

2013-2014 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-4285/?ins
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Insert 5 - A

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.

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.

Insert 36 - 25

1 **SECTION 1.** 11.26 (9) (a) of the statutes is amended to read:

2 11.26 (9) (a) No individual who is a candidate for state or local office may receive
3 and accept more than 65 percent of the value of the total disbursement level
4 determined under s. 11.31 for the office for which he or she is a candidate during any
5 primary and election campaign combined from all committees subject to a filing
6 requirement, including political party and legislative campaign committees, not
7 including any transfer from any personal campaign committee to another personal
8 campaign committee.

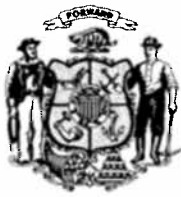
History: 1973 c. 334; 1975 c. 93 ss. 89 to 95, 119 (1); 1975 c. 200; 1977 c. 107, 187; 1977 c. 427 s. 132; 1979 c. 263, 328; 1979 c. 355 s. 32; 1983 a. 183, 186; 1985 a. 303 ss. 44 to 55m, 86; 1987 a. 27, 370; 1989 a. 31, 192; 1995 a. 27 s. 9145 (1); 1995 a. 219, 225; 1999 a. 32; 2001 a. 109; 2005 a. 177; 2009 a. 89, 216; 2011 a. 32, 75; s. 35.17 correction in (1) (d) 1.

9 **SECTION 2.** 11.26 (9) (b) of the statutes is amended to read:

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

- 1 including any transfer from any personal campaign committee to another personal
- 2 campaign committee.

History: 1973 c. 334; 1975 c. 93 ss. 89 to 95, 119 (1); 1975 c. 200; 1977 c. 107, 187; 1977 c. 427 s. 132; 1979 c. 263, 328; 1979 c. 355 s. 32; 1983 a. 183, 186; 1985 a. 303 ss. 44 to 55m, 86; 1987 a. 27, 370; 1989 a. 31, 192; 1995 a. 27 s. 9145 (1); 1995 a. 219, 225; 1999 a. 32; 2001 a. 109; 2005 a. 177; 2009 a. 89, 216; 2011 a. 32, 75; s. 35.17 correction in (1) (d) 1.



State of Wisconsin
2013 - 2014 LEGISLATURE



LRB-4285/P1

JTK/JK/TKK:all,jf

Stays

P2

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

in Thursday
2-20

due Friday
2-21

- re gen

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), 11.06 (1) (intro.), 11.06 (11) (a), 11.07 (1), 11.21 (16), 11.23 (1), 11.26 (9)

3 (a), 11.26 (9) (b), 11.30 (4) and 13.625 (1) (c) (intro.); and *to create* 11.01 (6) (b)

4 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

5 (11) (d), 11.06 (13) and 11.185 of the statutes; **relating to:** various changes in

6 the campaign finance law and lobbying laws

Analysis by the Legislative Reference Bureau and lobbying laws

This bill makes various changes in the campaign finance law. 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. 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.

Contributions by corporations or cooperatives

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.

Contribution limits

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.

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 a registrant 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.

Conduits campaign finance reporting

Current law defines a conduit as an individual or organization that receives a contribution of money and transfers the contribution to another individual or organization without exercising discretion as to either the amount transferred or the individual to whom or organization to which the transfer is made. A transfer of money from a conduit is considered to be a transfer of money from the individual or organization that made the contribution to the conduit. Current law requires conduits to register with GAB; as a registrant, current law also requires a conduit to make financial reports related to contributions and distributions made or received by the conduit. Generally, financial reports must include an itemized statement giving the date, full name and street address of certain contributors, together with the amount of the contribution and the cumulative total contributions made by that contributor for the calendar year; the name and address of the principal place of employment, if any, of certain individual contributors; cumulative totals for the calendar year of contributions received by the registrant, and disbursements made,

including transfers of funds made to or received from other registrants; and a statement of the registrant's cash balance on hand at the beginning and end of the reporting period.

This bill modifies the reporting requirements for conduits to conform with current GAB practice. Current GAB practice requires conduits to file, at each required reporting period, a summary report listing the date of the transfer of money, the complete name and address of each transferee, the total amount transferred to each transferee within the reporting period, and the total amount transferred during the calendar year.

The bill also requires conduits to report the beginning and ending balances of cash on hand for each reporting period.

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, a support committee, a political party, or a legislative 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, a lobbyist may make a campaign contribution to a partisan elective state official or candidate for partisan elective state office in the year of the official's or candidate's election between June 1 and the day of the election. This bill extends the time during which a lobbyist may make such a contribution to between the first day authorized by law 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

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also

1 the cost or value of any equipment and services identified in s. 11.06 (13), but not
2 including professional video production services purchased by the individual.

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

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

11 11.01 (7) (a) 5. Any payment for a communication to the general public for a
12 political purpose by means of any broadcast, satellite communication, newspaper or
13 other periodical publication, outdoor advertising facility, mass mailing, or mass
14 telephoning to the general public, or any other form of advertising to the general
15 public, except communications over the Internet by an individual acting in his or her
16 own behalf, or acting in behalf of another person if the individual is not compensated
17 specifically for those services, including the cost or value of any equipment and
18 services identified in s. 11.06 (13).

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

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

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

24 11.01 (7) (b) 6. A communication or Internet activity by an individual acting
25 in his or her own behalf, or acting in behalf of another person if the individual is not

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1 compensated specifically for those services, including the cost or value of any
2 equipment and services identified in s. 11.06 (13), but not including professional
3 video production services purchased by the individual.

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

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

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

13 11.01 (12m) “Internet activity” includes sending or forwarding an electronic
14 message; providing a hyperlink or other direct access on a person’s Internet site to
15 an Internet site operated by another person; blogging; creating, maintaining, or
16 hosting an Internet site; payment by a person of a nominal fee for the use of an
17 Internet site operated by another person; or any other form of communication
18 distributed over the Internet.

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

20 11.05 (1) COMMITTEES AND GROUPS. Except as provided in s. 9.10 (2) (d), every
21 committee other than a personal campaign committee which makes or accepts
22 contributions, incurs obligations, or makes disbursements in a calendar year in an
23 aggregate amount in excess of ~~\$25~~ \$500, and every political group subject to
24 registration under s. 11.23 shall file a statement with the appropriate filing officer
25 giving the information required by sub. (3). In the case of any committee other than

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

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

4 11.05 (2) INDIVIDUALS. Except as provided in s. 9.10 (2) (d), every individual,
5 other than a candidate or agent of a candidate, who accepts contributions, incurs
6 obligations, or makes disbursements in a calendar year in an aggregate amount in
7 excess of ~~\$25~~ \$1,000 to support or oppose the election or nomination of a candidate
8 at an election and every individual subject to registration under s. 11.23 shall file a
9 statement with the appropriate filing officer giving the information required by sub.
10 (3). An individual who guarantees a loan on which an individual, committee or group
11 subject to a registration requirement defaults is not subject to registration under this
12 subsection solely as a result of such default.

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

14 11.05 (2r) GENERAL REPORTING EXEMPTIONS. Any committee, group, or
15 individual, other than a committee or individual required to file an oath under s.
16 11.06 (7), who or which does not anticipate accepting contributions, making
17 disbursements or incurring obligations in an aggregate amount in excess of \$1,000
18 in a calendar year and does not anticipate accepting any contribution or
19 contributions from a single source, other than contributions made by a candidate to
20 his or her own campaign, exceeding \$100 in that year, or exceeding ~~\$750~~ \$2,500 in
21 that year for a group or individual subject to registration under s. 11.23, may indicate
22 on its registration statement that the committee, group, or individual will not accept
23 contributions, incur obligations or make disbursements in the aggregate in excess
24 of \$1,000 in any calendar year and will not accept any contribution or contributions
25 from a single source, other than contributions made by a candidate to his or her own

SECTION 7

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

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

15 11.05 (3) (q) In the case of a conduit, the name and mailing address of a sponsor,
16 as defined in s. 11.185 (1), to which contributions may be redirected as provided
17 under s. 11.185.

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

19 11.05 (12) (b) Except as authorized under sub. (13), a committee, group or
20 individual that becomes subject to a registration requirement under sub. (1) or (2),
21 other than a candidate or agent of a candidate, shall comply with sub. (1) or (2) no
22 later than the 5th business day commencing after receipt of the first contribution by
23 the committee, group or individual exceeding the amount specified under sub. (1) or
24 (2) or s. 11.23 (1), and before making any disbursement exceeding that amount. No
25 committee ~~or individual~~ supporting or opposing the election or nomination of a

1 candidate at an election, other than ~~a candidate or~~ an agent of a candidate, may
2 accept any contribution or contributions exceeding ~~\$25~~ \$500, no individual
3 supporting or opposing the election or nomination of a candidate at an election, other
4 than a candidate or agent of a candidate, may accept any contribution or
5 contributions exceeding \$1,000, and no group or individual subject to registration
6 under s. 11.23 may accept any contribution or contributions exceeding ~~\$750~~ \$2,500,
7 in the aggregate during a calendar year at any time when the committee, group or
8 individual is not registered under this section except within the initial 5-day period
9 authorized by this paragraph.

10 **SECTION 10.** 11.06 (1) (intro.) of the statutes is amended to read:

11 11.06 (1) CONTENTS OF REPORT. (intro.) Except as provided in subs. (2), (3) and
12 (3m) and ss. 11.05 (2r) and 11.19 (2), each registrant under s. 11.05 shall make full
13 reports, upon a form prescribed by the board and signed by the appropriate
14 individual under sub. (5), of all contributions received, contributions or
15 disbursements made, and obligations incurred. ~~Each~~ Except for a report required
16 under sub. (11), each report shall contain the following information, covering the
17 period since the last date covered on the previous report, unless otherwise provided:

18 **SECTION 11.** 11.06 (11) (a) of the statutes is amended to read:

19 11.06 (11) (a) A conduit transferring a contribution of money shall, in writing,
20 identify itself to the transferee as a conduit and report to the transferee of each
21 contribution transferred by it the information about the original contributor
22 required for reporting purposes under sub. (1) (a) and (b) at the time the contribution
23 is transferred. The conduit shall include ~~the information~~ in its report under s. 11.12
24 (5) or 11.20 ~~for~~ the date on which the contribution is received and transferred.

25 **SECTION 12.** 11.06 (11) (d) of the statutes is created to read:

1 11.06 (11) (d) A conduit shall include in each report under s. 11.12 (5) or 11.20

2 all of the following:

3 1. A statement of the cash balance on hand at the beginning and end of the
4 reporting period.

5 2. Whether, during the reporting period, any contribution was redirected to a
6 sponsor as permitted under s. 11.185.

7 SECTION 13. 11.06 (13) of the statutes is created to read:

8 11.06 (13) INTERNET ACTIVITY. (a) In this subsection, "equipment and services"
9 includes computers, software, Internet domain names, Internet service providers,
10 and any other technology that is used to provide access to or use of the Internet.

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

17 SECTION 14. 11.07 (1) of the statutes is amended to read:

18 11.07 (1) Every nonresident committee making contributions and every
19 nonresident ~~individual or~~ committee making disbursements to support or oppose the
20 election or nomination of a candidate at an election exceeding ~~\$25~~ \$500 cumulatively
21 in a calendar year within this state, every nonresident individual making
22 disbursements to support or oppose the election or nomination of a candidate at an
23 election exceeding \$1,000 cumulatively in a calendar year within this state, and
24 every nonresident group making contributions and every nonresident group or
25 individual making disbursements to support or oppose a particular vote at a

1 referendum exceeding \$750 \$2,500 cumulatively in a calendar year within this state,
2 shall file name, mailing and street address and the name and the mailing and street
3 address of a designated agent within the state with the office of the secretary of state.
4 An agent may be any adult individual who is a resident of this state. After any
5 change in the name or address of such agent the new address or name of the successor
6 agent shall be filed within 30 days. Service of process in any proceeding under this
7 chapter or ch. 12, or service of any other notice or demand may be made upon such
8 agent.

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

10 **11.185 Redirection of contributions made to conduits.** (1) In this
11 section, “sponsor” means a committee, other than a personal campaign committee,
12 support committee, political party, or legislative campaign committee, that is
13 associated with a conduit.

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

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

21 (b) Either of the following apply:

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

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

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

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

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

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

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

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

20 11.23 (1) Any group or individual may promote or oppose a particular vote at
21 any referendum in this state. Except as authorized in s. 11.05 (12) (b) and (13), before
22 a group makes or accepts contributions, makes disbursements, or incurs obligations
23 in excess of \$750 \$2,500 in the aggregate in a calendar year for such purposes, and
24 before an individual accepts contributions, makes disbursements, or incurs
25 obligations in excess of \$750 \$2,500 in the aggregate in a calendar year for such

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

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

12 11.26 (9) (a) No individual who is a candidate for state or local office may receive
13 and accept more than 65 percent of the value of the total disbursement level
14 determined under s. 11.31 for the office for which he or she is a candidate during any
15 primary and election campaign combined from all committees subject to a filing
16 requirement, including political party and legislative campaign committees, not
17 including any transfer from any personal campaign committee to another personal
18 campaign committee.

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

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

1 any transfer from any personal campaign committee to another personal campaign
2 committee.

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

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

7 **(4m)** This chapter shall not be construed to restrict ~~fair~~ coverage of bona fide
8 news stories, interviews with candidates and other politically active individuals,
9 editorial comment or endorsement. Such activities editorials by any broadcasting
10 station, cable television operator or producer, Internet site, or newspaper or other
11 periodical publication, including an Internet or electronic publication, unless the
12 communication is made by a candidate, personal campaign committee, support
13 committee of a candidate authorized under s. 11.05 (3) (p), or a political party.
14 Activities that are not restricted under this subsection are not subject to an
15 attribution requirement under sub. (2) and need not be reported as a contribution or
16 disbursement.

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

18 **SECTION 22.** 13.625 (1) (c) (intro.) of the statutes is amended to read:

19 13.625 (1) (c) (intro.) Except as permitted in this subsection, make a campaign
20 contribution, as defined in s. 11.01 (6), to a partisan elective state official for the
21 purpose of promoting the official's election to any national, state, or local office,; or
22 to a candidate for a partisan elective state office to be filled at the general election
23 or a special election,; or to the official's or candidate's personal campaign committee.

24 A lobbyist may make a campaign contribution to a partisan elective state official or
25 candidate for partisan elective state office or ~~his or her~~ to the personal campaign

*Present
15-17*

personally

personally

1 committee ~~may be made~~ of the official or candidate in the year of a candidate's
2 election between ~~June 1~~ the first day authorized by law for the circulation of
3 nomination papers as a candidate at a general election or special election and the day
4 of the general election or special election, except that:

5

(END)

#, am, 13.625(3)

Insert 16-4

~~committee or individual engaging in such activities must file a preelection report; 5) a registered group or individual making or accepting contributions or making distributions in support of or in opposition to a referendum appearing on a primary ballot must file a preprimary and preelection report; and 6) a registered group or individual making or accepting contributions or making distributions in support of or in opposition to a referendum appearing on an election ballot must file a preelection report. Under current law, if any report is required to be filed on a nonbusiness day, the report may be filed on the next business day thereafter.~~

*Amend
3-A*

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 substitute amendment extends the reporting period for such late filings from 24 hours to 48 hours.

~~The substitute amendment retains the preprimary and preelection reporting requirements and the flexible filing date in the event that the filing date is a nonbusiness day.~~

~~The substitute amendment requires registrants participating in a spring primary or spring election to, annually, file reports on the fifteenth day of the month in the months of January, April, July, and October.~~

~~The substitute amendment requires those registrants participating in a partisan primary or general election to file reports on the fifteenth day of the month in the months of January, April, July, and October in an odd-numbered (nonelection) year and, in an even-numbered (election) year, on the fifteenth day of the month in the months of April and July and on the fourth Tuesday of September.~~

~~Currently, individuals and committees supporting or opposing candidates for office, and individuals, groups, and corporations supporting or opposing a referendum, must submit reports of contributions received, contributions or disbursements made, and obligations incurred to the appropriate filing officer twice each year: on or after January 1 but no later than January 31; and on or after July 1 but no later than July 20. This substitute amendment changes the reporting requirement as follows: 1) individuals and committees supporting or opposing candidates in a spring primary or election and individuals, groups, and corporations supporting or opposing a referendum appearing on a spring ballot must file reports on the fifteenth day of the month in the months of January, April, July, and October; 2) individuals and committees supporting or opposing candidates in a partisan primary or general election and individuals, groups, and corporations supporting or opposing a referendum appearing on a general election ballot must, in an~~

BILL

soliciting contributions. This bill eliminates the \$500 cap on expenditures made to solicit contributions to the segregated fund.

Under current law, the limitations on contributions and disbursements by corporations, cooperatives, and associations do not apply to certain labor organizations that were incorporated as nonstock corporations before January 1, 1978. This bill eliminates that exemption.

Contribution limits

This bill increases the limits for contributions by an individual or committee to a candidate's campaign as follows:

1. For candidates for governor, lieutenant governor, secretary of state, state treasurer, attorney general, state superintendent, or justice, from \$10,000 to \$25,000.

2. For candidates for state senator, from \$1,000 to \$3,000.

3. For candidates for state assembly representative, from \$500 to \$1,500.

Under current law, no individual who is a candidate for state or local office may receive 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 eliminates this limitation.

Under current law, no individual who is a candidate for state or local office may receive 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 also eliminates this limitation.

Under current law, the total amount that an individual may contribute annually to all candidates for state and local offices, and to persons who are required to register for campaign financing purposes, is \$10,000. The bill eliminates this limitation.

Under current law, a political party may not receive more than \$150,000 in value of its contributions in any biennium from committees, other than political party or legislative campaign committees. The bill increases that amount to \$450,000.

Under current law, a political party may not receive more than \$6,000 in value of its contributions annually from any specific committee, excluding a political party or legislative campaign committee. The bill increases that amount to \$18,000.

Finally, the bill increases the total value of contributions that a committee, other than a political party or legislative campaign committee, may make to a political party from \$6,000 each year to \$18,000 each year.

Prohibited practices by lobbyists and principals

Currently, no lobbyist or principal (person who employs a 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 or principal 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

Amend 4-A

BILL

Amend 4-A

during which a lobbyist ~~or principal~~ 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 ~~or principal~~ may furnish a campaign contribution to such an official, employee, candidate, or committee at any time but that no lobbyist ~~or principal~~ may personally make a campaign contribution except during the period when contributions are permitted to be made. Under the bill, the period during which contributions are permitted to be made begins on April 15 preceding the general election and ends on the date of the general election, and with respect to a special election, the period begins on the date that the special election is ordered and ends on the date of the 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 on his or her own behalf, or acting on behalf of
4 another person if the individual is not compensated specifically for those services,
5 including the cost or value of any equipment and services identified in s. 11.06 (13).

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

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

14 11.01 (7) (a) 5. Any payment for a communication to the general public for a
15 political purpose by means of any broadcast, satellite communication, newspaper or

1 11.07 (1) Every nonresident committee making contributions and every
2 nonresident individual or committee making disbursements to support or oppose the
3 election or nomination of a candidate at an election exceeding \$25 \$500 cumulatively
4 in a calendar year within this state, every nonresident individual making
5 disbursements to support or oppose the election or nomination of a candidate at an
6 election exceeding \$1,000 cumulatively in a calendar year within this state, and
7 every nonresident group making contributions and every nonresident group or
8 individual making disbursements to support or oppose a particular vote at a
9 referendum exceeding \$750 \$2,500 cumulatively in a calendar year within this state,
10 shall file name, mailing and street address and the name and the mailing and street
11 address of a designated agent within the state with the office of the secretary of state.
12 An agent may be any adult individual who is a resident of this state. After any
13 change in the name or address of such agent the new address or name of the successor
14 agent shall be filed within 30 days. Service of process in any proceeding under this
15 chapter or ch. 12, or service of any other notice or demand may be made upon such
16 agent.

17 **SECTION 32.** 11.12 (1) (d) of the statutes is amended to read:

18 11.12 (1) (d) Paragraph (a) does not apply to disbursements and obligations
19 which are exempted from reporting under s. 11.06 (1g) or (2).

20 **SECTION 33.** 11.12 (4) of the statutes is amended to read:

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

25 **SECTION 34.** 11.12 (5) of the statutes is amended to read:

Insert 11-8

Insert 11-8

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

13 **SECTION 35.** 11.12 (6) of the statutes is amended to read:

14 11.12 (6) If any disbursement of more than \$20 cumulatively is made to
15 advocate the election or defeat of a clearly identified candidate by an individual or
16 committee later than 15 days prior to a primary or election in which the candidate's
17 name appears on the ballot without cooperation or consultation with a candidate or
18 agent or authorized committee of a candidate who is supported or opposed, and not
19 in concert with or at the request or suggestion of such a candidate, agent or
20 committee, but such that the disbursement is not included in a preprimary or
21 preelection report submitted under s. 11.20 (3), the individual or treasurer of the
22 committee shall, within 24 48 hours of making the disbursement, inform the
23 appropriate filing officer of the information required under s. 11.06 (1) in such
24 manner as the board may prescribe. The information shall also be included in the
25 next regular report of the individual or committee under s. 11.20. For purposes of

1 this subsection, disbursements cumulate beginning with the day after the last date
2 covered on the preprimary or preelection report and ending with the day before the
3 primary or election. Upon receipt of a report under this subsection, the filing officer
4 shall, within 24 hours of receipt, mail a copy of the report to all candidates for any
5 office in support of or opposition to one of whom a disbursement identified in the
6 report is made.

end of 11-8

7 **SECTION 36.** 11.16 (1) (d) of the statutes is amended to read:

8 11.16 (1) (d) This subsection does not apply to disbursements and obligations
9 which are exempted from reporting under s. 11.06 (1g) or (2).

10 **SECTION 37.** 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, other than a personal campaign committee,
13 support committee, political party, or legislative campaign committee, that is
14 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

e

1 24 48 hours of receipt inform the appropriate filing officer of the information required
2 under s. 11.06 (1) in such manner as the board may prescribe. The information shall
3 also be included in the treasurer's or individual's next regular report. For purposes
4 of the reporting requirement under this subsection, only contributions received
5 during the period beginning with the day after the last date covered on the
6 preprimary or preelection report, and ending with the day before the primary or
7 election need be reported.

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

9 11.12 (6) If any disbursement of more than \$20 cumulatively is made to
10 advocate the election or defeat of a clearly identified candidate by an individual or
11 committee later than 15 days prior to a primary or election in which the candidate's
12 name appears on the ballot without cooperation or consultation with a candidate or
13 agent or authorized committee of a candidate who is supported or opposed, and not
14 in concert with or at the request or suggestion of such a candidate, agent or
15 committee, but such that the disbursement is not included in a preprimary or
16 preelection report submitted under s. 11.20 (3), the individual or treasurer of the
17 committee shall, within 24 48 hours of making the disbursement, inform the
18 appropriate filing officer of the information required under s. 11.06 (1) in such
19 manner as the board may prescribe. The information shall also be included in the
20 next regular report of the individual or committee under s. 11.20. For purposes of
21 this subsection, disbursements cumulate beginning with the day after the last date
22 covered on the preprimary or preelection report and ending with the day before the
23 primary or election. Upon receipt of a report under this subsection, the filing officer
24 shall, within 24 hours of receipt, mail a copy of the report to all candidates for any

1 office in support of or opposition to one of whom a disbursement identified in the
2 report is made.

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

4 **11.185 Redirection of contributions made to conduits.** (1) In this
5 section, “sponsor” means a committee, including a support committee, political party
6 committee, legislative campaign committee, and special interest committee, but
7 excluding a personal campaign committee, that is associated with a conduit.

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

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

15 (b) Either of the following apply:

16 1. The conduit has, over the 24-month period described in par. (a), attempted
17 in good faith to contact the individual or organization that made the contribution at
18 least 10 times, and has documented each such attempt, but has been unable to make
19 contact with the individual or organization. A conduit may satisfy the requirement
20 to contact the individual or organization by telephoning the individual or
21 organization at the last-known telephone number; by sending a letter or postcard
22 to the individual or organization by U.S. mail; by sending a message by electronic
23 mail; or by any combination of the foregoing. A conduit may not satisfy the
24 requirement to attempt in good faith to contact the individual or organization at least
25 10 times if all 10 attempted contacts occur within a period of 30 consecutive days.

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

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

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

10 11.21 **(16)** Require each registrant for whom the board serves as filing officer
11 and who or which accepts contributions in a total amount or value of \$20,000 or more
12 during a campaign period to file each campaign finance report that is required to be
13 filed under this chapter in an electronic format, and accept from any other registrant
14 for whom the board serves as a filing officer any campaign finance report that is
15 required to be filed under this chapter in an electronic format. A registrant who or
16 which becomes subject to a requirement to file reports in an electronic format under
17 this subsection shall initially file the registrant's report in an electronic format for
18 the period which includes the date on which the registrant becomes subject to the
19 requirement. To facilitate implementation of this subsection, the board shall specify,
20 by rule, a type of software that is suitable for compliance with the electronic filing
21 requirement under this subsection. The software shall allow an authorized
22 individual to provide an electronic signature, as defined in s. 137.11 (8), that is
23 subject to a security procedure, as defined in s. 137.11 (13). The board shall provide
24 copies of the software to registrants at a price fixed by the board that may not exceed
25 cost. ~~Each registrant who or which files a report under this subsection in an~~

1 ~~electronic format shall also file a copy of the report with the board that is recorded~~
2 ~~on a medium specified by the board. The copy shall be signed by an authorized~~
3 ~~individual and filed with the board by each registrant no later than the time~~
4 ~~prescribed for filing of the report under this chapter. A registrant who or which files~~
5 ~~a report under this subsection in an electronic format may file with the board that~~
6 ~~portion of the report signed by an authorized individual rather than submit the~~
7 ~~electronic signature of that individual.~~ The board shall provide complete
8 instructions to any registrant who or which files a report under this subsection. In
9 this subsection, the “campaign period” of a candidate, personal campaign committee
10 or support committee begins and ends with the “campaign” of the candidate whose
11 candidacy is supported, as defined in s. 11.26 (17), and the “campaign period” of any
12 other registrant begins on January 1 of each odd-numbered year and ends on
13 December 31 of the following year.

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

15 11.23 (1) Any group or individual may promote or oppose a particular vote at
16 any referendum in this state. Except as authorized in s. 11.05 (12) (b) and (13), before
17 a group makes or accepts contributions, makes disbursements, or incurs obligations
18 in excess of \$750 \$2,500 in the aggregate in a calendar year for such purposes, and
19 before an individual accepts contributions, makes disbursements, or incurs
20 obligations in excess of \$750 \$2,500 in the aggregate in a calendar year for such
21 purposes, the group or individual shall file a registration statement under s. 11.05
22 (1), (2) or (2r). In the case of a group the name and mailing address of each of its
23 officers shall be given in the statement. Every group and every individual under this
24 section shall designate a campaign depository account under s. 11.14. Every group
25 shall appoint a treasurer, who may delegate authority but is jointly responsible for

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

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

7 11.26 (9) (a) No individual who is a candidate for state or local office may receive
8 and accept more than 65 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 subject to a filing
11 requirement, including political party and legislative campaign committees, not
12 including any transfer from any personal campaign committee to another personal
13 campaign committee.

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

15 11.26 (9) (b) No individual who is a candidate for state or local office may receive
16 and accept more than 45 percent of the value of the total disbursement level
17 determined under s. 11.31 for the office for which he or she is a candidate during any
18 primary and election campaign combined from all committees other than political
19 party and legislative campaign committees subject to a filing requirement, including
20 any transfer from any personal campaign committee to another personal campaign
21 committee.

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

23 11.30 (4) No owner or other person with a financial interest in a
24 communications medium may utilize such medium in support of or in opposition to
25 a candidate or referendum except as provided in this chapter.

1 **(4m)** This chapter shall not be construed to restrict fair coverage of bona fide
2 news stories, interviews with candidates and other politically active individuals,
3 editorial comment or endorsement. ~~Such activities~~ editorials by any broadcasting
4 station, cable television operator or producer, Internet site, or newspaper or other
5 periodical publication, including an Internet or electronic publication, unless the
6 communication is made by a candidate, personal campaign committee, support
7 committee of a candidate authorized under s. 11.05 (3) (p), or a political party.
8 Activities that are not restricted under this subsection are not subject to an
9 attribution requirement under sub. (2) and need not be reported as a contribution or
10 disbursement.

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

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

13 13.625 (1) (b) 3. Food, meals, beverages, money or any other thing of pecuniary
14 value, except that a lobbyist may furnish a campaign contribution that is not made
15 personally by the lobbyist at any time and no lobbyist may personally make a
16 campaign contribution except as permitted under this subdivision or par. (c). A
17 lobbyist may personally make a campaign contribution to a partisan elective state
18 official ~~or,~~ to a candidate for national, state, or local office, or to the official's or
19 candidate's personal campaign committee; but a lobbyist may make a contribution
20 to which par. (c) applies only as authorized in par. (c).

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

22 13.625 (1) (c) (intro.) Except as permitted in this subsection, personally make
23 a campaign contribution, as defined in s. 11.01 (6), to a partisan elective state official
24 for the purpose of promoting the official's election to any national, state, or local
25 office; or to a candidate for a partisan elective state office to be filled at the general

1 election or a special election, ~~or to~~ to the official's or candidate's personal campaign
2 committee. A lobbyist may personally make a campaign contribution to a partisan
3 elective state official or candidate for partisan elective state office or his or her to the
4 personal campaign committee may be made of the official or candidate in the year
5 of a candidate's election between ~~June 1~~ the first day authorized by law for the
6 circulation of nomination papers as a candidate at a general election or special
7 election and the day of the general election or special election, except that:

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

9 13.625 (3) No candidate for an elective state office, elective state official, agency
10 official or legislative employee of the state may solicit or accept anything of pecuniary
11 value from a lobbyist or principal, except as permitted under subs. (1) (b) 3. ~~and (e),~~
12 (2), (4), (5), (6), (7), (8) and (9) and except that such a candidate, official, or employee
13 may accept a campaign contribution if the contribution is not prohibited under sub.
14 (1) (b) 3. or (c). No personal campaign committee of a candidate for state office may
15 accept anything of pecuniary value from a lobbyist or principal, except as permitted
16 for such a candidate under subs. (1) (b) 3. ~~and (e),~~ (2) and (6) and except that such a
17 committee may accept a campaign contribution if the contribution is not prohibited
18 under sub. (1) (b) 3. or (c).

19 (END)

BILL

1 all other corporation or association accounts as a campaign depository account,
 2 through which all moneys received or expended for the adoption or rejection of the
 3 referendum shall pass. The corporation or association shall file periodic reports
 4 under s. 11.20 providing the information required under s. 11.06 (1) except as
 5 authorized in s. 11.06 (1g).

*Insert
15-17*

6 **SECTION 62.** 13.625 (1) (b) 3. of the statutes is amended to read:

7 13.625 (1) (b) 3. Food, meals, beverages, money or any other thing of pecuniary
 8 value, ~~except that a lobbyist may furnish a campaign contribution that is not~~
 9 made personally by the lobbyist at any time and no lobbyist may personally make a
 10 campaign contribution except as permitted under this subdivision or par. (c). A
 11 lobbyist may personally make a campaign contribution to a partisan elective state
 12 official ~~or, to a candidate for national, state or local office, or to the official's or~~
 13 candidate's personal campaign committee; ^{but} a lobbyist may make a contribution
 14 to which par. (c) applies only as authorized in par. (c).

15 ~~**SECTION 63.** 13.625 (1) (c) (intro.) and (3) of the statutes are amended to read:~~

16 13.625 (1) (c) (intro.) Except as permitted in this subsection, personally make
 17 a campaign contribution, as defined in s. 11.01 (6), to a partisan elective state official
 18 for the purpose of promoting the official's election to any national, state or local office,
 19 or to a candidate for a partisan elective state office to be filled at the general election
 20 or a special election, or to the official's or candidate's personal campaign committee.
 21 A lobbyist may personally make a campaign contribution to a partisan elective state
 22 official or to a candidate for partisan elective state office or his or her who seeks office
 23 at the general election, or to the official's or candidate's personal campaign
 24 committee may be made in the year of a candidate's that election between June 1
 25 April 15 and the day of the general that election, and a lobbyist may personally make

BILL**SECTION 63**

1 ~~a campaign contribution to a partisan elective state official or to a candidate for~~
2 ~~partisan elective state office who seeks office at a special election, or to the official's~~
3 ~~or candidate's personal campaign committee, between the date that the special~~
4 ~~election is ordered and the date of the special election, except that:~~

5 13,625 (3) No candidate for an elective state office, elective state official, agency
6 official or legislative employee of the state may solicit or accept anything of pecuniary
7 value from a lobbyist or principal, except as permitted under subs. (1) (b) 3. and (c),
8 (2), (4), (5), (6), (7), (8) and (9) and except that such a candidate, official, or employee
9 may accept a campaign contribution if the contribution is not prohibited under sub.
10 (1) (b) 3. or (c). No personal campaign committee of a candidate for state office may
11 accept anything of pecuniary value from a lobbyist or principal, except as permitted
12 for such a candidate under subs. (1) (b) 3. and (c), (2) and (6) and except that such a
13 committee may accept a campaign contribution if the contribution is not prohibited
14 under sub. (1) (b) 3. or (c).

SECTION 64. Initial applicability.

15
16 (1) The treatment of section 11.01 (16) (intro.) and (b) 1. of the statutes first
17 applies with respect to communications made on the effective date of this subsection.

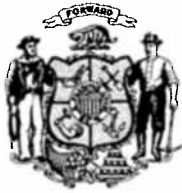
18 (END)

Insert 16-4

2-20-14

Adams — Sen Fitzgerald

- ① 24 hour window — 48 hrs
- ② lobbyist "furnish" string of value
 ↳ see Rep. Tonder draft
 furnish a personal check or opposed
 to a client check
- ③ conduct campaign financing
 reporting — out



State of Wisconsin
2013 - 2014 LEGISLATURE



rmNr
P3

LRB-4285/P2

JTK/JK/TKK:all:jm

stays PM with inserts

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

(P)

2/25/14

Today

SAV

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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. 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.

Contributions by corporations or cooperatives

Solicitation limit (IR)

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.

expendit

Contribution limits

Committee transfers (IR)

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.

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 a registrant 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.

an authorized 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.

Insert 3-A

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

Insert
Analysis
TKK

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, a support committee, a political party, or a legislative 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 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

1 the cost or value of any equipment and services identified in s. 11.06 (13), but not
2 including professional video production services purchased by the individual.

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

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

11 11.01 (7) (a) 5. Any payment for a communication to the general public for a
12 political purpose by means of any broadcast, satellite communication, newspaper or
13 other periodical publication, outdoor advertising facility, mass mailing, or mass
14 telephoning to the general public, or any other form of advertising to the general
15 public, except communications over the Internet by an individual acting in his or her
16 own behalf, or acting in behalf of another person if the individual is not compensated
17 specifically for those services, including the cost or value of any equipment and
18 services identified in s. 11.06 (13).

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

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

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

24 11.01 (7) (b) 6. A communication or Internet activity by an individual acting
25 in his or her own behalf, or acting in behalf of another person if the individual is not

1 compensated specifically for those services, including the cost or value of any
2 equipment and services identified in s. 11.06 (13), but not including professional
3 video production services purchased by the individual.

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

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

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

13 11.01 (12m) "Internet activity" includes sending or forwarding an electronic
14 message; providing a hyperlink or other direct access on a person's Internet site to
15 an Internet site operated by another person; blogging; creating, maintaining, or
16 hosting an Internet site; payment by a person of a nominal fee for the use of an
17 Internet site operated by another person; or any other form of communication
18 distributed over the Internet.

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

20 11.05 (1) COMMITTEES AND GROUPS. Except as provided in s. 9.10 (2) (d), every
21 committee other than a personal campaign committee which makes or accepts
22 contributions, incurs obligations, or makes disbursements in a calendar year in an
23 aggregate amount in excess of \$25 \$500, and every political group subject to
24 registration under s. 11.23 shall file a statement with the appropriate filing officer
25 giving the information required by sub. (3). In the case of any committee other than

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

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

4 11.05 (2) INDIVIDUALS. Except as provided in s. 9.10 (2) (d), every individual,
5 other than a candidate or agent of a candidate, who accepts contributions, incurs
6 obligations, or makes disbursements in a calendar year in an aggregate amount in
7 excess of ~~\$25~~ \$1,000 to support or oppose the election or nomination of a candidate
8 at an election and every individual subject to registration under s. 11.23 shall file a
9 statement with the appropriate filing officer giving the information required by sub.
10 (3). An individual who guarantees a loan on which an individual, committee or group
11 subject to a registration requirement defaults is not subject to registration under this
12 subsection solely as a result of such default.

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

14 11.05 (2r) GENERAL REPORTING EXEMPTIONS. Any committee, group, or
15 individual, other than a committee or individual required to file an oath under s.
16 11.06 (7), who or which does not anticipate accepting contributions, making
17 disbursements or incurring obligations in an aggregate amount in excess of \$1,000
18 in a calendar year and does not anticipate accepting any contribution or
19 contributions from a single source, other than contributions made by a candidate to
20 his or her own campaign, exceeding \$100 in that year, or exceeding ~~\$750~~ \$2,500 in
21 that year for a group or individual subject to registration under s. 11.23, may indicate
22 on its registration statement that the committee, group, or individual will not accept
23 contributions, incur obligations or make disbursements in the aggregate in excess
24 of \$1,000 in any calendar year and will not accept any contribution or contributions
25 from a single source, other than contributions made by a candidate to his or her own

SECTION 7

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

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

15 11.05 (3) (q) In the case of a conduit, the name and mailing address of a sponsor,
16 as defined in s. 11.185 (1), to which contributions may be redirected as provided
17 under s. 11.185.

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

19 11.05 (12) (b) Except as authorized under sub. (13), a committee, group or
20 individual that becomes subject to a registration requirement under sub. (1) or (2),
21 other than a candidate or agent of a candidate, shall comply with sub. (1) or (2) no
22 later than the 5th business day commencing after receipt of the first contribution by
23 the committee, group or individual exceeding the amount specified under sub. (1) or
24 (2) or s. 11.23 (1), and before making any disbursement exceeding that amount. No
25 committee ~~or individual~~ supporting or opposing the election or nomination of a

1 candidate at an election, other than a ~~candidate or an~~ agent of a candidate, may
2 accept any contribution or contributions exceeding ~~\$25~~ \$500, ~~no individual~~
3 supporting or opposing the election or nomination of a candidate at an election, other
4 than a candidate or agent of a candidate, may accept any contribution or
5 contributions exceeding \$1,000, and no group or individual subject to registration
6 under s. 11.23 may accept any contribution or contributions exceeding ~~\$750~~ \$2,500,
7 in the aggregate during a calendar year at any time when the committee, group or
8 individual is not registered under this section except within the initial 5-day period
9 authorized by this paragraph.

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

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

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

15 11.06 (13) INTERNET ACTIVITY. (a) In this subsection, “equipment and services”
16 includes computers, software, Internet domain names, Internet service providers,
17 and any other technology that is used to provide access to or use of the Internet.

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

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

SECTION 12

1 11.07 (1) Every nonresident committee making contributions and every
2 nonresident ~~individual or~~ committee making disbursements to support or oppose the
3 election or nomination of a candidate at an election exceeding \$25 ~~\$500~~ cumulatively
4 in a calendar year within this state, every nonresident individual making
5 disbursements to support or oppose the election or nomination of a candidate at an
6 election exceeding \$1,000 cumulatively in a calendar year within this state, and
7 every nonresident group making contributions and every nonresident group or
8 individual making disbursements to support or oppose a particular vote at a
9 referendum exceeding \$750 ~~\$2,500~~ cumulatively in a calendar year within this state,
10 shall file name, mailing and street address and the name and the mailing and street
11 address of a designated agent within the state with the office of the secretary of state.
12 An agent may be any adult individual who is a resident of this state. After any
13 change in the name or address of such agent the new address or name of the successor
14 agent shall be filed within 30 days. Service of process in any proceeding under this
15 chapter or ch. 12, or service of any other notice or demand may be made upon such
16 agent.

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

18 11.12 (5) If any contribution or contributions of \$500 or more cumulatively are
19 received by a candidate for state office or by a committee or individual from a single
20 contributor later than 15 days prior to a primary or election such that it is not
21 included in the preprimary or preelection report submitted under s. 11.20 (3), the
22 treasurer of the committee or the individual receiving the contribution shall within
23 ~~24~~ 48 hours of receipt inform the appropriate filing officer of the information required
24 under s. 11.06 (1) in such manner as the board may prescribe. The information shall
25 also be included in the treasurer's or individual's next regular report. For purposes

1 of the reporting requirement under this subsection, only contributions received
2 during the period beginning with the day after the last date covered on the
3 preprimary or preelection report, and ending with the day before the primary or
4 election need be reported.

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

6 11.12 (6) If any disbursement of more than \$20 cumulatively is made to
7 advocate the election or defeat of a clearly identified candidate by an individual or
8 committee later than 15 days prior to a primary or election in which the candidate's
9 name appears on the ballot without cooperation or consultation with a candidate or
10 agent or authorized committee of a candidate who is supported or opposed, and not
11 in concert with or at the request or suggestion of such a candidate, agent or
12 committee, but such that the disbursement is not included in a preprimary or
13 preelection report submitted under s. 11.20 (3), the individual or treasurer of the
14 committee shall, within 24 ~~48~~ hours of making the disbursement, inform the
15 appropriate filing officer of the information required under s. 11.06 (1) in such
16 manner as the board may prescribe. The information shall also be included in the
17 next regular report of the individual or committee under s. 11.20. For purposes of
18 this subsection, disbursements cumulate beginning with the day after the last date
19 covered on the preprimary or preelection report and ending with the day before the
20 primary or election. Upon receipt of a report under this subsection, the filing officer
21 shall, within 24 hours of receipt, mail a copy of the report to all candidates for any
22 office in support of or opposition to one of whom a disbursement identified in the
23 report is made.

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

✓
Insert 12-1

1 **11.185 Redirection of contributions made to conduits.** (1) In this
2 section, "sponsor" means a committee, other than a personal campaign committee,
3 support committee, political party, or legislative campaign committee, that is
4 associated with a conduit.

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

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

12 (b) Either of the following apply:

13 1. The conduit has, over the 24-month period described in par. (a), attempted
14 in good faith to contact the individual or organization that made the contribution at
15 least 10 times, and has documented each such attempt, but has been unable to make
16 contact with the individual or organization. A conduit may satisfy the requirement
17 to contact the individual or organization by telephoning the individual or
18 organization at the last-known telephone number; by sending a letter or postcard
19 to the individual or organization by U.S. mail; by sending a message by electronic
20 mail; or by any combination of the foregoing. A conduit may not satisfy the
21 requirement to attempt in good faith to contact the individual or organization at least
22 10 times if all 10 attempted contacts occur within a period of 30 consecutive days.

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

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

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

8 11.21 (16) Require each registrant for whom the board serves as filing officer
9 and who or which accepts contributions in a total amount or value of \$20,000 or more
10 during a campaign period to file each campaign finance report that is required to be
11 filed under this chapter in an electronic format, and accept from any other registrant
12 for whom the board serves as a filing officer any campaign finance report that is
13 required to be filed under this chapter in an electronic format. A registrant who or
14 which becomes subject to a requirement to file reports in an electronic format under
15 this subsection shall initially file the registrant's report in an electronic format for
16 the period which includes the date on which the registrant becomes subject to the
17 requirement. To facilitate implementation of this subsection, the board shall specify,
18 by rule, a type of software that is suitable for compliance with the electronic filing
19 requirement under this subsection. The software shall allow a registrant to provide
20 an electronic signature, as defined in s. 137.11 (8), that is subject to a security
21 procedure, as defined in s. 137.11 (13). The board shall provide copies of the software
22 to registrants at a price fixed by the board that may not exceed cost. ~~Each registrant~~
23 ~~who or which files a report under this subsection in an electronic format shall also~~
24 ~~file a copy of the report with the board that is recorded on a medium specified by the~~
25 ~~board. The copy shall be signed by an authorized individual and filed with the board~~

an authorized individual

SECTION 16

1 ~~by each registrant no later than the time prescribed for filing of the report under this~~
2 ~~chapter.~~ A registrant who or which files a report under this subsection in an
3 electronic format may file with the board that portion of the report signed by an
4 authorized individual rather than submit the electronic signature of that individual.

5 The board shall provide complete instructions to any registrant who or which files
6 a report under this subsection. In this subsection, the “campaign period” of a
7 candidate, personal campaign committee or support committee begins and ends with
8 the “campaign” of the candidate whose candidacy is supported, as defined in s. 11.26
9 (17), and the “campaign period” of any other registrant begins on January 1 of each
10 odd-numbered year and ends on December 31 of the following year.

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

12 11.23 (1) Any group or individual may promote or oppose a particular vote at
13 any referendum in this state. Except as authorized in s. 11.05 (12) (b) and (13), before
14 a group makes or accepts contributions, makes disbursements, or incurs obligations
15 in excess of \$750 \$2,500 in the aggregate in a calendar year for such purposes, and
16 before an individual accepts contributions, makes disbursements, or incurs
17 obligations in excess of \$750 \$2,500 in the aggregate in a calendar year for such
18 purposes, the group or individual shall file a registration statement under s. 11.05
19 (1), (2) or (2r). In the case of a group the name and mailing address of each of its
20 officers shall be given in the statement. Every group and every individual under this
21 section shall designate a campaign depository account under s. 11.14. Every group
22 shall appoint a treasurer, who may delegate authority but is jointly responsible for
23 the actions of his or her authorized designee for purposes of civil liability under this
24 chapter. The appropriate filing officer shall be notified by a group of any change in
25 its treasurer within 10 days of the change under s. 11.05 (5). The treasurer of a group

1 shall certify the correctness of each statement or report submitted by it under this
2 chapter.

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

4 11.26 (9) (a) No individual who is a candidate for state or local office may receive
5 and accept more than 65 percent of the value of the total disbursement level
6 determined under s. 11.31 for the office for which he or she is a candidate during any
7 primary and election campaign combined from all committees subject to a filing
8 requirement, including political party and legislative campaign committees, not
9 including any transfer from any personal campaign committee to another personal
10 campaign committee.

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

12 11.26 (9) (b) No individual who is a candidate for state or local office may receive
13 and accept more than 45 percent of the value of the total disbursement level
14 determined under s. 11.31 for the office for which he or she is a candidate during any
15 primary and election campaign combined from all committees other than political
16 party and legislative campaign committees subject to a filing requirement, including
17 any transfer from any personal campaign committee to another personal campaign
18 committee.

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

20 11.30 (4) No owner or other person with a financial interest in a
21 communications medium may utilize such medium in support of or in opposition to
22 a candidate or referendum except as provided in this chapter.

23 (4m) This chapter shall not be construed to restrict fair coverage of bona fide
24 news stories, interviews with candidates and other politically active individuals,
25 editorial comment or endorsement. ~~Such activities~~ editorials by any broadcasting

1 station, cable television operator or producer, Internet site, or newspaper or other
2 periodical publication, including an Internet or electronic publication, unless the
3 communication is made by a candidate, personal campaign committee, support
4 committee of a candidate authorized under s. 11.05 (3) (p), or a political party.
5 Activities that are not restricted under this subsection are not subject to an
6 attribution requirement under sub. (2) and need not be reported as a contribution or
7 disbursement.

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

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

10 13.625 (1) (b) 3. Food, meals, beverages, money or any other thing of pecuniary
11 value, except that a lobbyist may furnish a campaign contribution that is not made
12 personally by the lobbyist at any time and no lobbyist may personally make a
13 campaign contribution except as permitted under this subdivision or par. (c). A
14 lobbyist may personally make a campaign contribution to a partisan elective state
15 official ~~or~~ to a candidate for national, state, or local office, or to the official's or
16 candidate's personal campaign committee; but a lobbyist may make a contribution
17 to which par. (c) applies only as authorized in par. (c).

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

19 13.625 (1) (c) (intro.) Except as permitted in this subsection, personally make
20 a campaign contribution, as defined in s. 11.01 (6), to a partisan elective state official
21 for the purpose of promoting the official's election to any national, state, or local
22 office; or to a candidate for a partisan elective state office to be filled at the general
23 election or a special election; or to the official's or candidate's personal campaign
24 committee. A lobbyist may personally make a campaign contribution to a partisan
25 elective state official or candidate for partisan elective state office or ~~his or her~~ to the

1 personal campaign committee ~~may be made~~ of the official or candidate in the year
2 of a candidate's election between ~~June 1~~ the first day authorized by law for the
3 circulation of nomination papers as a candidate at a general election or special
4 election and the day of the general election or special election, except that:

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

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

16 (END)