



State of Wisconsin
2013 - 2014 LEGISLATURE



LRBa2067/1
JK:cjs:rs

**SENATE AMENDMENT 2,
TO SENATE BILL 655**

March 11, 2014 – Offered by Senators ERPENBACH, CARPENTER, L. TAYLOR, VINEHOUT, HARRIS, SHILLING, MILLER, T. CULLEN, RISSER, C. LARSON and HANSEN.

1 At the locations indicated, amend the bill as follows:

2 **1.** Page 7, line 2: after that line insert:

3 “**SECTION 4d.** 11.01 (12v) of the statutes is created to read:

4 11.01 (**12v**) “Mass communication” means a message that is disseminated by
5 means of one or more communications media, a mass electronic communication, a
6 mass distribution, or a mass telephoning, but not including a bona fide poll
7 conducted for the purpose of objectively identifying or collecting data concerning the
8 attitudes or preferences of electors.

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

10 11.01 (**12w**) “Mass distribution” means the distribution of 500 or more pieces
11 of substantially identical material.

12 **SECTION 4f.** 11.01 (13) of the statutes is created to read:

1 11.01 (13) “Mass electronic communication” means the transmission of 500 or
2 more pieces of substantially identical material by means of electronic mail or
3 facsimile transmission.

4 **SECTION 4g.** 11.01 (14) of the statutes is created to read:

5 11.01 (14) “Mass telephoning” means the making of 500 or more telephone calls
6 conveying a substantially identical message.

7 **SECTION 4h.** 11.01 (16) (a) 3. of the statutes is created to read:

8 11.01 (16) (a) 3. A mass communication, other than a communication that is
9 exempt from reporting under s. 11.29, that is made during the period beginning on
10 the 60th day preceding an election and ending on the date of that election, and that
11 includes a reference to a clearly identified candidate whose name is certified under
12 s. 7.08 (2) (a) or 8.50 (1) (d) to appear on the ballot at that election.”.

13 **2.** Page 9, line 3: after that line insert:

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

15 11.05 (3) (s) In the case of a registrant that has made a mass communication
16 identified in s. 11.01 (16) (a) 3., a report containing the information specified in s.
17 11.06 (1) with respect to any obligation to make a disbursement incurred or any
18 disbursement made for the purpose of making such a communication prior to
19 registration.”.

20 **3.** Page 9, line 20: after that line insert:

21 **“SECTION 9m.** 11.06 (2) of the statutes is amended to read:

22 11.06 (2) DISCLOSURE OF CERTAIN INDIRECT DISBURSEMENTS. Notwithstanding
23 sub. (1), if a disbursement is made or obligation incurred by an individual other than
24 a candidate or by a committee or group which is not primarily organized for political

1 purposes, and the disbursement does not constitute a contribution to any candidate
2 or other individual, committee, or group, and the disbursement is not made or the
3 obligation is not incurred for the purpose of making a mass communication specified
4 in s. 11.01 (16) (a) 3., the disbursement or obligation is required to be reported only
5 if the purpose is to expressly advocate the election or defeat of a clearly identified
6 candidate or the adoption or rejection of a referendum. The exemption provided by
7 this subsection shall in no case be construed to apply to a political party, legislative
8 campaign, personal campaign, or support committee.”.

9 **4.** Page 12, line 9: after that line insert:

10 “**SECTION 14m.** 11.12 (7) of the statutes is created to read:

11 11.12 (7) If any registrant makes or incurs an obligation to make a
12 disbursement of more than \$500 cumulatively for the purpose of making a
13 communication specified in s. 11.01 (16) (a) 3. later than 60 days prior to a primary
14 or other election without cooperation or consultation with any candidate or agent or
15 authorized committee of any candidate who is supported or opposed, and not in
16 concert with or at the request or suggestion of any such candidate, agent, or
17 committee, the registrant shall, within 24 hours after making the disbursement or
18 incurring the obligation to make the disbursement, inform the appropriate filing
19 officer of the information required under s. 11.06 (1) in such manner as the board may
20 prescribe. The registrant shall also include the information in the next regular
21 report of the registrant under s. 11.20. For purposes of this subsection,
22 disbursements and obligations cumulate beginning with the day after the last date
23 covered on the registrant’s immediately preceding report and ending with the day
24 before the election. If a registrant has not filed a previous report, disbursements and

1 obligations cumulate beginning on the date of the registrant’s registration. A
2 disbursement that was previously reported in a report under this subsection as
3 obligated to be made shall not be included in the cumulative total. Upon receipt of
4 a report under this subsection, the filing officer shall, within 24 hours of receipt,
5 transmit a copy of the report to all candidates for any office in support of or opposition
6 to one of whom a disbursement identified in the report is made or obligated to be
7 made.”.

8 **5.** Page 18, line 2: after that line insert:

9 **“SECTION 24m. Initial applicability.**

10 (1) The treatment of sections 11.01 (12v), (12w), (13), (14), and (16) (a) 3. and
11 11.06 (2) of the statutes first applies with respect to contributions received,
12 disbursements made, and obligations incurred on or after the effective date of this
13 subsection.”.

14 (END)