (a) 3. of the statutes is amended to read:
5 11.38 (1) (a) 3. No corporation or association specified in subd. 1. may annually
6 expend ~~more than a combined total of \$500 annually~~ for solicitation of contributions
7 to a fund established under subd. 2. or to a conduit more than the greater of \$20,000
8 or 20 percent of the amount of contributions in the previous year to the fund
9 established under subd. 2. or to a conduit".

SAI-10

10 **11.** Page 17, line 15: delete the material beginning with that line and ending
11 with page 18, line 2.

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(END)