



State of Wisconsin
2015 - 2016 LEGISLATURE

LRB-1469/P7
JK&TKK:.....

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

1 **AN ACT** ...; relating to: campaign finance.

Analysis by the Legislative Reference Bureau

This is a preliminary draft. An analysis will be provided in a subsequent version of this draft.

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

2 **SECTION 1.** Chapter 11 of the statutes is repealed and recreated to read:

3 **CHAPTER 11**

4 **CAMPAIGN FINANCING**

5 **SUBCHAPTER I**

6 **GENERAL PROVISIONS**

7 **11.1000 Definitions.** In this chapter:

8 (1) "Candidate" means an individual about whom any of the following applies:

9 (a) The individual takes any of the following affirmative actions to seek
10 nomination or election to a state or local office:

- 1 1. Files nomination papers with the appropriate filing officer.
- 2 2. Is nominated as a candidate for state or local office by a caucus under s. 8.05
- 3 (1) or by a political party and the nomination is certified to the appropriate filing
- 4 officer.
- 5 3. Subject to the registration requirements under s. 11.2003, receives a
- 6 contribution, makes a disbursement, or gives consent for another person to receive
- 7 a contribution or make a disbursement in order to bring about the individual's
- 8 nomination or election to a state or local office.

 ****NOTE: Do you want to permit an individual to accept contributions or make disbursements related to bringing about that individual's nomination to office before the individual has registered with the GAB? If not, it may make sense to eliminate reference to nomination in this particular provision.

9 (b) The individual holds a state or local office and is the subject of a recall

10 petition.

11 (c) The individual holds a state or local office, unless the individual is legally

12 prohibited from seeking reelection or files a declaration of noncandidacy.

13 (2) "Candidate committee" means a committee authorized by a candidate or a

14 candidate's agent to accept contributions or make expenditures in support of a

15 candidate's campaign.

 ****NOTE: For future consideration; what if an individual holds one elective office while pursuing and then abandoning another? What are the relationships between that individual's different candidate committees?

16 (3) "Charitable organization" means any organization described in section 170

17 (c) (2) of the Internal Revenue Code, and also includes the United States, any state,

18 territory or possession, and the District of Columbia; and any political subdivision

19 of any any state, territory, or possession; when a gift is made exclusively for public

20 purposes.

1 (4) “Candidate’s agent” means an individual who acts under the direction of the
2 candidate regarding the conduct of the candidate’s campaign and the operation of the
3 candidate committee, but does not include an employee of a political party committee
4 or a legislative campaign committee that is not also an employee of the candidate.

5 (5) “Committee” means a candidate committee, legislative campaign
6 committee, political action committee, political party committee, recall committee,
7 and referendum committee.

8 (6) “Conduit” means a person other than an individual that receives a
9 contribution of money, deposits the contribution in an account held by the conduit,
10 and releases the contribution to a candidate committee, legislative campaign
11 committee, or political party committee without exercising discretion as to the
12 amount that is released and the committee to which the released contribution is
13 made.

14 (7) (a) Except as provided in par. (b), “contribution” means any of the following:
15 1. A gift, subscription, loan, advance, or transfer of money to a committee.
16 2. A transfer of tangible personal property or services to a committee valued
17 at replacement value at the time of transfer.

****NOTE: Following our meeting on April 6, this definition now uses “replacement value.”

****NOTE: I don’t know that services described here are meaningfully distinguished from services that are not contributions, described in par. (b) 1. below. Is it a matter of the intent of the individual providing the services? If so, should that be made explicit?

18 3. A transfer of funds between committees.
19 4. The purchase of a ticket for a fundraising event for a committee regardless
20 of whether the ticket is used to attend the event.

21 (b) “Contribution” does not include any of the following:

SECTION 1

- 1 1. Services that an individual provides to a committee, if the individual is not
- 2 specifically compensated for providing the services to the committee.
- 3 2. Any unreimbursed travel expenses that an individual incurs to volunteer his
- 4 or her personal services to a committee.
- 5 3. The costs of preparing and transmitting personal correspondence.
- 6 4. Interest earned on an interest-bearing account.
- 7 5. Rebates or awards earned in connection with the use of a debit or credit card.
- 8 6. A loan from a commercial lending institution that the institution makes in
- 9 its ordinary course of business.
- 10 7. The reuse of surplus materials or the use of unused surplus materials
- 11 acquired in connection with a previous campaign for or against the same candidate,
- 12 political party, or recall if the materials were previously reported as a contribution
- 13 under s. 11.3000.

****NOTE: This definition was modified in response to our discussion about "stakes". The version in the /P5 draft did not require the materials to have been reported as a contribution. Is this change appropriate?

Also, did you intend that, in the case of a candidate's surplus materials, that only that same candidate could reuse or use the materials? Or, did you intend that the candidate could pass along the surplus materials to another candidate or to the candidate's political party? Under current law, the candidate or political party that reuses the materials must be the same as the candidate or party who first reported the materials as a contribution.

- 14 8. The cost of invitations, food, and beverages in connection with a fundraising
- 15 event held in a private residence on behalf of a candidate committee.
- 16 (8) "Disbursement" means any of the following:
- 17 (a) An expenditure by a committee from the committee's depository account.
- 18 (b) The transfer of tangible personal property or services by a committee.
- 19 (c) The transfer of funds between committees.

1 (9) (a) “Electioneering communication” means any communication, except as
2 provided in par. (b), for which all of the following apply:

3 1. It refers to a clearly identified candidate who will appear on the ballot for
4 election or nomination for election.

5 2. It is made during the period beginning on the first date for circulating
6 nomination papers for the candidate and ending on the day of the primary or election
7 involving the candidate in subd. 1.

8 3. It is targeted to the relevant electorate.

9 (b) “Electioneering communication” does not include any of the following:

10 1. A communication, other than an advertisement, appearing in a news story,
11 commentary, or editorial distributed through the facilities of any legitimate news
12 organization, unless the facilities are controlled by any political party, political
13 committee, or candidate.

14 2. A communication made solely to promote a candidate debate or forum that
15 is made by or on behalf of a person sponsoring the debate or forum.

16 3. A communication made exclusively between an organization and its
17 members.

18 (10) “Express advocacy” means communications that expressly advocate for
19 the election or defeat of a clearly identified candidate using terms such as:

20 (a) “Vote for”.

21 (b) “Elect”.

22 (c) “Support”.

23 (d) “Cast your ballot for”.

24 (e) “Smith for ... (an elective office)”.

25 (f) “Vote against”.

1

2 (g) “Defeat”.

3 (h) “Reject”.

4 (i) “Cast your ballot against”.

****NOTE: Per your instructions, we removed the “no reasonable interpretation” language from the definition of express advocacy.

5 (11) “Filing officer” means the board or official as determined under s. 11.1001.

6 (12) “General election” means the election held in even-numbered years on the
7 Tuesday after the first Monday in November to elect United States senators,
8 representatives in congress, presidential electors, state senators, representatives to
9 the assembly, district attorneys, state officers other than the state superintendent
10 and judicial officers, and county officers other than supervisors and county
11 executives.

12 (13) “Independent expenditure” means an expenditure for express advocacy by
13 a person, if the expenditure is not made in coordination with a candidate, candidate
14 committee, candidate’s agent, legislative campaign committee, or political party
15 committee, as prohibited under s. 11.1003.

16 (14) “Legislative campaign committee” means a committee organized in either
17 house of the legislature to support candidates of a political party for legislative office.

18 (15) “Major purpose” means a person’s major purpose as specified in the
19 person’s organizational documents or as indicated by the person.

20 (16) “Partisan primary” means the primary held the 2nd Tuesday in August
21 to nominate candidates to be voted for at the general election.

22 (17) (a) Subject to par. (b), “political action committee” means an entity that
23 satisfies all of the following:

- 1 1. Has express advocacy as its major purpose.
- 2 2. Is organized by any person, other than an individual, or by any combination,
- 3 permanent or temporary, of 2 or more persons unrelated by marriage.
- 4 3. Makes or accepts contributions or makes expenditures to support or oppose
- 5 a candidate, to a candidate committee, to a legislative campaign committee, to a
- 6 political party committee, or to a recall committee.

7 (b) “Political action committee” does not include a candidate committee,

8 legislative campaign committee, political party committee, or recall committee.

9 (18) “Political party committee” means a committee organized by a political

10 party that makes and accepts contributions and makes expenditures to support or

11 oppose candidates for state or local office or to support or oppose a referendum.

12 (19) “Recall committee” means a means a committee formed for the purpose of

13 supporting or opposing the recall of an incumbent elective official.

 ***NOTE: I substantially modified the definition of “recall committee.” Please let
us know your thoughts about this new definition.

14 (20) “Referendum committee” means a committee that is organized by any

15 person, other than an individual, or by any combination, permanent or temporary,

16 of 2 or more persons unrelated by marriage that acts to support or oppose the

17 qualification, passage, or defeat of a referendum question, but that does not receive

18 contributions or make expenditures or contributions for the purpose of influencing

19 or attempting to influence a candidate’s nomination or election.

 ***NOTE: The definition of “referendum committee” is based on the Michigan’s
“ballot question committee” definition.

20 (21) “Special election” means any election, other than those described in subs.

21 (12), (16), and (22), to fill vacancies or to conduct a referendum.

1 (22) “Special primary” means the primary held 4 weeks before the special
2 election except when the special election is held on the same day as the general
3 election the special primary shall be held on the same day as the general primary or
4 if the special election is held concurrently with the spring election, the primary shall
5 be held concurrently with the spring primary.

6 (23) “Treasurer” means the individual who registers a committee with a filing
7 officer under subch. II and who makes reports on behalf of the committee under
8 subch. IV.

9 (24) “Spring election” means the election held on the first Tuesday in April to
10 elect judicial, educational, and municipal officers, nonpartisan county officers and
11 sewerage commissioners, and to express preferences for the person to be the
12 presidential candidate for each party in a year in which electors for president and
13 vice president are to be elected.

14 (25) “Spring primary” means the nonpartisan primary held on the 3rd Tuesday
15 in February to nominate nonpartisan candidates to be voted for at the spring
16 election.

17 **11.1001 Determination of filing officer.** Each candidate, committee, and
18 conduit required to register and report under this chapter shall have and shall file
19 each registration statement and report required under this chapter with one filing
20 officer. The officer shall be determined as follows:

 ***NOTE: This draft does not yet incorporate filing fees (required under current law
s. 11.055).

21 (1) The “filing officer” for each candidate for state office is the board.

1 (2) Except as provided in sub. (3), the “filing officer” for each candidate for local
2 office is the clerk of the most populous jurisdiction for which any candidate who is
3 supported or opposed seeks office.

4 (3) The “filing officer” for each candidate for municipal judge elected under s.
5 755.01 (4) is the county clerk or board of election commissioners of the county having
6 the largest portion of the population in the jurisdiction served by the judge.

7 (4) The “filing officer” for each conduit is the board.

8 (5) The “filing officer” for each committee acting to support or oppose any
9 candidate for state office is the board.

10 (6) The “filing officer” for each committee acting to support or oppose any
11 candidates for state and local offices is the board.

12 (7) Except as provided in sub. (8), the filing officer for each committee acting
13 to support or oppose any candidate for local office, but not any candidate for state
14 office, is the clerk of the most populous jurisdiction for which any candidate who is
15 supported or opposed seeks office.

16 (8) The “filing officer” for each committee acting to support or oppose a
17 candidate for municipal judge elected under s. 755.01 (4), but not any candidate for
18 state office, is the county clerk or board of election commissioners of the county
19 having the largest portion of the population in the jurisdiction served by the judge.

20 (9) The “filing officer” for a committee that supports or opposes an effort to
21 circulate and file a petition to recall an individual who holds an office is the filing
22 officer for candidates for that office.

23 (10) The “filing officer” for each committee acting to support or oppose any
24 statewide referendum is the board.

1 (11) The “filing officer” for each committee acting to support or oppose any
2 statewide and local referenda is the board.

3 (12) The “filing officer” for each committee acting to support or oppose any local
4 referendum, but not any statewide referendum, is the clerk of the most populous
5 jurisdiction in which any referendum being supported or opposed is conducted.

6 (13) If the jurisdiction under sub. (2), (7), or (12) is a school district, the “filing
7 officer” for purposes of sub. (2), (7), or (12) is the school district clerk.

8 **11.1002 Reporting; general.** (1) REPORT MUST BE COMPLETE. (a) Each
9 committee required to file a report under this chapter shall make a good faith effort
10 to obtain all required information.

 ****NOTE: This section does not yet address exceptions to the filing of reports when,
as a result of the filing of a termination report, reports are no longer required. (The draft
also does not include any provisions governing termination reports).

11 (2) WHEN RECEIVED; WHEN REPORTED. (a) 1. A contribution is received by a
12 candidate for purposes of this chapter when it is under the control of the candidate
13 or the treasurer or agent of the candidate.

14 2. A contribution is received by a conduit or committee for purposes of this
15 chapter when it is under the control of the treasurer or agent of the conduit or
16 committee.

17 (b) Unless it is returned or donated within 30 days of receipt under par. (a), a
18 contribution must be reported as received and accepted on the date received.

19 (3) CONTENTS OF REPORT; FILING DATES; CERTIFICATION; SHORT FORM; CONTENTS. (a)
20 The first report shall commence no later than the date that the first contribution is
21 received and accepted. Reports filed under this chapter shall include all
22 contributions received, disbursements and transactions made, and obligations
23 incurred as of the end of:

****NOTE: We added “disbursements and obligations” here.

1 1. The 15th day preceding the primary or election in the case of the preprimary
2 and preelection report.

3 2. The last day of the immediately preceding month in the case of a continuing
4 report required under [multiple sections].

5 3. Five days preceding the deadline for filing of the report in the case of the
6 report required under subch. VIII.

7 4. The 22nd day following the special election in the case of the postelection
8 report required under [multiple sections].

9 (b) Each report shall be filed with the appropriate filing officer on the dates
10 designated in this chapter.

11 (c) 1. Except as provided in subd. 2., the committee’s treasurer shall certify to
12 the correctness of each report filed under this chapter.

13 2. Either the candidate or the treasurer of the candidate’s committee shall
14 certify to the correctness of each report filed under this chapter.

15 (d) The board shall prescribe a simplified, short form for compliance with this
16 section by a treasurer of a candidate, individual, or committee who has not engaged
17 in any financial transaction since the last date included on the treasurer’s preceding
18 financial report.

19 (4) PREPRIMARY AND PREELECTION REPORTS; TIMING; INACTIVITY. (a) 1. Preprimary
20 and preelection reports required under this chapter shall be received by the
21 appropriate filing officer no earlier than 14 days and no later than 8 days preceding
22 the primary and the election.

****NOTE: This subdivision duplicates current law.

1 2. In the event that any report is required to be filed under this section on a
2 nonbusiness day, it may be filed on the next business day thereafter.

 ***NOTE: This subdivision duplicates current law s. 11.20 (7).

3 (b) A contribution, disbursement, or obligation to support or oppose a candidate
4 at a primary that is made, accepted, or incurred during the period covered by the
5 preprimary report is considered to be made, accepted or incurred to support or oppose
6 that candidate at the primary, regardless of whether the candidate is opposed at the
7 primary.

 ***NOTE: We added “disbursements and obligations” here.

 ***NOTE: We removed “in support of or in opposition to” and replaced that phrase
with “to support or oppose” here and in any other place this phrase appeared in the draft.

8 (c) A contribution, disbursement, or obligation to support or oppose a candidate
9 at an election that is made, accepted, or incurred during the period covered by the
10 preelection report is considered to be made, accepted, or incurred to support or
11 oppose that candidate at the election, regardless of whether the candidate is opposed
12 at the election.

13 (d) 1. a. Except as provided in subd. 2., a committee that makes, accepts, or
14 incurs a contribution, disbursement, or obligation to support or oppose a candidate
15 at a primary during the period covered by the preelection report, but does not engage
16 in such activity during the period covered by the preprimary report, is not required
17 to file a preprimary report.

18 b. Except as provided in subd. 2., a committee that makes, accepts, or incurs
19 a contribution, disbursement, or obligation to support or oppose a candidate at an
20 election during the period covered by the report that follows the preelection report,
21 but does not engage in such activity during the period covered by the preelection
22 report, is not required to file a preelection report.

1 2. A candidate committee that makes, accepts, or incurs a contribution,
2 disbursement, or obligation to support or oppose a candidate at a primary during the
3 period covered by the preprimary report shall file both the preprimary and
4 preelection reports, regardless of whether the candidate committee engages in such
5 activity during the period covered by the preelection report.

6 (e) 1. A conduit that releases a contribution to support or oppose a candidate
7 at a primary during the period covered by the preprimary report shall file a
8 preprimary report.

9 2. A conduit that releases a contribution to support or oppose a candidate at a
10 primary during the period covered by the preelection report shall file a preelection
11 reports.

12 **11.1003 Coordination.** No person may make an expenditure for express
13 advocacy or for an electioneering communication that is coordinated with a
14 candidate, candidate committee, candidate's agent, legislative campaign committee,
15 or political party committee. For purposes of this section, an expenditure for express
16 advocacy or for an electioneering communication is coordinated with a candidate,
17 candidate committee, candidate's agent, legislative campaign committee, or political
18 party committee if the candidate, candidate committee, candidate's agent,
19 legislative campaign committee, or political party committee exercises control over;
20 or engages in substantial discussions or negotiations with the person making the
21 expenditure regarding; any of the following:

22 (1) The communication's content.

23 (2) The communication's timing.

24 (3) The location, form, or intended audience of the communication.

25 (4) The number or frequency of communications.

****NOTE: This provision is based on the standards for coordination enumerated in *FEC v. Christian Coalition*, 52 F.Supp. 2d. 45 (D.D.C. 1999).

1 SUBCHAPTER II

2 CANDIDATE COMMITTEES

3 **11.2000 Registration; treasurer and depositories.** (1) Each candidate
4 may either appoint a treasurer of his or her candidate committee to comply with the
5 registration and reporting requirements under this subchapter or shall serve as the
6 treasurer and comply with the registration and reporting requirements under this
7 subchapter. If the candidate appoints a treasurer, the candidate and the candidate's
8 treasurer shall cosign the registration statement of the candidate's committee.

9 (2) The treasurer shall ensure that all funds received are deposited in the
10 candidate committee depository account.

11 (3) No disbursement may be made or obligation incurred by or on behalf of a
12 candidate committee without the authorization of the treasurer or a designated
13 agent.

14 **11.2001 Registration; timing; candidate committee required.** (1) TIME
15 OF REGISTRATION. (a) Every individual shall file a registration statement with the
16 appropriate filing officer giving the information required under s. 11.2002 no later
17 than the time he or she qualifies as a candidate under s. 11.1000 (1).

18 (b) A candidate who receives no contributions and makes no disbursements
19 shall file the registration statement as provided in this subsection, but need not
20 designate a campaign depository account until the first contribution is received or
21 disbursement made.

1 **(2) CANDIDATE COMMITTEE REQUIRED.** (a) Except as provided in par. (b), no
2 candidate may accept contributions or make expenditures except through a
3 candidate committee registered under this subchapter.

4 (b) A candidate does not violate this subsection by taking any of the following
5 actions:

6 1. Accepting a contribution and making a disbursement in the amount required
7 to rent a postal box, or in the minimum amount required by a bank or trust company
8 to open a checking account, prior to the time of registration, if the disbursement is
9 properly reported on the first report submitted under s. 11.2003 after the date that
10 the candidate committee is registered, whenever a reporting requirement applies to
11 the candidate committee.

12 2. Accepting a contribution and making a disbursement required for the
13 production of nomination papers.

14 (c) No candidate may establish more than one candidate committee. A
15 candidate committee may have subcommittees provided that all subcommittees
16 have the same treasurer and that treasurer is the candidate or candidate's campaign
17 treasurer.

18 **11.2002 Registration; required information. (1) REQUIRED INFORMATION.**
19 The statement of registration shall include all of the following, where applicable:

20 (a) The name and mailing address of the candidate committee.

21 (b) The name and mailing address of the campaign treasurer and any other
22 custodian of books and accounts. Unless otherwise directed by the treasurer on the
23 registration form and except as otherwise provided in this chapter or any rule of the
24 board, all mailings that are required by law or by rule of the board shall be sent to
25 the treasurer at the treasurer's address indicated upon the form.

1 (c) In the case of a candidate committee of an independent candidate for
2 partisan office or a candidate for nonpartisan county or municipal office, a list of the
3 members of the committee, in addition to those specified in par. (b), if any, whom the
4 filing officer shall recognize as eligible to fill a nomination vacancy if the candidate
5 dies before the election.

6 (d) The name and address of the depository account of the candidate committee
7 and of any other institution where funds of the committee are kept.

8 (2) CERTIFICATION. Every statement and every change made in a statement
9 filed under this subchapter shall contain a certification signed by the individual
10 filing the statement that all information contained in the statement is true, correct,
11 and complete.

12 (3) CHANGE OF INFORMATION. (a) Any change in information previously
13 submitted in a registration statement shall be reported by the campaign committee
14 within 10 days following the change. Except as provided in par. (b), any such change
15 may be reported only by the individual or by the officer who has succeeded to the
16 position of an individual who signed the original statement.

17 (b) A candidate or the treasurer of the candidate's committee may report a
18 change in the candidate committee's registration statement.

19 **11.2003 Reporting.** (1) CONTRIBUTIONS AND DISBURSEMENTS. (a) Each
20 candidate, through his or her candidate committee, shall make full reports, upon a
21 form prescribed by the board and signed by the treasurer under s. 11.1002 (3) (c), of
22 all contributions received by the candidate. The candidate shall include in each
23 report the following information, covering the period since the last date covered on
24 the previous report:

1 1. An itemized statement giving the date, full name, and street address of each
2 person who has made a contribution to the candidate, together with the amount of
3 the contribution.

 ****NOTE: Your drafting instructions directed us to “delete the year-to-date
requirement.” I assumed you were referring to the “cumulative total contributions” made
by each contributor during the calendar year as required under current law s. 11.06 (1)
(a) and (L). Let us know if we misunderstood the instruction.

4 2. An itemized statement giving the date, full name, and street address of each
5 candidate and committee to which the candidate has made a contribution, together
6 with the amount of the contribution.

7 3. The occupation and name of the principal place of employment, if any, of each
8 individual contributor whose cumulative contributions to the candidate for the
9 calendar year are in excess of \$100.

10 4. An itemized statement of each contribution made anonymously. If the
11 contribution exceeds \$20, the candidate shall specify whether the candidate donated
12 the contribution to the common school fund or to a charitable organization, and shall
13 include the full name and mailing address of the donee.

14 5. A statement of totals during the reporting period of contributions received
15 and contributions donated as provided in subd. 4.

16 6. A statement of the cash balance on hand at the beginning and end of the
17 reporting period.

 ****NOTE: The following subdivisions 7. through 12. are new in this draft, and
reflect current law with respect to the reporting of disbursements and obligations.

18 7. An itemized statement of each loan of money made to the candidate
19 committee in an aggregate amount or value in excess of \$20, together with all of the
20 following:

21 a. The full name and mailing address of the lender.

- 1 b. A statement of whether the lender is a commercial lending institution.
- 2 c. The date and amount of the loan.
- 3 d. The full name and mailing address of each guarantor, if any.
- 4 e. The original amount guaranteed by each guarantor.
- 5 f. The balance of the amount guaranteed by each guarantor at the end of the
- 6 reporting period.
- 7 8. An itemized statement of every disbursement exceeding \$20 in amount or
- 8 value, together with the name and address of the person to whom the disbursement
- 9 was made, and the date and specific purpose for which the disbursement was made.
- 10 9. An itemized statement of every obligation exceeding \$20 in amount or value,
- 11 together with the name of the person or business with whom the obligation was
- 12 incurred, and the date and the specific purpose for which each such obligation was
- 13 incurred.
- 14 10. A statement of totals during the reporting period of disbursements made,
- 15 including transfers made to and received from any other committees, other income,
- 16 and loans.
- 17 11. A statement of the balance of obligations incurred as of the end of the
- 18 reporting period.
- 19 12. A statement of cumulative totals for the calendar year of contributions
- 20 made, contributions received, and disbursements made, including transfers of funds
- 21 made to or received from other committees.
- 22 (b) All contributions received by any person acting as an agent of a candidate
- 23 committee required to report under this subchapter shall be reported by such person
- 24 to the candidate or to the treasurer of the candidate committee within 30 days of
- 25 receipt by the agent. In the case of a contribution of money, the agent shall transmit

1 the contribution to the candidate or treasurer within 30 days of receipt by the agent.
2 The treasurer shall report the contribution within 30 days of initial receipt by the
3 agent.

****NOTE: Do you want to split the 30 day time period into two 15 day periods? For example, do you want to require the agent to transmit the contribution within 15 days of receipt and the treasurer to report the contribution within 30 days of the agent's receipt? Without splitting the time period, and without extending the 30 days beyond the 30 days granted to the agent, it is possible that the treasurer would not be able to report the contribution in a timely manner.

4 (2) REPORTS; CANDIDATES AT SPRING PRIMARY. A candidate committee of a
5 candidate at a spring primary or of a candidate at a special primary held to nominate
6 nonpartisan candidates to be voted for at a special election held to fill a vacancy in
7 one or more of the nonpartisan state or local offices voted for at the spring election
8 shall do all of the following:

9 (a) File a preprimary report. If a candidate for a nonpartisan state office at an
10 election is not required to participate in a spring primary, the candidate committee
11 shall file a preprimary report at the time prescribed in s. 11.1002 (3) preceding the
12 date specified for the holding of the primary, were it to be required.

13 (b) File a preelection report.

14 (c) Annually in each year of an election cycle, file a report on the 15th day of
15 the month in the months of January, April, July, and October.

16 (3) REPORTS; CANDIDATES AT SPRING ELECTIONS. A candidate committee of a
17 candidate at a spring election or of a candidate at a special election held to fill a
18 vacancy in one or more of the nonpartisan state or local offices voted for at the spring
19 election shall do all of the following:

20 (a) File a preelection report.

21 (b) Annually in each year of an election cycle, file a report on the 15th day of
22 the month in the months of January, April, July, and October.

1 **(4) REPORTS; CANDIDATES AT PARTISAN PRIMARY.** A candidate committee of a
2 candidate at a partisan primary or of a special primary held to nominate candidates
3 to be voted for at a special election held to fill a vacancy in one or more of the state
4 or local offices voted for at the general election shall do all of the following:

5 (a) File a preprimary report.

6 (b) File a preelection report.

7 (c) In an odd-numbered year, file a report on the 15th day of the month in the
8 months of January, April, July, and October.

9 (d) In an even-numbered year, file a report on the 15th day of the month in the
10 months of January, April, and July, and on the 4th Tuesday in September.

11 **(5) REPORTS; CANDIDATES AT GENERAL ELECTIONS.** A candidate committee of a
12 candidate at a general election or of a candidate at a special election held to fill a
13 vacancy in one or more of the state or local offices voted for at the general election
14 shall do all of the following:

15 (a) File a preelection report.

16 (b) In an odd-numbered year, file a report on the 15th day of the month in the
17 months of January, April, July, and October.

18 (c) In an even-numbered year, file a report on the 15th day of the month in the
19 months of January, April, and July, and on the 4th Tuesday in September.

20 **(6) REPORTS; CANDIDATES HOLDING OFFICE BUT NOT UP FOR ELECTION AT GENERAL**
21 **ELECTION.** A candidate committee of a candidate holding an office voted for at the
22 general election but not up for election in the current election cycle shall do all of the
23 following:

24 (a) In an odd-numbered year, file a report on the 15th day of the month in the
25 months of January, April, July, and October.

1 (b) In an even-numbered year, file a report on the 15th day of the month in the
2 months of January, April, and July, and on the 4th Tuesday in September.

****NOTE: Does this accomplish your intent?

3 **11.2004 General reporting exemptions. (1) INACTIVITY.** (a) Any candidate
4 committee that does not anticipate accepting contributions, making disbursements
5 or incurring obligations in an aggregate amount in excess of \$1,000 in a calendar year
6 and does not anticipate accepting any contribution or contributions from a single
7 source, other than contributions made by a candidate to his or her own campaign,
8 exceeding \$100 in that year may indicate on its registration statement that the
9 candidate committee will not accept contributions, incur obligations, or make
10 disbursements in the aggregate in excess of \$1,000 in any calendar year and will not
11 accept any contribution or contributions from a single source, other than
12 contributions made by a candidate to his or her own campaign, exceeding \$100 in
13 that year. Any candidate committee making an indication under this paragraph is
14 not subject to any reporting requirement under this subchapter if the statement is
15 true.

16 (b) A candidate committee that makes an indication under par. (a) is not
17 required to file a termination report.

18 (c) The indication under par. (a) may be revoked. If the candidate committee
19 revokes the indication under par. (a), the candidate committee is subject to the
20 reporting requirements under this subchapter as of the date of revocation, or the date
21 that aggregate contributions, disbursements, or obligations for the calendar year
22 exceed \$1,000. If the revocation is not timely, the candidate committee violates s.
23 11.11000.

****NOTE: This reporting exemption is taken from current law s. 11.05 (2r). I
created a parallel provision for all committees other than campaign committees (political

party committees, legislative campaign committees, political action committees, recall committees, and referendum committees). There will likely be other exemptions folded into this section.

SUBCHAPTER III

POLITICAL PARTY COMMITTEES

1
2
3 **11.3000 Registration; treasurer and depositories.** (1) Each political party
4 committee required to register under this chapter shall designate a treasurer to
5 comply with the registration and reporting requirements under this subchapter.

6 (2) The treasurer shall ensure that all funds received are deposited in the
7 political party committee depository account.

8 (3) No disbursement may be made or obligation incurred by or on behalf of the
9 political party committee without the authorization of the treasurer or a designated
10 agent.

11 **11.3001 Registration; timing.** Every political party committee that makes
12 or accepts contributions, incurs obligations, or makes disbursements to support or
13 oppose a candidate in a calendar year shall, upon its inception and prior to making
14 or accepting any such contribution, incurring any such obligation, or making any
15 such disbursement, file a registration statement giving the information required by
16 s. 11.3002.

17 **11.3002 Registration.** (1) **REQUIRED INFORMATION.** The statement of
18 registration shall include all of the following, where applicable:

19 (a) The name and mailing address of the political party committee.

20 (b) The name and mailing address of the treasurer and any other custodian of
21 books and accounts. Unless otherwise directed by the treasurer on the registration
22 form and except as otherwise provided in this chapter or any rule of the board, all

1 mailings that are required by law or by rule of the board shall be sent to the treasurer
2 at the treasurer's address indicated upon the form.

3 (c) The name and address of the depository account of the political party
4 committee and of any other institution where funds of the political party committee
5 are kept.

6 (2) CERTIFICATION. Every statement and every change made in a statement
7 filed under this section shall contain a certification signed by the individual filing the
8 statement that all information contained in the statement is true, correct, and
9 complete.

10 (3) CHANGE OF INFORMATION. (a) Any change in information previously
11 submitted in a registration statement shall be reported by the political party
12 committee within 10 days following the change. Except as provided in par. (b), any
13 such change may be reported only by the individual or by the officer who has
14 succeeded to the position of an individual who signed the original statement.

15 (b) The chief executive officer or treasurer indicated on the registration
16 statement of a political party committee may report a change in the committee's
17 registration statement.

18 **11.3003 Reporting.** (1) CONTRIBUTIONS AND DISBURSEMENTS. (a) Each political
19 party committee shall make full reports, upon a form prescribed by the board and
20 signed by the treasurer under s. 11.1002 (3) (c), of all contributions made and
21 received by the committee. The political party committee shall include in each report
22 the following information, covering the period since the last date covered on the
23 previous report:

1 1. An itemized statement giving the date, full name, and street address of each
2 person who has made a contribution to the political party committee, together with
3 the amount of the contribution.

4 2. An itemized statement giving the date, full name, and street address of each
5 candidate and committee to which the political party committee has made a
6 contribution, together with the amount of the contribution.

7 3. The occupation and name of the principal place of employment, if any, of each
8 individual contributor whose cumulative contributions to the political party
9 committee for the calendar year are in excess of \$100.

10 4. An itemized statement of each contribution made anonymously to the
11 political party committee. If the contribution exceeds \$20, the political party
12 committee shall specify whether the committee donated the contribution to the
13 common school fund or to a charitable organization, and shall include the full name
14 and mailing address of the donee.

15 5. A statement of totals during the reporting period of contributions received
16 and contributions donated as provided in subd. 4.

17 6. A statement of the cash balance on hand at the beginning and end of the
18 reporting period.

 ****NOTE: The following subdivisions 7. through 12. are new in this draft, and
reflect current law with respect to the reporting of disbursements and obligations.

19 7. An itemized statement of each loan of money made to the political party
20 committee in an aggregate amount or value in excess of \$20, together with all of the
21 following:

22 a. The full name and mailing address of the lender.

23 b. A statement of whether the lender is a commercial lending institution.

- 1 c. The date and amount of the loan.
- 2 d. The full name and mailing address of each guarantor, if any.
- 3 e. The original amount guaranteed by each guarantor.
- 4 f. The balance of the amount guaranteed by each guarantor at the end of the
- 5 reporting period.
- 6 8. An itemized statement of every disbursement exceeding \$20 in amount or
- 7 value, together with the name and address of the person to whom the disbursement
- 8 was made, and the date and specific purpose for which the disbursement was made.
- 9 9. An itemized statement of every obligation exceeding \$20 in amount or value,
- 10 together with the name of the person or business with whom the obligation was
- 11 incurred, and the date and the specific purpose for which each such obligation was
- 12 incurred.
- 13 10. A statement of totals during the reporting period of disbursements made,
- 14 including transfers made to and received from other committees, other income, and
- 15 loans.
- 16 11. A statement of the balance of obligations incurred as of the end of the
- 17 reporting period.
- 18 12. A statement of cumulative totals for the calendar year of contributions
- 19 made, contributions received, and disbursements made, including transfers of funds
- 20 made to or received from other committees.
- 21 (b) The first report shall commence no later than the date that the first
- 22 contribution is received and accepted.
- 23 (c) All contributions received by any person acting as an agent of a political
- 24 party committee required to report under this subchapter shall be reported by such
- 25 person to the treasurer of the political party committee within 30 days of receipt by

1 the agent. In the case of a contribution of money, the agent shall transmit the
2 contribution to the treasurer within 30 days of receipt by the agent. The treasurer
3 shall report the contribution within 30 days of initial receipt by the agent.

4 (2) REPORTS TO SUPPORT OR OPPOSE CANDIDATES AT SPRING PRIMARY. A political
5 party committee that makes or accepts contributions to support or oppose one or
6 more candidates for office at a spring primary or of a candidate at a special primary
7 held to nominate nonpartisan candidates to be voted for at a special election held to
8 fill a vacancy in one or more of the nonpartisan state or local offices voted for at the
9 spring election, or that supports or opposes other committees engaging in such
10 activities, shall do all the following:

11 (a) File a preprimary report. If a candidate for a nonpartisan state office at an
12 election is not required to participate in a spring primary, the political party
13 committee shall file a preprimary report at the time prescribed in s. 11.1002 (3)
14 preceding the date specified for the holding of the primary, were it to be required.

15 (b) File a preelection report.

16 (c) Annually in each year of an election cycle, file a report on the 15th day of
17 the month in the months of January, April, July, and October.

18 (3) REPORTS TO SUPPORT OR OPPOSE CANDIDATES AT SPRING ELECTION. A political
19 party committee that makes or accepts contributions to support or oppose one or
20 more candidates for office at a spring election or of a candidate at a special election
21 held to fill a vacancy in one or more of the nonpartisan state or local offices voted for
22 at the spring election, or that supports or opposes other committees engaging in such
23 activities, shall do all the following:

24 (a) File a preelection report.

1 (b) Annually in each year of an election cycle, file a report on the 15th day of
2 the month in the months of January, April, July, and October.

3 (4) REPORTS TO SUPPORT OR OPPOSE CANDIDATES AT PARTISAN PRIMARY. A political
4 party committee that makes or accepts contributions to support or oppose one or
5 more candidates for office at a partisan primary or of a special primary held to
6 nominate candidates to be voted for at a special election held to fill a vacancy in one
7 or more of the state or local offices voted for at the general election, or that supports
8 or opposes other committees engaging in such activities, shall do all the following:

9 (a) File a preprimary report.

10 (b) File a preelection report.

11 (c) In an odd-numbered year, file a report on the 15th day of the month in the
12 months of January, April, July, and October.

13 (d) In an even-numbered year, file a report on the 15th day of the month in the
14 months of January, April, and July, and on the 4th Tuesday in September.

15 (5) REPORTS TO SUPPORT OR OPPOSE CANDIDATES AT GENERAL ELECTION. A political
16 party committee that makes or accepts contributions to support or oppose one or
17 more candidates for office at a general election or of a candidate at a special election
18 held to fill a vacancy in one or more of the state or local offices voted for at the general
19 election, or that supports or opposes other committees engaging in such activities
20 shall do all of the following:

21 (a) File a preelection report.

22 (b) In an odd-numbered year, file a report on the 15th day of the month in the
23 months of January, April, July, and October.

24 (c) In an even-numbered year, file a report on the 15th day of the month in the
25 months of January, April, and July, and on the 4th Tuesday in September.

1 (3) No disbursement may be made or obligation incurred by or on behalf of a
2 legislative campaign committee without the authorization of the treasurer or a
3 designated agent.

4 **11.4001 Registration; timing.** Every legislative campaign committee that
5 makes or accepts contributions, incurs obligations, or makes disbursements to
6 support or oppose a candidate in a calendar year shall, upon its inception and prior
7 to making or accepting any such contribution, incurring any such obligation, or
8 making any such disbursement, file a registration statement giving the information
9 required by s. 11.4002.

10 **11.4002 Registration; required information.** (1) REQUIRED INFORMATION.

11 The statement of registration shall include all of the following:

- 12 (a) The name and mailing address of the legislative campaign committee.
- 13 (b) The name and mailing address of the treasurer and any other custodian of
14 books and accounts. Unless otherwise directed by the treasurer on the registration
15 form and except as otherwise provided in this chapter or any rule of the board, all
16 mailings that are required by law or by rule of the board shall be sent to the treasurer
17 at the treasurer's address indicated upon the form.
- 18 (c) The name and address of the depository account of the legislative campaign
19 committee and of any other institution where funds of the legislative campaign
20 committee are kept.
- 21 (d) A statement signed by the leader of the party in the house for which the
22 committee is established attesting to the fact that the committee is the only
23 authorized legislative campaign committee for that party in that house.

****NOTE: I kept this note here because I believe this is still an open question. Do
you intend that there will be only one legislative campaign committee?

1 (2) CERTIFICATION. Every statement and every change made in a statement
2 filed under this section shall contain a certification signed by the individual filing the
3 statement that all information contained in the statement is true, correct, and
4 complete.

5 (3) CHANGE OF INFORMATION. (a) Any change in information previously
6 submitted in a registration statement shall be reported by the legislative campaign
7 committee within 10 days following the change. Except as provided in par. (b), any
8 such change may be reported only by the individual or by the officer who has
9 succeeded to the position of an individual who signed the original statement.

10 (b) The chief executive officer or treasurer indicated on the registration
11 statement of a legislative campaign committee may report a change in the
12 committee's registration statement.

13 **11.4003 Reporting.** (1) CONTRIBUTIONS AND DISBURSEMENTS. (a) Each
14 legislative campaign committee shall make full reports, upon a form prescribed by
15 the board and signed by the treasurer under s. 11.1002 (3) (c), of all contributions
16 made and received by the committee. The legislative campaign committee shall
17 include in each report the following information, covering the period since the last
18 date covered on the previous report:

19 1. An itemized statement giving the date, full name, and street address of each
20 person who has made a contribution to the legislative campaign committee, together
21 with the amount of the contribution.

22 2. An itemized statement giving the date, full name, and street address of each
23 candidate and committee to which the legislative campaign committee has made a
24 contribution, together with the amount of the contribution.

1 3. The occupation and name of the principal place of employment, if any, of each
2 individual contributor whose cumulative contributions to the legislative campaign
3 committee for the calendar year are in excess of \$100.

4 4. An itemized statement of each contribution made anonymously to the
5 legislative campaign committee. If the contribution exceeds \$20, the legislative
6 campaign committee shall specify whether the committee donated the contribution
7 to the common school fund or to a charitable organization, and shall include the full
8 name and mailing address of the donee.

9 5. A statement of totals during the reporting period of contributions received
10 and contributions donated as provided in subd. 4.

11 6. A statement of the cash balance on hand at the beginning and end of the
12 reporting period.

 ****NOTE: The following subdivisions 7. through 12. are new in this draft, and
reflect current law with respect to the reporting of disbursements and obligations.

13 7. An itemized statement of each loan of money made to the legislative
14 campaign committee in an aggregate amount or value in excess of \$20, together with
15 all of the following:

16 a. The full name and mailing address of the lender.

17 b. A statement of whether the lender is a commercial lending institution.

18 c. The date and amount of the loan.

19 d. The full name and mailing address of each guarantor, if any.

20 e. The original amount guaranteed by each guarantor.

21 f. The balance of the amount guaranteed by each guarantor at the end of the
22 reporting period.

1 8. An itemized statement of every disbursement exceeding \$20 in amount or
2 value, together with the name and address of the person to whom the disbursement
3 was made, and the date and specific purpose for which the disbursement was made.

4 9. An itemized statement of every obligation exceeding \$20 in amount or value,
5 together with the name of the person or business with whom the obligation was
6 incurred, and the date and the specific purpose for which each such obligation was
7 incurred.

8 10. A statement of totals during the reporting period of disbursements made,
9 including transfers made to and received from other committees, other income, and
10 loans.

11 11. A statement of the balance of obligations incurred as of the end of the
12 reporting period.

13 12. A statement of cumulative totals for the calendar year of contributions
14 made, contributions received, and disbursements made, including transfers of funds
15 made to or received from other committees.

16 (b) The first report shall commence no later than the date that the first
17 contribution is received and accepted.

18 (c) All contributions received by any person acting as an agent of a legislative
19 campaign committee required to report under this subchapter shall be reported by
20 such person to the treasurer of the legislative campaign committee within 30 days
21 of receipt by the agent. In the case of a contribution of money, the agent shall
22 transmit the contribution to the treasurer within 30 days of receipt by the agent. The
23 treasurer shall report the contribution within 30 days of initial receipt by the agent.

24 (2) REPORTS TO SUPPORT OR OPPOSE CANDIDATES AT SPRING PRIMARY. A legislative
25 campaign committee that makes or accepts contributions to support or oppose one

1 or more candidates for office at a spring primary or of a candidate at a special primary
2 held to nominate nonpartisan candidates to be voted for at a special election held to
3 fill a vacancy in one or more of the nonpartisan state or local offices voted for at the
4 spring election, or that supports or opposes other committees engaging in such
5 activities, shall do all the following:

6 (a) File a preprimary report. If a candidate for a nonpartisan state office at an
7 election is not required to participate in a spring primary, the legislative campaign
8 committee shall file a preprimary report at the time prescribed in s. 11.1002 (3)
9 preceding the date specified for the holding of the primary, were it to be required.

10 (b) File a preelection report.

11 (c) Annually in each year of an election cycle, file a report on the 15th day of
12 the month in the months of January, April, July, and October.

13 **(3) REPORTS TO SUPPORT OR OPPOSE CANDIDATES AT SPRING ELECTION.** A legislative
14 campaign committee that makes or accepts contributions to support or oppose one
15 or more candidates for office at a spring election or of a candidate at a special election
16 held to fill a vacancy in one or more of the nonpartisan state or local offices voted for
17 at the spring election, or that supports or opposes other committees engaging in such
18 activities, shall do all the following:

19 (a) File a preelection report.

20 (b) Annually in each year of an election cycle, file a report on the 15th day of
21 the month in the months of January, April, July, and October.

22 **(4) REPORTS TO SUPPORT OR OPPOSE CANDIDATES AT PARTISAN PRIMARY.** A legislative
23 campaign committee that makes or accepts contributions to support or oppose one
24 or more candidates for office at a partisan primary or of a special primary held to
25 nominate candidates to be voted for at a special election held to fill a vacancy in one

1 or more of the state or local offices voted for at the general election, or that supports
2 or opposes other committees engaging in such activities, shall do all the following:

3 (a) File a preprimary report.

4 (b) File a preelection report.

5 (c) In an odd-numbered year, file a report on the 15th day of the month in the
6 months of January, April, July, and October.

7 (d) In an even-numbered year, file a report on the 15th day of the month in the
8 months of January, April, and July, and on the 4th Tuesday in September.

9 (5) REPORTS TO SUPPORT OR OPPOSE CANDIDATES AT GENERAL ELECTION. A
10 legislative campaign committee that makes or accepts contributions to support or
11 oppose one or more candidates for office at a general election or of a candidate at a
12 special election held to fill a vacancy in one or more of the state or local offices voted
13 for at the general election, or that supports or opposes other committees engaging in
14 such activities shall do all of the following:

15 (a) File a preelection report.

16 (b) In an odd-numbered year, file a report on the 15th day of the month in the
17 months of January, April, July, and October.

18 (c) In an even-numbered year, file a report on the 15th day of the month in the
19 months of January, April, and July, and on the 4th Tuesday in September.

20 **11.4004 General reporting exemptions.** (1) INACTIVITY. (a) A legislative
21 campaign committee that does not anticipate accepting contributions, making
22 disbursements or incurring obligations in an aggregate amount in excess of \$1,000
23 in a calendar year may indicate on its registration statement that the committee will
24 not accept contributions, incur obligations, or make disbursements in the aggregate
25 in excess of \$1,000 in any calendar year. A legislative campaign committee that

1 makes an indication under this paragraph is not subject to any reporting
2 requirement under this subchapter if the statement is true.

3 (b) A legislative campaign committee that makes an indication under par. (a)
4 is not required to file a termination report.

5 (c) The indication under par. (a) may be revoked. If the legislative campaign
6 committee revokes the indication under par. (a), the committee is subject to the
7 reporting requirements under this subchapter as of the date of revocation, or the date
8 that aggregate contributions, disbursements, or obligations for the calendar year
9 exceed \$1,000. If the revocation is not timely, the committee violates 11.11000.

10 SUBCHAPTER V

11 POLITICAL ACTION COMMITTEES

12 **11.5000 Registration; treasurer and depositories.** (1) Each political
13 action committee required to register under this chapter shall designate a treasurer
14 to comply with the registration and reporting requirements under this subchapter.

15 (2) The treasurer shall ensure that all funds received are deposited in the
16 political action committee depository account.

17 (3) No disbursement may be made or obligation incurred by or on behalf of a
18 political action committee without the authorization of the treasurer or a designated
19 agent.

20 **11.5001 Registration; timing.** (1) Every political action committee that
21 makes or accepts contributions, incurs obligations, or makes disbursements to
22 support or oppose a candidate in a calendar year in an aggregate amount in excess
23 of \$2,500 shall file a registration statement giving the information required by s.
24 11.5002.

1 (2) A political action committee that triggers the registration requirement
2 under sub. (1) shall file the registration statement no later than the 10th business
3 day commencing after receipt of the first contribution by the political action
4 committee exceeding the amount specified under sub. (1) and before making any
5 disbursement exceeding that amount.

6 **11.5002 Registration; required information. (1) REQUIRED INFORMATION.**

7 The statement of registration shall include all of the following:

8 (a) The name and mailing address of the political action committee.

9 (b) The name and mailing address of the treasurer and any other custodian of
10 books and accounts. Unless otherwise directed by the treasurer on the registration
11 form and except as otherwise provided in this chapter or any rule of the board, all
12 mailings that are required by law or by rule of the board shall be sent to the treasurer
13 at the treasurer's address indicated upon the form.

14 (c) The name and address of the depository account of the political action
15 committee and of any other institution where funds of the committee are kept.

16 (2) CERTIFICATION. Every statement and every change made in a statement
17 filed under this section shall contain a certification signed by the individual filing the
18 statement that all information contained in the statement is true, correct, and
19 complete.

20 (3) CHANGE OF INFORMATION. (a) Any change in information previously
21 submitted in a registration statement shall be reported by the political action
22 committee within 10 days following the change. Except as provided in par. (b), any
23 such change may be reported only by the individual or by the officer who has
24 succeeded to the position of an individual who signed the original statement.

1 (b) The chief executive officer or treasurer indicated on the registration
2 statement of a political action committee may report a change in the committee's
3 registration statement.

4 **11.5003 Reporting. (1) CONTRIBUTIONS AND DISBURSEMENTS.** (a) Each political
5 action committee shall make full reports, upon a form prescribed by the board and
6 signed by the registrant under s. 11.1002 (3) (c), of all contributions made and
7 received by the committee. The political action committee shall include in each
8 report the following information, covering the period since the last date covered on
9 the previous report:

10 1. An itemized statement giving the date, full name, and street address of each
11 person who has made a contribution to the political action committee, together with
12 the amount of the contribution.

13 2. An itemized statement giving the date, full name, and street address of each
14 candidate and committee to which the political action committee has made a
15 contribution, together with the amount of the contribution.

16 3. The occupation and name and address of the principal place of employment,
17 if any, of each individual contributor whose cumulative contributions to the political
18 action committee for the calendar year are in excess of \$100.

19 4. An itemized statement of each contribution made anonymously to the
20 political action committee. If the contribution exceeds \$20, the political action
21 committee shall specify whether the committee donated the contribution to the
22 common school fund or to a charitable organization, and shall include the full name
23 and mailing address of the donee.

24 5. A statement of totals during the reporting period of contributions received
25 and contributions donated as provided in subd. 4.

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

 ****NOTE: The following subdivisions 7. through 12. are new in this draft, and
reflect current law with respect to the reporting of disbursements and obligations.

3 7. An itemized statement of each loan of money made to the political action
4 committee in an aggregate amount or value in excess of \$20, together with all of the
5 following:

6 a. The full name and mailing address of the lender.

7 b. A statement of whether the lender is a commercial lending institution.

8 c. The date and amount of the loan.

9 d. The full name and mailing address of each guarantor, if any.

10 e. The original amount guaranteed by each guarantor.

11 f. The balance of the amount guaranteed by each guarantor at the end of the
12 reporting period.

13 8. An itemized statement of every disbursement exceeding \$20 in amount or
14 value, together with the name and address of the person to whom the disbursement
15 was made, and the date and specific purpose for which the disbursement was made.

16 9. An itemized statement of every obligation exceeding \$20 in amount or value,
17 together with the name of the person or business with whom the obligation was
18 incurred, and the date and the specific purpose for which each such obligation was
19 incurred.

20 10. A statement of totals during the reporting period of disbursements made,
21 including transfers made to and received from other committees, other income, and
22 loans.

1 11. A statement of the balance of obligations incurred as of the end of the
2 reporting period.

3 12. A statement of cumulative totals for the calendar year of contributions
4 made, contributions received, and disbursements made, including transfers of funds
5 made to or received from other committees.

6 (b) The first report shall commence no later than the date that the first
7 contribution is received and accepted.

8 (c) All contributions received by any person acting as an agent of a political
9 action committee required to report under this subchapter shall be reported by such
10 person to the treasurer of the political action committee within 30 days of receipt by
11 the agent. In the case of a contribution of money, the agent shall transmit the
12 contribution to the treasurer within 30 days of receipt by the agent. The treasurer
13 shall report the contribution within 30 days of initial receipt by the agent.

14 **(2) REPORTS TO SUPPORT OR OPPOSE CANDIDATES AT SPRING PRIMARY.** A political
15 action committee that makes or accepts contributions to support or oppose one or
16 more candidates for office at a spring primary or of a candidate at a special primary
17 held to nominate nonpartisan candidates to be voted for at a special election held to
18 fill a vacancy in one or more of the nonpartisan state or local offices voted for at the
19 spring election, or that supports or opposes other committees engaging in such
20 activities, shall do all the following:

21 (a) File a preprimary report. If a candidate for a nonpartisan state office at an
22 election is not required to participate in a spring primary, the political action
23 committee shall file a preprimary report at the time prescribed in s. 11.1002 (3)
24 preceding the date specified for the holding of the primary, were it to be required.

25 (b) File a preelection report.

1 (c) Annually in each year of an election cycle, file a report on the 15th day of
2 the month in the months of January, April, July, and October.

3 (3) REPORTS TO SUPPORT OR OPPOSE CANDIDATES AT SPRING ELECTION. A political
4 action committee that makes or accepts contributions to support or oppose one or
5 more candidates for office at a spring election or of a candidate at a special election
6 held to fill a vacancy in one or more of the nonpartisan state or local offices voted for
7 at the spring election, or that supports or opposes other committees engaging in such
8 activities, shall do all the following:

9 (a) File a preelection report.

10 (b) Annually in each year of an election cycle, file a report on the 15th day of
11 the month in the months of January, April, July, and October.

12 (4) REPORTS TO SUPPORT OR OPPOSE CANDIDATES AT PARTISAN PRIMARY. A political
13 action committee that makes or accepts contributions to support or oppose one or
14 more candidates for office at a partisan primary or of a special primary held to
15 nominate candidates to be voted for at a special election held to fill a vacancy in one
16 or more of the state or local offices voted for at the general election, or that supports
17 or opposes other committees engaging in such activities, shall do all the following:

18 (a) File a preprimary report.

19 (b) File a preelection report.

20 (c) In an odd-numbered year, file a report on the 15th day of the month in the
21 months of January, April, July, and October.

22 (d) In an even-numbered year, file a report on the 15th day of the month in the
23 months of January, April, and July, and on the 4th Tuesday in September.

24 (5) REPORTS TO SUPPORT OR OPPOSE CANDIDATES AT GENERAL ELECTION. A political
25 action committee that makes or accepts contributions to support or oppose one or

1 more candidates for office at a general election or of a candidate at a special election
2 held to fill a vacancy in one or more of the state or local offices voted for at the general
3 election, or that supports or opposes other committees engaging in such activities
4 shall do all of the following:

5 (a) File a preelection report.

6 (b) In an odd-numbered year, file a report on the 15th day of the month in the
7 months of January, April, July, and October.

8 (c) In an even-numbered year, file a report on the 15th day of the month in the
9 months of January, April, and July, and on the 4th Tuesday in September.

10 **11.5004 General reporting exemptions.** (1) INACTIVITY. (a) A political
11 action committee that does not anticipate accepting contributions, making
12 disbursements or incurring obligations in an aggregate amount in excess of \$1,000
13 in a calendar year may indicate on its registration statement that the committee will
14 not accept contributions, incur obligations, or make disbursements in the aggregate
15 in excess of \$1,000 in any calendar year. A political action committee that makes an
16 indication under this paragraph is not subject to any reporting requirement under
17 this subchapter if the statement is true.

18 (b) A political action committee that makes an indication under par. (a) is not
19 required to file a termination report.

20 (c) The indication under par. (a) may be revoked. If the political action
21 committee revokes the indication under par. (a), the committee is subject to the
22 reporting requirements under this subchapter as of the date of revocation, or the date
23 that aggregate contributions, disbursements, or obligations for the calendar year
24 exceed \$1,000. If the revocation is not timely, the committee violates 11.11000.

1 CONDUITS

2 **11.6000 Registration; treasurer and depositories.** (1) Each conduit
3 required to register under this chapter shall designate a treasurer to comply with the
4 registration and reporting requirements under this subchapter.

5 (2) The treasurer shall ensure that all funds received are deposited in the
6 conduit depository account.

7 (3) No contribution received by a conduit may be released by a conduit without
8 the authorization of the treasurer or a designated agent.

9 **11.6001 Registration; timing.** Every conduit that accepts and releases
10 contributions to support or oppose a candidate in a calendar year shall, upon its
11 inception and prior to accepting or releasing any such contribution, file a registration
12 statement giving the information required by s. 11.6002.

13 **11.6002 Registration; required information.** (1) REQUIRED INFORMATION.
14 The statement of registration shall include all of the following, where applicable:

15 (a) The name and mailing address of the conduit.

16 (b) The name and mailing address of the treasurer of the conduit and any other
17 custodian of books and accounts. Unless otherwise directed by the treasurer on the
18 registration form and except as otherwise provided in this chapter or any rule of the
19 board, all mailings that are required by law or by rule of the board shall be sent to
20 the treasurer at the treasurer's address indicated upon the form.

21 (c) The name and address of the depository account of the conduit and of any
22 other institution where funds of the conduit are kept.

23 (d) The name and mailing address of a sponsor, as defined in [current law s.
24 11.185 (1)], to which contributions may be redirected as provided under [current law
25 s. 11.185].

1 (2) CERTIFICATION. Every statement and every change made in a statement
2 filed under this section shall contain a certification signed by the individual filing the
3 statement that all information contained in the statement is true, correct, and
4 complete.

5 (3) CHANGE OF INFORMATION. (a) Any change in information previously
6 submitted in a registration statement shall be reported by the conduit within 10 days
7 following the change. Except as provided in par. (b), any such change may be
8 reported only by the individual or by the officer who has succeeded to the position of
9 an individual who signed the original statement.

10 (b) The chief executive officer or treasurer indicated on the registration
11 statement of a conduit may report a change in the conduit's registration statement.

12 **11.6003 Reporting.** (1) CONTRIBUTIONS AND DISBURSEMENTS. (a) Each conduit
13 shall make full reports, upon a form prescribed by the board and signed by the
14 treasurer under s. 11.1002 (3) (c), of the following information covering the period
15 since the last date covered on the previous report:

16 1. A statement of the sum total of all contributions received by the conduit
17 during the reporting period.

18 2. A statement of the sum total of all contributions released by the conduit and
19 to committees upon the authorization of contributors.

20 3. A statement of the sum total of cash on hand at the beginning and end of the
21 reporting period.

22 4. Whether, during the reporting period, any contribution was redirected to a
23 sponsor as permitted under sub. (6).

****NOTE: This draft does not require any additional reporting of conduits (it is our understanding that conduits do not make disbursements or incur obligations as do other committees).

1 (b) A conduit transferring a contribution of money shall, in writing at the time
2 the contribution is transferred, identify itself to the transferee as a conduit and
3 report to the transferee of each contribution transferred by it the following
4 information:

5 1. An itemized statement giving the date, full name, and street address of each
6 person who has made a contribution to the conduit which contribution is being
7 transferred to the transferee.

8 2. The occupation and name and address of the principal place of employment,
9 if any, of each individual contributor whose cumulative contributions to the
10 transferee for the calendar year are in excess of \$100.

11 (c) The first report shall commence no later than the date that the first
12 contribution is received and accepted.

13 (d) All contributions received by any person acting as an agent of a conduit
14 required to report under this subchapter shall be reported by such person to the
15 treasurer of the conduit within 30 days of receipt by the agent. In the case of a
16 contribution of money, the agent shall transmit the contribution to the treasurer
17 within 30 days of receipt by the agent. The treasurer shall report the contribution
18 within 30 days of initial receipt by the agent.

19 (2) REPORTS TO SUPPORT OR OPPOSE CANDIDATES AT SPRING PRIMARY. A conduit that
20 accepts or releases contributions to support or oppose one or more candidates for
21 office at a spring primary or of a candidate at a special primary held to nominate
22 nonpartisan candidates to be voted for at a special election held to fill a vacancy in
23 one or more of the nonpartisan state or local offices voted for at the spring election,
24 or that supports or opposes other committees engaging in such activities, shall do all
25 the following:

1 (a) File a preprimary report. If a candidate for a nonpartisan state office at an
2 election is not required to participate in a spring primary, the conduit shall file a
3 preprimary report at the time prescribed in s. 11.1002 (3) preceding the date specified
4 for the holding of the primary, were it to be required.

5 (b) File a preelection report.

6 (c) Annually in each year of an election cycle, file a report on the 15th day of
7 the month in the months of January, April, July, and October.

8 **(3) REPORTS TO SUPPORT OR OPPOSE CANDIDATES AT SPRING ELECTION.** A conduit
9 that accepts or releases contributions to support or oppose one or more candidates
10 for office at a spring election or of a candidate at a special election held to fill a
11 vacancy in one or more of the nonpartisan state or local offices voted for at the spring
12 election, or that supports or opposes other committees engaging in such activities,
13 shall do all the following:

14 (a) File a preelection report.

15 (b) Annually in each year of an election cycle, file a report on the 15th day of
16 the month in the months of January, April, July, and October.

17 **(4) REPORTS TO SUPPORT OR OPPOSE CANDIDATES AT PARTISAN PRIMARY.** A conduit
18 that accepts or releases contributions to support or oppose one or more candidates
19 for office at a partisan primary or of a special primary held to nominate candidates
20 to be voted for at a special election held to fill a vacancy in one or more of the state
21 or local offices voted for at the general election, or that supports or opposes other
22 committees engaging in such activities, shall do all the following:

23 (a) File a preprimary report.

24 (b) File a preelection report.

1 (c) In an odd-numbered year, file a report on the 15th day of the month in the
2 months of January, April, July, and October.

3 (d) In an even-numbered year, file a report on the 15th day of the month in the
4 months of January, April, and July, and on the 4th Tuesday in September.

5 **(5) REPORTS TO SUPPORT OR OPPOSE CANDIDATES AT GENERAL ELECTION.** A conduit
6 that accepts or releases contributions to support or oppose one or more candidates
7 for office at a general election or of a candidate at a special election held to fill a
8 vacancy in one or more of the state or local offices voted for at the general election,
9 or that supports or opposes other committees engaging in such activities shall do all
10 of the following:

11 (a) File a preelection report.

12 (b) In an odd-numbered year, file a report on the 15th day of the month in the
13 months of January, April, July, and October.

14 (c) In an even-numbered year, file a report on the 15th day of the month in the
15 months of January, April, and July, and on the 4th Tuesday in September.

16 **(6) REDIRECTED CONTRIBUTIONS.** (a) In this subsection, “sponsor” means a
17 committee, including a legislative campaign committee, political party committee,
18 recall committee, and referendum committee, but excluding a candidate committee
19 and political action committee, that is associated with a conduit.

20 (b) A conduit may redirect any contribution received from a person or
21 committee to a sponsor or, if there is no sponsor, to an administrative fund of the
22 conduit if all of the following apply:

23 1. The conduit has held the contribution for at least 24 consecutive months,
24 including the 24 months immediately preceding the effective date of this subdivision

1 ... [LRB inserts date], over which time the individual or organization that made the
2 contribution has made no contact with the conduit.

3 2. Either of the following apply:

4 a. The conduit has, over the 24-month period described in subd. 1., attempted
5 in good faith to contact the individual or organization that made the contribution at
6 least 10 times, and has documented each such attempt, but has been unable to make
7 contact with the individual or organization. A conduit may satisfy the requirement
8 to contact the individual or organization by telephoning the individual or
9 organization at the last-known telephone number; by sending a text message to the
10 individual or organization at the last-known cellular telephone number or pager
11 number capable of receiving text messages; by sending a facsimile transmission to
12 the individual or organization at the last-known facsimile transmission number; by
13 sending a letter or postcard to the individual or organization by U.S. mail; by sending
14 a message by electronic mail; or by any combination of the foregoing. A conduit may
15 not satisfy the requirement to attempt in good faith to contact the individual or
16 organization at least 10 times if all 10 attempted contacts occur within a period of
17 30 consecutive days.

18 b. The surviving spouse or executor of the estate of a deceased individual that
19 made the contribution authorizes the redirection of the contribution.

20 (c) If a conduit redirects a contribution under this subsection, the conduit shall
21 include in its report under this section for the reporting period during which the
22 contribution is redirected the information about the original contributor, required for
23 the recipient's reporting purposes, for the dates on which the contribution is received
24 and redirected and whether the contribution is redirected to a sponsor or to an
25 administrative fund of the conduit.

****NOTE: This is a reminder to the drafters to tweak the language in this paragraph governing “the recipient’s reporting purposes.”

1 SUBCHAPTER VII

2 REFERENDUM COMMITTEES

3 **11.7000 Registration; treasurer and depositories.** (1) Each referendum
4 committee required to register under this chapter shall designate a treasurer to
5 comply with the registration and reporting requirements under this subchapter.

6 (2) The treasurer shall ensure that all funds received are deposited in the
7 referendum committee depository account.

8 (3) No disbursement may be made or obligation incurred by or on behalf of a
9 referendum committee without the authorization of the treasurer or a designated
10 agent.

11 **11.7001 Registration; timing.** (1) Every referendum committee that makes
12 or accepts contributions, incurs obligations, or makes disbursements for the purpose
13 of influencing a particular vote at a referendum in a calendar year in an aggregate
14 amount in excess of \$10,000 shall file a registration statement giving the information
15 required by s. 11.7002.

16 (2) A referendum committee that triggers the registration requirement under
17 sub. (1) shall file the registration statement no later than the 10th business day
18 commencing after receipt of the first contribution by the referendum committee
19 exceeding the amount specified under sub. (1) and before making any disbursement
20 exceeding that amount.

21 **11.7002 Registration; required information.** (1) REQUIRED INFORMATION.
22 The statement of registration shall include all of the following, where applicable:

23 (a) The name and mailing address of the referendum committee.

1 (b) The name and mailing address of the treasurer and any other custodian of
2 books and accounts. Unless otherwise directed by the treasurer on the registration
3 form and except as otherwise provided in this chapter or any rule of the board, all
4 mailings that are required by law or by rule of the board shall be sent to the treasurer
5 at the treasurer's address indicated upon the form.

6 (c) The name and address of the depository account of the referendum
7 committee and of any other institution where funds of the committee are kept.

8 (d) The nature of any referendum that is supported or opposed.

9 (2) CERTIFICATION. Every statement and every change made in a statement
10 filed under this section shall contain a certification signed by the individual filing the
11 statement that all information contained in the statement is true, correct, and
12 complete.

13 (3) CHANGE OF INFORMATION. (a) Any change in information previously
14 submitted in a registration statement shall be reported by the referendum
15 committee within 10 days following the change. Except as provided in par. (b), any
16 such change may be reported only by the individual or by the officer who has
17 succeeded to the position of an individual who signed the original statement.

18 (b) The chief executive officer or treasurer indicated on the registration
19 statement of a referendum committee may report a change in the committee's
20 registration statement.

21 **11.7003 Reporting.** (1) CONTRIBUTIONS AND DISBURSEMENTS. (a) Each
22 referendum committee shall make full reports, upon a form prescribed by the board
23 and signed by the treasurer under s. 11.1002 (3) (c), of all contributions received by
24 the committee. The referendum committee shall include in each report the following
25 information, covering the period since the last date covered on the previous report:

1 1. An itemized statement giving the date, full name, and street address of each
2 person who has made a contribution to the referendum committee, together with the
3 amount of the contribution.

4 2. The occupation and name of the principal place of employment, if any, of each
5 individual contributor whose cumulative contributions to the referendum committee
6 for the calendar year are in excess of \$100.

7 3. An itemized statement of each contribution made anonymously to the
8 referendum committee. If the contribution exceeds \$20, the referendum committee
9 shall specify whether the committee donated the contribution to the common school
10 fund or to a charitable organization, and shall include the full name and mailing
11 address of the donee.

12 4. A statement of totals during the reporting period of contributions received
13 and contributions donated as provided in subd. 3.

14 5. A statement of the cash balance on hand at the beginning and end of the
15 reporting period.

 ***NOTE: The following subdivisions 6. through 11. are new in this draft, and
reflect current law with respect to the reporting of disbursements and obligations.

16 6. An itemized statement of each loan of money made to the referendum
17 committee in an aggregate amount or value in excess of \$20, together with all of the
18 following:

19 a. The full name and mailing address of the lender.

20 b. A statement of whether the lender is a commercial lending institution.

21 c. The date and amount of the loan.

22 d. The full name and mailing address of each guarantor, if any.

23 e. The original amount guaranteed by each guarantor.

1 f. The balance of the amount guaranteed by each guarantor at the end of the
2 reporting period.

3 7. An itemized statement of every disbursement exceeding \$20 in amount or
4 value, together with the name and address of the person to whom the disbursement
5 was made, and the date and specific purpose for which the disbursement was made.

6 8. An itemized statement of every obligation exceeding \$20 in amount or value,
7 together with the name of the person or business with whom the obligation was
8 incurred, and the date and the specific purpose for which each such obligation was
9 incurred.

10 9. A statement of totals during the reporting period of disbursements made,
11 including transfers made to and received from other committees, other income, and
12 loans.

13 10. A statement of the balance of obligations incurred as of the end of the
14 reporting period.

15 11. A statement of cumulative totals for the calendar year of contributions
16 made, contributions received, and disbursements made, including transfers of funds
17 made to or received from other committees.

18 (b) The first report shall commence no later than the date that the first
19 contribution is received and accepted.

20 (c) All contributions received by any person acting as an agent of a referendum
21 committee required to report under this subchapter shall be reported by such person
22 to the treasurer of the referendum committee within 30 days of receipt by the agent.
23 In the case of a contribution of money, the agent shall transmit the contribution to
24 the treasurer within 30 days of receipt by the agent. The treasurer shall report the
25 contribution within 30 days of initial receipt by the agent.

1 (2) REPORTS TO SUPPORT OR OPPOSE A REFERENDUM AT SPRING PRIMARY. A
2 referendum committee making or accepting contributions to support or oppose a
3 referendum appearing on a spring primary ballot shall do all the following:

4 (a) File a preprimary report.

5 (b) File a preelection report.

6 (c) Annually in each year of an election cycle, file a report on the 15th day of
7 the month in the months of January, April, July, and October.

 ****NOTE: In this /P7 draft, referendum committees must file the same reports
required of committees supporting or opposing a candidate (the requirements under the
/P6 were not accurate). Is that consistent with your intent?

8 (3) REPORTS TO SUPPORT OR OPPOSE A REFERENDUM AT SPRING ELECTION. A
9 referendum committee making or accepting contributions to support or oppose a
10 referendum appearing on a spring election ballot shall do all the following:

11 (a) File a preelection report.

12 (b) Annually in each year of an election cycle, file a report on the 15th day of
13 the month in the months of January, April, July, and October.

14 (4) REPORTS TO SUPPORT OR OPPOSE A REFERENDUM AT PARTISAN PRIMARY. A
15 referendum committee making or accepting contributions in support of or in
16 opposition to a referendum appearing on a partisan primary ballot shall do all the
17 following:

18 (a) File a preprimary report.

19 (b) File a preelection report.

20 (c) In an odd-numbered year, file a report on the 15th day of the month in the
21 months of January, April, July, and October.

22 (d) In an even-numbered year, file a report on the 15th day of the month in the
23 months of January, April, and July, and on the 4th Tuesday in September.

1 (c) The name and address of the depository account of the recall committee and
2 of any other institution where funds of the committee are kept.

3 (2) CERTIFICATION. Every statement and every change made in a statement
4 filed under this section shall contain a certification signed by the individual filing the
5 statement that all information contained in the statement is true, correct, and
6 complete.

7 (3) CHANGE OF INFORMATION. (a) Any change in information previously
8 submitted in a registration statement shall be reported by the recall committee
9 within 10 days following the change. Except as provided in par. (b), any such change
10 may be reported only by the individual or by the officer who has succeeded to the
11 position of an individual who signed the original statement.

12 (b) The chief executive officer or treasurer indicated on the registration
13 statement of a recall committee may report a change in the committee's registration
14 statement.

15 **11.8003 Reporting.** (1) CONTRIBUTIONS AND DISBURSEMENTS. (a) Each recall
16 committee shall make full reports, upon a form prescribed by the board and signed
17 by the registrant under s. 11.1002 (3) (c), of all contributions made and received by
18 the committee. The recall committee shall include in each report the following
19 information, covering the period since the last date covered on the previous report:

20 1. An itemized statement giving the date, full name, and street address of each
21 person who has made a contribution to the recall committee, together with the
22 amount of the contribution.

23 2. An itemized statement giving the date, full name, and street address of each
24 candidate and committee to which the recall committee has made a contribution,
25 together with the amount of the contribution.

1 3. The occupation and name and address of the principal place of employment,
2 if any, of each individual contributor whose cumulative contributions to the recall
3 committee for the calendar year are in excess of \$100.

4 4. An itemized statement of each contribution made anonymously to the recall
5 committee. If the contribution exceeds \$20, the recall committee shall specify
6 whether the committee donated the contribution to the common school fund or to a
7 charitable organization, and shall include the full name and mailing address of the
8 donee.

9 5. A statement of totals during the reporting period of contributions received
10 and contributions donated as provided in subd. 4.

11 6. A statement of the cash balance on hand at the beginning and end of the
12 reporting period.

 ****NOTE: The following subdivisions 7. through 12. are new in this draft, and
reflect current law with respect to the reporting of disbursements and obligations.

13 7. An itemized statement of each loan of money made to the recall committee
14 in an aggregate amount or value in excess of \$20, together with all of the following:

15 a. The full name and mailing address of the lender.

16 b. A statement of whether the lender is a commercial lending institution.

17 c. The date and amount of the loan.

18 d. The full name and mailing address of each guarantor, if any.

19 e. The original amount guaranteed by each guarantor.

20 f. The balance of the amount guaranteed by each guarantor at the end of the
21 reporting period.

1 8. An itemized statement of every disbursement exceeding \$20 in amount or
2 value, together with the name and address of the person to whom the disbursement
3 was made, and the date and specific purpose for which the disbursement was made.

4 9. An itemized statement of every obligation exceeding \$20 in amount or value,
5 together with the name of the person or business with whom the obligation was
6 incurred, and the date and the specific purpose for which each such obligation was
7 incurred.

8 10. A statement of totals during the reporting period of disbursements made,
9 including transfers made to and received from other committees, other income, and
10 loans.

11 11. A statement of the balance of obligations incurred as of the end of the
12 reporting period.

13 12. A statement of cumulative totals for the calendar year of contributions
14 made, contributions received, and disbursements made, including transfers of funds
15 made to or received from other committees.

16 (b) The first report shall commence no later than the date that the first
17 contribution is received and accepted.

18 (c) All contributions received by any person acting as an agent of a recall
19 committee required to report under this subchapter shall be reported by such person
20 to the treasurer of the recall committee within 30 days of receipt by the agent. In the
21 case of a contribution of money, the agent shall transmit the contribution to the
22 treasurer within 30 days of receipt by the agent. The treasurer shall report the
23 contribution within 30 days of initial receipt by the agent.

24 **11.8004 General reporting exemptions. (1) INACTIVITY.** (a) A recall
25 committee that does not anticipate accepting contributions, making disbursements

1 or incurring obligations in an aggregate amount in excess of \$1,000 in a calendar year
2 may indicate on its registration statement that the committee will not accept
3 contributions, incur obligations, or make disbursements in the aggregate in excess
4 of \$1,000 in any calendar year. A recall committee that makes an indication under
5 this paragraph is not subject to any reporting requirement under this subchapter if
6 the statement is true.

7 (b) A recall committee that makes an indication under par. (a) is not required
8 to file a termination report.

9 (c) The indication under par. (a) may be revoked. If the recall committee
10 revokes the indication under par. (a), the committee is subject to the reporting
11 requirements under this subchapter as of the date of revocation, or the date that
12 aggregate contributions, disbursements, or obligations for the calendar year exceed
13 \$1,000. If the revocation is not timely, the committee violates 11.11000.

14 SUBCHAPTER IX

15 CONTRIBUTIONS

16 **11.9000 Contribution limits.** (1) **INDIVIDUAL LIMITS.** An individual may
17 contribute to a candidate committee no more than the following amounts specified
18 for the candidate whose nomination or election the individual supports [See Figure
19 11.9000 following]:

20 (a) Candidates for governor, lieutenant governor, secretary of state, state
21 treasurer, attorney general, state superintendent, or justice, \$30,000.

22 (b) Candidates for state senator, \$3,000.

23 (c) Candidates for representative to the assembly, \$1,500.

24 (d) Candidates for court of appeals judge in districts which contain a county
25 having a population of more than 500,000, \$9,000.

1 (e) Candidates for court of appeals judge in other districts, \$7,500.

2 (f) Candidates for circuit judge in circuits having a population of more than
3 300,000, or candidates for district attorney in prosecutorial units having a
4 population of more than 300,000, \$9,000.

5 (g) Candidates for circuit judge in other circuits or candidates for district
6 attorney in other prosecutorial units, \$3,000.

7 (h) Candidates for local offices, an amount equal to the greater of the following:

8 1. Seven hundred and fifty dollars.

9 2. Three cents times the number of inhabitants of the jurisdiction or district,
10 according to the latest federal census or the census information on which the district
11 is based, as certified by the appropriate filing officer, but not more than \$9,000.

12 (2) CANDIDATE COMMITTEES. A candidate committee may contribute to another
13 candidate committee no more than the following amounts specified for the candidate
14 whose nomination or election the committee supports [See Figure 11.9000 following]:

15 (a) Candidates for governor, lieutenant governor, secretary of state, state
16 treasurer, attorney general, state superintendent, or justice, \$30,000.

17 (b) Candidates for state senator, \$3,000.

18 (c) Candidates for representative to the assembly, \$1,500.

19 (d) Candidates for court of appeals judge in districts which contain a county
20 having a population of more than 500,000, \$9,000.

21 (e) Candidates for court of appeals judge in other districts, \$7,500.

22 (f) Candidates for circuit judge in circuits having a population of more than
23 300,000, or candidates for district attorney in prosecutorial units having a
24 population of more than 300,000, \$9,000.

1 (g) Candidates for circuit judge in other circuits or candidates for district
2 attorney in other prosecutorial units, \$3,000.

3 (h) Candidates for local offices, an amount equal to the greater of the following:

4 1. Seven hundred fifty dollars.

5 2. Three cents times the number of inhabitants of the jurisdiction or district,
6 according to the latest federal census or the census information on which the district
7 is based, as certified by the appropriate filing officer, but not more than \$9,000.

8 (3) POLITICAL ACTION COMMITTEES. A political action committee may contribute
9 to a candidate committee no more than the following amounts specified for the
10 candidate whose nomination or election the committee supports [See Figure 11.9000
11 following]:

12 (a) Candidates for governor, \$129,000.

13 (b) Candidates for lieutenant governor, \$39,000.

14 (c) Candidates for attorney general, \$66,000.

15 (d) Candidates for secretary of state, state treasurer, state superintendent, or
16 justice, \$27,000.

17 (e) Candidates for state senator, \$3,000.

18 (f) Candidates for representative to the assembly, \$1,500.

19 (g) Candidates for court of appeals judge in districts which contain a county
20 having a population of more than 500,000, \$9,000.

21 (h) Candidates for court of appeals judge in other districts, \$7,500.

22 (i) Candidates for circuit judge in circuits having a population of more than
23 300,000, or candidates for district attorney in prosecutorial units having a
24 population of more than 300,000, \$9,000.

1 (j) Candidates for circuit judge in other circuits or candidates for district
2 attorney in other prosecutorial units, \$3,000.

3 (k) Candidates for local offices, an amount equal to the greater of the following:

4 1. Six hundred dollars.

5 2. Three cents times the number of inhabitants of the jurisdiction or district,
6 according to the latest federal census or the census information on which the district
7 is based, as certified by the appropriate filing officer, but not more than \$7,500.

8 (4) OTHER PERSONS. A person, other than an individual or committee, may
9 contribute to a candidate committee no more than the following amounts specified
10 for the candidate whose nomination or election the committee supports [See Figure
11 11.9000 following]:

12 (a) Candidates for governor, \$129,000.

13 (b) Candidates for lieutenant governor, \$39,000.

14 (c) Candidates for attorney general, \$66,000.

15 (d) Candidates for secretary of state, state treasurer, state superintendent, or
16 justice, \$27,000.

17 (e) Candidates for state senator, \$3,000.

18 (f) Candidates for representative to the assembly, \$1,500.

19 (g) Candidates for court of appeals judge in districts which contain a county
20 having a population of more than 500,000, \$9,000.

21 (h) Candidates for court of appeals judge in other districts, \$7,500.

22 (i) Candidates for circuit judge in circuits having a population of more than
23 300,000, or candidates for district attorney in prosecutorial units having a
24 population of more than 300,000, \$9,000.

1 (j) Candidates for circuit judge in other circuits or candidates for district
2 attorney in other prosecutorial units, \$3,000.

3 (k) Candidates for local offices, an amount equal to the greater of the following:

4 1. Six hundred dollars.

5 2. Three cents times the number of inhabitants of the jurisdiction or district,
6 according to the latest federal census or the census information on which the district
7 is based, as certified by the appropriate filing officer, but not more than \$7,500.

8 **Figure 11.9000:**

	INDIVIDUALS	CANDIDATE COMMITTEES	POLITICAL ACTION COMMIT- TEES	OTHER PERSONS
GOVERNOR	\$30,000	\$30,000	\$129,000	\$129,000
LT. GOVERNOR	\$30,000	\$30,000	\$39,000	\$39,000
SECRETARY OF STATE	\$30,000	\$30,000	\$27,000	\$27,000
STATE TREA- SURER	\$30,000	\$30,000	\$27,000	\$27,000
ATTORNEY GEN- ERAL	\$30,000	\$30,000	\$66,000	\$66,000
STATE SUPERIN- TENDENT	\$30,000	\$30,000	\$27,000	\$27,000
JUSTICE	\$30,000	\$30,000	\$27,000	\$27,000
STATE SENATOR	\$3,000	\$3,000	\$3,000	\$3,000
ASSEMBLY REP- RESENTATIVE	\$1,500	\$1,500	\$1,500	\$1,500
APPEALS JUDGE - POPULOUS DIS- TRICTS	\$9,000	\$9,000	\$9,000	\$9,000
APPEALS JUDGE - OTHER DIS- TRICTS	\$7,500	\$7,500	\$7,500	\$7,500
CIRCUIT JUDGE - POPULOUS AREA	\$9,000	\$9,000	\$9,000	\$9,000

DISTRICT ATTORNEY - POPULOUS AREA	\$9,000	\$9,000	\$9,000	\$9,000
CIRCUIT JUDGE - OTHER AREA	\$3,000	\$3,000	\$3,000	\$3,000
DISTRICT ATTORNEY - OTHER AREA	\$3,000	\$3,000	\$3,000	\$3,000
LOCAL OFFICES	GREATER OF \$750 OR 3 CENTS TIMES THE POPULATION, BUT NOT MORE THAN \$9,000	GREATER OF \$750 OR 3 CENTS TIMES THE POPULATION, BUT NOT MORE THAN \$9,000	GREATER OF \$600 OR 3 CENTS TIMES THE POPULATION, BUT NOT MORE THAN \$7,500	GREATER OF \$600 OR 3 CENTS TIMES THE POPULATION, BUT NOT MORE THAN \$7,500

1 **11.9001 Applicable periods.** (1) For an individual who is a candidate for an
 2 office that the individual holds, the limits under s. 11.9000 (1) to (4) apply during the
 3 term of that office.

4 (2) For an individual who is a candidate for an office that the individual does
 5 not hold, the limits under s. 11.9000 (1) to (4) apply during the period beginning on
 6 the date on which the individual becomes a candidate under s. 11.1000 (1) (a) and
 7 ending on July 1 for a candidate at a spring primary or spring election, January 1
 8 for a candidate at a partisan primary or general election, and 60 days after a special
 9 election for a candidate at a special election.

10 **11.9002 Exceptions.** The limits under s. 11.9000 do not apply to any of the
 11 following:

12 (1) Contributions to a political action committee.

13 (2) Contributions transferred between political action committees.

14 (3) (a) Except as provided in par. (b), contributions to a legislative campaign
 15 committee.

16 (b) A political action committee may contribute no more than \$18,000 in any
 17 calendar year to a legislative campaign committee.

1 (4) (a) Except as provided in par. (b), contributions to a political party
2 committee.

3 (b) A political action committee may contribute no more than \$18,000 in any
4 calendar year to a political party committee.

5 (5) Contributions transferred from a political party committee or legislative
6 campaign committee to a candidate committee.

7 (6) Contributions paid to a segregated fund established and administered by
8 a political party committee or legislative campaign committee to finance the
9 purchase, lease, maintenance, improvement of space, or the purchase or
10 improvement of equipment for use by the political party committee or legislative
11 campaign committee.

****NOTE: We eliminated “exclusive,” which modified use.

****NOTE: We added “or the purchase or improvement of equipment.” Does that
accomplish your intent?

12 (7) Contributions that a candidate makes to his or her candidate committee
13 from the candidate’s personal funds or property or the personal funds or property
14 that are owned jointly or as marital property with the candidate’s spouse.

15 (8) Contributions transferred between the candidates for governor and
16 lieutenant governor of the same political party.

17 (9) Contributions used to pay legal fees and other expenses incurred as a result
18 of a recount under s. 9.01.

19 (10) Contributions used to pay legal fees and other expenses incurred in
20 connection with or in response to circulating, offering to file, or filing a petition to
21 recall an office holder prior to the time that a recall primary or election is ordered,
22 or after that time if incurred to contest or defend the order.

****NOTE: Subsections (7) to (10) are consistent with provisions under current law, s. 11.26 (5), (12), and (13m).

1 **11.9003 Valuation** (1) Except as provided in s. 11.9008, for purposes of
2 complying with a contribution limit under this section, the value of a contribution of
3 any tangible or intangible item, other than money, is the item's replacement cost at
4 the time that the individual or committee made the contribution.

5 (2) Except as provided in s. 11.9008, for purposes of complying with a
6 contribution limit under this section, the value of a contribution of a service is the
7 replacement cost of the service at the time that the individual or committee made the
8 contribution.

9 **11.9004 Conduit contributions.** (1) For purposes of this chapter, a
10 contribution released by a conduit to a committee is to be reported by the committee
11 as a contribution from the person or committee who made the contribution and not
12 as a contribution from the conduit.

13 (2) A contribution of money received from a conduit, accompanied by the
14 information required under s. 11.6004 (1) (b), is considered to be a contribution from
15 the original contributor.

16 (3) Each filing officer shall place a copy of any report received under s. 11.6004
17 (1) (b) in the file of the conduit and the file of the transferee.

****NOTE: I believe we will need to add to the reporting requirements under candidate committee, legislative campaign committee, political party committee, referendum committee, and recall committee a requirement that the committees include a copy of any report that accompanied a release of funds by a conduit.

18 **11.9006 Limitation on cash contributions.** Every contribution of money
19 exceeding \$100 shall be made by negotiable instrument or evidenced by an itemized
20 credit card receipt bearing on the face the name of the remitter. No committee
21 required to report under this chapter may accept a contribution made in violation of

1 this section. The committee shall promptly return the contribution, or donate it to
2 the common school fund or to a charitable organization in the event that the donor
3 cannot be identified.

4 **11.9007 Return of contributions.** (1) A committee required to report under
5 this chapter may return a contribution at any time before or after it has been
6 deposited.

7 (2) (a) Except as provided in par. (b), the subsequent return of a contribution
8 deposited contrary to law does not constitute a defense to a violation.

9 (b) A committee that accepts a contribution contrary to law and that returns
10 the contribution deposited contrary to law within 15 days after the filing date for the
11 reporting period in which the contribution is received does not violate the
12 contribution limits under s. 11.9000.

***NOTE: Under this par.(b), the recipient of the surplus contribution must return
the contribution 15 days after the report is due. Does that accomplish your intent? Does
the surplus contribution have to be reported? If not, how will the GAB know that the
contribution was received and is being returned?

13 **11.9008 Valuation of opinion poll results** (1) In this section:

14 (a) "Election period" means any of the following:

- 15 1. The period beginning on December 1 and ending on the date of the spring
16 election.
- 17 2. The period beginning on May 1 and ending on the date of the general election.
- 18 3. The period beginning on the first day for circulating nomination papers and
19 ending on the date of a special election.

20 (b) "Initial recipient" means the individual who or committee which
21 commissions a public opinion poll or voter survey.

22 (c) "Results" means computer output or a written or verbal analysis.

1 (d) “Voter survey” includes acquiring information that identifies voter
2 attitudes concerning candidates or issues.

3 (2) If a candidate or committee receives opinion poll or a voter survey results
4 during the first 15 days after the initial recipient receives the results, and the
5 candidate or committee received the results during an election period, the candidate
6 or committee shall report the results as a contribution. The candidate or committee
7 shall report the contribution’s value as 100 percent of the cost incurred by the initial
8 recipient to commission the poll or survey, except that if more than one candidate or
9 committee receives the results, the candidates or committees shall report the
10 contribution’s value as 100 percent of the amount allocated to the candidate or
11 committee under sub. (5).

12 (3) If the candidate or committee receives the opinion poll or voter survey
13 results 16 to 60 days following the day on which the initial recipient received the
14 results, and the candidate or committee received the results during an election
15 period, the candidate or committee shall report the results as a contribution valued
16 at 50 percent of the cost incurred by the initial recipient to commission the poll or
17 survey, except that if more than one candidate or committee receives the results, the
18 candidates or committees shall report the contribution’s value as 50 percent of the
19 amount allocated to the candidate or committee under sub. (5).

20 (4) If the candidate or committee receives the opinion poll or voter survey
21 results more than 60 days after the initial recipient received the results the
22 candidate or committee is not required to report the results as a contribution.

23 (5) If a person contributes opinion poll or voter survey results to more than one
24 candidate or committee, the person shall apportion the value of the poll or survey to

SECTION 1

1 each candidate or committee receiving the results by one of the following methods
2 and shall provide the apportioned values to the candidates or committees:

3 (a) Determine the share of the cost of the opinion poll or voter survey that is
4 allocable to each recipient based on the allocation formula used by the person that
5 conducted the poll or survey.

6 (b) Determine the share of the cost of the opinion poll or voter survey that is
7 allocable to each recipient by dividing the cost of the poll or survey equally among
8 all the candidates and committees receiving the results.

9 (c) Determine the share of the cost of the opinion poll or voter survey that is
10 allocable to each recipient as follows:

11 1. Divide the number of question results received by each recipient by the total
12 number of question results received by all recipients.

13 2. Multiple the total cost of the poll or survey by the number determined under
14 subd. 1.

15 (6) If a person makes a contribution of opinion poll or voter survey results to
16 a candidate or committee after the person has apportioned the value of the results
17 to previous recipients under sub. (5), the person shall make a good faith effort to
18 apportion the value to the candidate or committee, considering the value apportioned
19 to other recipients under sub. (5), and shall report that value to the candidate or
20 committee. For purposes of this paragraph, the total value of the contributor's
21 aggregate contributions may exceed the original cost of the poll or survey.

22 (7) A person who contributes opinion poll or voter survey results shall maintain
23 records sufficient to support the contribution's value and shall provide the
24 contribution's value to the recipient.

****NOTE: This is our first attempt at trying to tackle and simplify the current law under s. 11.06 (12).

1 SUBCHAPTER X

2 MISCELLANEOUS

3 **11.10000 Reporting of electioneering communications. (1)**

4 EXPENDITURES. Any person, other than a committee, spending \$10,000 or more in the
5 aggregate on electioneering communications, not including administrative
6 expenses, shall submit statements to the board providing all of the following
7 information:

8 1. The dates on which the person made the expenditures.

9 2. The name and address of the persons who received the expenditures.

10 3. The purpose for making the expenditures.

11 4. The amount spent for each electioneering communication.

12 5. The name of any candidate affected by the expenditure, the office that the
13 candidate seeks, and whether the electioneering communication supports or opposes
14 that candidate.

15 6. Whether the person coordinated or consulted with, or received the consent
16 of the candidate or candidate's agent, regarding the expenditure.

17 (2) EXCEPTION. A person who is required to report under this section is not
18 required to submit the information described under sub. (1) regarding expenditures
19 made before reaching the \$10,000 threshold under sub. (1).

20 **11.10001 Earmarking. (1)** The treasurer of a personal campaign committee
21 may agree with a prospective contributor that a contribution is received to be used
22 for a specific purpose not prohibited by law. That purpose may not include a
23 disbursement to support or oppose another candidate or the transfer to an individual

1 or committee acting to support or oppose another candidate, except as authorized in
2 an escrow agreement under s. 11.10002.

3 (2) When a contribution is made to a political party committee or to a committee
4 other than a candidate committee, the contributor may not specify a purpose, except
5 that if a contribution is received pursuant to an escrow agreement under s. 11.10002
6 for transfer to a candidate committee, the contributor may specify the contribution's
7 recipient.

8 (3) Except for transfers of membership-related moneys between committees
9 of the same political party and transfers made pursuant to escrow agreements under
10 s. 11.10002, no committee may act as a conduit for the earmarked contributions of
11 others. Transfers of membership-related moneys between political party
12 committees shall be treated in the same manner as other transfers.

***NOTE: This language comes from 11.16 (4), but we removed language regarding support committees and substituted the current terminology (for example, "candidate committee" rather than "candidate or a candidate's campaign committee").

***NOTE: Please confirm that the use of the word "conduit" in sub. (3) is consistent with the new definition of "conduit" in this bill.

13 **11.10002 Escrow agreements.** Any candidate committee, political party
14 committee, or legislative campaign committee may, pursuant to a written escrow
15 agreement with more than one candidate committee, solicit contributions for and
16 conduct a joint fund raising effort or program on behalf of more than one named
17 candidate. The agreement shall specify the percentage of the proceeds to be
18 distributed to each candidate committee by the committee conducting the effort or
19 program. The committee conducting the joint fund raising effort or program shall
20 include this information in all solicitations for the effort or program. All
21 contributions received and disbursements made by the committee in connection with
22 the effort or program shall be received and disbursed through a separate depository

1 account that is identified in the agreement. For purposes of reporting the
2 contributions and disbursements, the committee conducting the effort or program
3 shall prepare a schedule in the form prescribed by the board supplying all required
4 information for the effort or program, and shall transmit a copy of the schedule to
5 each candidate who receives any of the proceeds within the prescribed reporting
6 period.

****NOTE: We will need a cross-reference to this in all the subchapters related
to reporting.

7 **11.10003 Defense fund authorized.** (1) Any candidate or public official who
8 is being investigated for, charged with, or convicted of a criminal violation of this
9 chapter or ch. 12, or whose agent is so investigated, charged, or convicted, may
10 establish a defense fund for expenditures supporting or defending the candidate,
11 official, or agent, or any dependent of the candidate, official, or agent, while that
12 person is being investigated for, or while the person is charged with or convicted of
13 a criminal violation of this chapter or ch. 12.

14 (2) No person may use a contribution received from a contributor to a candidate
15 committee fund for a purpose for which a defense fund is authorized under sub. (1)
16 unless the person obtains the contributor's authorization. Notwithstanding [current
17 law s. 11.25 (2) (a)], any contributor may authorize the transfer of all or part of a
18 contribution from a campaign fund to a defense fund.

****NOTE: This is derived from current law s. 11.64. We substituted "candidate
committee" for "campaign fund."

****NOTE: Do you intend that a defense fund may be authorized for *any* public
official (as under current law) or only for *elected* public officials? Public official is not
defined in chapter 5, but "elected official" is defined as "an individual who is elected to a
national, state or local office."

19 **11.10004 Donations to charitable organizations or school fund.** Any
20 committee may make a donation to a charitable organization or the common school

1 fund from the committee's treasury. No later than 5 days after a committee makes
2 a donation to a charitable organization or the common school fund from the
3 committee's treasury, the committee shall notify the committee's filing officer in
4 writing of the name of the donee and the date of the donation, and shall provide an
5 explanation for not retaining the amount donated in the committee's treasury.

****NOTE: This is derived from current law s. 11.65. We substituted "committee"
and "committee treasury" for "registrant" and "registrant's campaign treasury" to be
consistent with new terminology.

****NOTE: Is there a better word than "treasury"?

6 SUBCHAPTER XI

7 PROHIBITED PRACTICES

8 **11.11000 False reports and statements.** No person may prepare or submit
9 a false report or statement to a filing officer under this chapter.

10 **11.11001 Use of government materials by candidates.** (1) (a) Except as
11 provided in sub. (2), no person elected to state or local office who becomes a candidate
12 for national, state, or local office may use public funds for the cost of materials or
13 distribution for 50 or more pieces of substantially identical material distributed
14 after:

15 1. In the case of a candidate who is nominated by nomination papers, the first
16 day authorized by law for circulation of nomination papers as a candidate.

17 2. In the case of a candidate who is nominated at a primary election by write-in
18 votes, the day the board of canvassers issues its determination that the person is
19 nominated.

20 3. In the case of a candidate who is nominated at a caucus, the date of the
21 caucus.

1 4. In the case of any other candidate who is nominated solely by filing a
2 declaration of candidacy, the first day of the month preceding the month which
3 includes the last day for filing the declaration.

4 (b) This subsection applies until after the date of the election or after the date
5 of the primary election if the person appears as a candidate on a primary election
6 ballot and is not nominated at the primary election.

7 (2) This section does not apply to use of public funds for the costs of the
8 following:

9 (a) Answers to communications of constituents.

10 (b) Actions taken by a state or local government administrative officer
11 pursuant to a specific law, ordinance or resolution which authorizes or directs the
12 actions to be taken.

13 (c) Communications from members of the legislature regarding the legislative
14 or deliberative process while the legislature is in session.

15 (d) Communications not exceeding 500 pieces by members of the legislature
16 relating solely to the subject matter of a special session or extraordinary session,
17 made during the period between the date that the session is called or scheduled and
18 14 days after adjournment of the session.

19 **11.11002 Travel by public officers.** (1) No person may use any vehicle or
20 aircraft owned by the state or by any local governmental unit for any trip which is
21 exclusively for the purposes of campaigning to support or oppose any candidate for
22 national, state, or local office, unless use of the vehicle or aircraft is required for
23 purposes of security protection provided by the state or local governmental unit.

24 (2) No person may use any vehicle or aircraft owned by the state or by any local
25 governmental unit for purposes that include campaigning to support or oppose any

SECTION 1

1 candidate for national, state, or local office, unless the person pays to the state or
2 local governmental unit a fee which is comparable to the commercial market rate for
3 the use of a similar vehicle or aircraft and for any services provided by the state or
4 local governmental unit to operate the vehicle or aircraft. If a trip is made in part
5 for a public purpose and in part for the purpose of campaigning, the person shall pay
6 for the portion of the trip attributable to campaigning, but in no case less than 50
7 percent of the cost of the trip. The portion of the trip attributable to campaigning
8 shall be determined by dividing the number of appearances made for campaign
9 purposes by the total number of appearances. Fees payable to the state shall be
10 prescribed by the secretary of administration and shall be deposited in the account
11 under s. 20.855 (6) (h). Fees payable to a local governmental unit shall be prescribed
12 by the governing body of the governmental unit.

13 **SECTION 2.** 13.62 (5g) of the statutes is amended to read:

14 13.62 (5g) "Candidate" has the meaning given under s. ~~11.01 (1)~~ 11.1000 (1).

History: 1977 c. 278; 1979 c. 260 s. 94; 1979 c. 328 s. 146; 1983 a. 27, 36; 1987 a. 399; 1989 a. 338; 1991 a. 32; 1993 a. 112; 1995 a. 27; 1999 a. 9, 185; 2001 a. 16; 2005 a. 74, 335, 463; 2007 a. 1, 20, 97; 2009 a. 28; 2011 a. 7, 10; 2013 a. 20.

15 **SECTION 3.** 13.62 (5j) of the statutes is created to read:

16 13.62 (5j) "Candidate committee" has the meaning given in s. 11.1000 (2).

17 **SECTION 4.** 13.62 (5u) of the statutes is created to read:

18 13.62 (5u) "Contribution" has the meaning given in s. 11.1000 (6).

19 **SECTION 5.** 13.625 (1) (c) (intro.) of the statutes is renumbered 13.625 (1m) (a)

20 (intro.) and amended to read:

21 13.625 (1m) (a) (intro.) Except as permitted provided in this subsection,
22 personally par. (b), a lobbyist may not do any of the following:

1 1. Personally make a campaign contribution, as defined in s. 11.01 (6), to a
2 partisan elective state official for the purpose of promoting the official's election to
3 any national, state, or local office; ~~or,~~

4 2. Personally make a contribution to a candidate for a partisan elective state
5 office to be filled at the general election or a special election; ~~or,~~

6 3. Personally make a contribution to the official's or candidate's personal
7 campaign candidate committee of a partisan elective state official or candidate for
8 partisan state elective office.

9 (b) A lobbyist may personally make a ~~campaign~~ contribution to a partisan
10 elective state official or candidate for partisan elective state office or to the ~~personal~~
11 ~~campaign candidate~~ committee of the official or candidate in the year of a candidate's
12 election between the first day authorized by law for the circulation of nomination
13 papers as a candidate at a general election or special election and the day of the
14 general election or special election, except that:

15 History: 1977 c. 278, 418; 1979 c. 32; 1987 a. 27; 1989 a. 338; 1991 a. 39, 269; 1995 a. 27 ss. 35, 36, 9116 (5); 1995 a. 227; 2011 a. 32; 2013 a. 153.

16 **SECTION 6.** 13.625 (1) (c) 1. of the statutes is renumbered 13.625 (1m) (b) 1. and
17 amended to read:

18 13.625 (1m) (b) 1. A ~~campaign~~ contribution to a candidate for legislative office
19 may be made during that period only if the legislature has concluded its final
20 floorperiod, and is not in special or extraordinary session.

21 History: 1977 c. 278, 418; 1979 c. 32; 1987 a. 27; 1989 a. 338; 1991 a. 39, 269; 1995 a. 27 ss. 35, 36, 9116 (5); 1995 a. 227; 2011 a. 32; 2013 a. 153.

22 **SECTION 7.** 13.625 (1) (c) 2. of the statutes is renumbered 13.625 (1m) (b) 2. and
23 amended to read:

1 13.625 (1m) (b) 2. A ~~campaign~~ contribution by a lobbyist to the lobbyist's
2 ~~campaign~~ candidate committee for partisan elective state office may be made at any
3 time.

History: 1977 c. 278, 418; 1979 c. 32; 1987 a. 27; 1989 a. 338; 1991 a. 39, 269; 1995 a. 27 ss. 35, 36, 9116 (5); 1995 a. 227; 2011 a. 32; 2013 a. 153.

****NOTE: In our meeting on May 1, we briefly discussed the substance of s. 13.625 (1) (c) (governing the making of personal campaign contributions by lobbyists), and your drafting notes suggest "Furnish language cleanup." However, although the word "furnish" does appear 13 times in s. 13.625, that word does not appear in the provision we discussed, s. 13.625 (1) (c). Because there is an attorney general opinion concerning the meaning of the word "furnish" in s. 13.625, and because we did not discuss the use of this word more generally in s. 13.625, I did not feel comfortable eliminating the word from s. 13.625 without additional instructions.

****NOTE: I did, however, renumber and amend s. 13.625 (1) (c) to incorporate the new chapter 11 terminology and, I hope, clarify this provision.

4

5

(END)

**2015-2016 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB-1469/p7ins
JK:.....

1

Figure 11.9000:

	INDIVIDUALS	CANDIDATE COMMITTEES	POLITICAL ACTION COMMITTEES	OTHER PERSONS
GOVERNOR	\$30,000	\$30,000	\$129,000	\$129,000
LT. GOVERNOR	\$30,000	\$30,000	\$39,000	\$39,000
SECRETARY OF STATE	\$30,000	\$30,000	\$27,000	\$27,000
STATE TREASURER	\$30,000	\$30,000	\$27,000	\$27,000
ATTORNEY GENERAL	\$30,000	\$30,000	\$66,000	\$66,000
STATE SUPERINTENDANT	\$30,000	\$30,000	\$27,000	\$27,000
JUSTICE	\$30,000	\$30,000	\$27,000	\$27,000
STATE SENATOR	\$3,000	\$3,000	\$3,000	\$3,000
ASSEMBLY REPRESENTATIVE	\$1,500	\$1,500	\$1,500	\$1,500
APPEALS JUDGE - POPULOUS DISTRICTS	\$9,000	\$9,000	\$9,000	\$9,000
APPEALS JUDGE - OTHER DISTRICTS	\$7,500	\$7,500	\$7,500	\$7,500
CIRCUIT JUDGE - POPULOUS AREA	\$9,000	\$9,000	\$9,000	\$9,000
DISTRICT ATTORNEY - POPULOUS AREA	\$9,000	\$9,000	\$9,000	\$9,000
CIRCUIT JUDGE - OTHER AREA	\$3,000	\$3,000	\$3,000	\$3,000

DISTRICT ATTORNEY - OTHER AREA	\$3,000	\$3,000	\$3,000	\$3,000
LOCAL OFFICES	GREATER OF \$750 OR 3 CENTS TIMES THE POPU- LATION, BUT NOT MORE THAN \$9,000	GREATER OF \$750 OR 3 CENTS TIMES THE POPU- LATION, BUT NOT MORE THAN \$9,000	GREATER OF \$600 OR 3 CENTS TIMES THE POPU- LATION, BUT NOT MORE THAN \$7,500	GREATER OF \$600 OR 3 CENTS TIMES THE POPU- LATION, BUT NOT MORE THAN \$7,500