



State of Wisconsin
2015 - 2016 LEGISLATURE

LRB-1469/P9
JK&TKK...

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PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

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Gen Cat

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 Chapter 11 of the statutes is repealed and recreated to read: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

11.0101

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.

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.

21 (4) "Candidate's agent" means an individual who acts under the direction of the
22 candidate regarding the conduct of the candidate's campaign and the operation of the

1 candidate committee, but does not include an employee of a political party committee
2 or a legislative campaign committee that is not also an employee of the candidate.

3 (5) "Committee" means a candidate committee, legislative campaign
4 committee, political action committee, political party committee, recall committee,
5 and referendum committee.

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

12 (7) (a) Except as provided in par. (b), "contribution" means any of the following:

- 13 1. A gift, subscription, loan, advance, or transfer of money to a committee.
14 2. A transfer of tangible personal property or services to a committee valued
15 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?

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

19 (b) "Contribution" does not include any of the following:

- 20 1. Services that an individual provides to a committee, if the individual is not
21 specifically compensated for providing the services to the committee.

1 2. Any unreimbursed travel expenses that an individual incurs to volunteer his
2 or her personal services to a committee.

3 3. The costs of preparing and transmitting personal correspondence.

4 4. Interest earned on an interest-bearing account.

5 5. Rebates or awards earned in connection with the use of a debit or credit card.

6 6. A loan from a commercial lending institution that the institution makes in
7 its ordinary course of business.

8 7. The reuse of surplus materials or the use of unused surplus materials
9 acquired in connection with a previous campaign for or against the same candidate,
10 political party, or recall if the materials were previously reported as a contribution
11 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.

12 8. The cost of invitations, food, and beverages in connection with a fundraising
13 event held in a private residence on behalf of a candidate committee.

14 (8) “Corporation” includes a foreign limited liability company, as defined in s.
15 183.0102 (8) and a limited liability company, as defined in s. 183.0102 (10), if the
16 foreign limited liability company or the limited liability company elect to be treated
17 as a corporation by the federal internal revenue service, pursuant to 26 CFR
18 301.7701-3, or if the foreign limited liability company or the limited liability
19 company has publicly traded shares.

20 (9) “Disbursement” means any of the following:

1 (a) An expenditure by a committee from the committee's depository account.

2 (b) The transfer of tangible personal property or services by a committee.

3 (c) The transfer of funds between committees.

4 (10) "Express advocacy" means all of the following:

5 (a) Communications that expressly advocate for the election or defeat of a
6 clearly identified candidate using terms such as:

7 1. "Vote for".

8 2. "Elect".

9 3. "Support".

10 4. "Cast your ballot for".

11 5. "Smith for ... (an elective office)".

12 6. "Vote against".

13 7. "Defeat".

14 8. "Reject".

15 9. "Cast your ballot against".

16 (b) Communications that are susceptible to no reasonable interpretation other
17 than as an appeal to vote for or against a clearly identified candidate for election or
18 nomination for election.

19 (11) "Filing officer" means the board or official as determined under s. 11.1001.

20 (12) "General election" means the election held in even-numbered years on the
21 Tuesday after the first Monday in November to elect United States senators,
22 representatives in congress, presidential electors, state senators, representatives to
23 the assembly, district attorneys, state officers other than the state superintendent
24 and judicial officers, and county officers other than supervisors and county
25 executives.

1 (13) “Independent expenditure” means an expenditure for express advocacy by
2 a person, if the expenditure is not made in coordination with a candidate, candidate
3 committee, candidate’s agent, legislative campaign committee, or political party
4 committee, as prohibited under s. 11.10003.

5 (14) “Legislative campaign committee” means a committee organized in either
6 house of the legislature to support a candidate for legislative office.

 ****NOTE: We eliminated “of a political party” from this definition; that phrase
modified “candidates” in the /P8.

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

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

11 (17) “Partnership” means a partnership, as defined in s. 178.03, a foreign
12 limited partnership, as defined in s. 179.01 (4), and a limited partnership, as defined
13 in s. 179.01 (7). ✓

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

16 1. Has express advocacy as its major purpose.
17 2. Is organized by any person, other than an individual, or by any combination,
18 permanent or temporary, of 2 or more persons unrelated by marriage.

19 3. Makes or accepts contributions or makes expenditures to support or oppose
20 a candidate, a candidate committee, a legislative campaign committee, a political
21 party committee, or a recall committee.

22 (b) “Political action committee” does not include a candidate committee,
23 legislative campaign committee, political party committee, or recall committee.

1 (19) "Political party committee" means a committee organized by a political
2 party that makes and accepts contributions and makes expenditures to support or
3 oppose a candidate for state or local office or to support or oppose a referendum held
4 in this state.

****NOTE: In this /P9, we added "held in this state" to modify referendum.

5 (20) "Recall committee" means a means a committee formed for the purpose of
6 supporting or opposing the recall of an incumbent elective official.

****NOTE: In this /P9, we added "holding a state or local office" to modify "elective
official.

7 (21) "Referendum committee" means a committee that is organized by any
8 person, other than an individual, or by any combination, permanent or temporary,
9 of 2 or more persons unrelated by marriage that acts to support or oppose the
10 qualification, passage, or defeat of a referendum held in this state, but that does not
11 receive contributions or make expenditures or contributions for the purpose of
12 influencing or attempting to influence a candidate's nomination or election.

****NOTE: In this /P9, we eliminated "referendum question" and replaced it with
"referendum held in this state".

13 (22) "Special election" means any election, other than those described in subs.
14 (12), (16), and (22), to fill vacancies or to conduct a referendum. *e 25, and 26*

15 (23) "Special primary" means the primary held 4 weeks before the special
16 election except when the special election is held on the same day as the general
17 election the special primary shall be held on the same day as the general primary or
18 if the special election is held concurrently with the spring election, the primary shall
19 be held concurrently with the spring primary.

1 (24) “Treasurer” means the individual who registers a committee with a filing
2 officer under subch. II and who makes reports on behalf of the committee under
3 subch. IV.

4 (25) “Spring election” means the election held on the first Tuesday in April to
5 elect judicial, educational, and municipal officers, nonpartisan county officers and
6 sewerage commissioners, and to express preferences for the person to be the
7 presidential candidate for each party in a year in which electors for president and
8 vice president are to be elected.

9 (26) “Spring primary” means the nonpartisan primary held on the 3rd Tuesday
10 in February to nominate nonpartisan candidates to be voted for at the spring
11 election.

12 **11.1001 Determination of filing officer; fees.** (1) Each candidate and
13 committee required to register and report under this chapter and each conduit
14 require^d to register under this chapter shall have and shall file each registration
15 statement and report required under this chapter with one filing officer. The identity
16 of the appropriate filing officer follows:

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

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

21 (c) The “filing officer” for each candidate for municipal judge elected under s.
22 755.01 (4) is the county clerk or board of election commissioners of the county having
23 the largest portion of the population in the jurisdiction served by the judge.

24 (d) The “filing officer” for each conduit is the board.

1 (e) The “filing officer” for each committee acting to support or oppose any
2 candidate for state office is the board.

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

5 (g) Except as provided in par. (h), the filing officer for each committee acting
6 to support or oppose any candidate for local office, but not any candidate for state
7 office, is the clerk of the most populous jurisdiction for which any candidate who is
8 supported or opposed seeks office.

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

13 (i) The “filing officer” for a committee that supports or opposes an effort to
14 circulate and file a petition to recall an individual who holds an office is the filing
15 officer for candidates for that office.

16 (j) The “filing officer” for each committee acting to support or oppose any
17 statewide referendum is the board.

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

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

23 (m) If the jurisdiction under par. (b), (g), or (L) is a school district, the “filing
24 officer” for purposes of par. (b), (g), or (L) is the school district clerk.

1 (2) (a) Except as provided in pars. (c) and (d), each committee that is required
2 to register under this chapter shall annually pay a filing fee of \$100 to the board. The
3 board may accept payment under this subsection by credit card, debit card, or other
4 electronic payment mechanism, and may charge a surcharge to that committee to
5 recover charges associated with the acceptance of that electronic payment.

****NOTE: Do you want to limit the amount of the surcharge to the actual charges associated with the acceptance of the electronic payment?

****NOTE: Do you want to identify by cross-reference each statutory section that requires registration (for example; s. 11.3001)?

6 (b) Except as provided in s. 11.1003 (1), a committee that is subject to par. (a)
7 shall pay the fee specified in par. (a) together with the report filed by that committee
8 on the 15th day of the month of January in each year. If a committee that is subject
9 to par. (a) registers under this chapter or changes status so that par. (a) becomes
10 applicable to the committee during a calendar year, the committee shall pay the fee
11 for that year with the filing of the committee's registration statement or at any time
12 before the change in status becomes effective.

13 (c) Paragraph (a) does not apply to a candidate committee.

14 (d) Paragraph (a) does not apply to any committee for any year during which
15 the ~~registrant~~ ^{committee} does not make disbursements exceeding a total of \$2,500.

16 **11.1002 Reporting; general.** (1) REPORT MUST BE COMPLETE. (a) Each
17 committee required to file a report under this chapter shall make a good faith effort
18 to obtain all required information.

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

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

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

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

****NOTE: We added "disbursements and obligations" here.

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

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

15 3. Five days preceding the deadline for filing of the report in the case of the
16 report required under [multiple sections].

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

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

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

23 2. Either the candidate or the treasurer of the candidate's committee shall
24 certify to the correctness of each report filed under this chapter.

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

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

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

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

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

11 (b) A contribution, disbursement, or obligation to support or oppose a candidate
12 at a primary that is made, accepted, or incurred during the period covered by the
13 preprimary report is considered to be made, accepted or incurred to support or oppose
14 that candidate at the primary, regardless of whether the candidate is opposed at the
15 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.

16 (c) A contribution, disbursement, or obligation to support or oppose a candidate
17 at an election that is made, accepted, or incurred during the period covered by the
18 preelection report is considered to be made, accepted, or incurred to support or
19 oppose that candidate at the election, regardless of whether the candidate is opposed
20 at the election.

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

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

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

16 **11.1003 Reporting exemptions; inactivity; dissolution of committee**
17 **and termination reports; suspension reports.** (1) (a) Any committee that does
18 not anticipate accepting contributions, making disbursements or incurring
19 obligations in an aggregate amount in excess of \$1,000 in a calendar year and does
20 not anticipate accepting any contribution or contributions from a single source, other
21 than contributions made by a candidate to his or her own campaign, exceeding \$100
22 in that year may indicate on its registration statement that the committee will not
23 accept contributions, incur obligations, or make disbursements in the aggregate in
24 excess of \$1,000 in any calendar year and will not accept any contribution or
25 contributions from a single source, other than contributions made by a candidate to

1 his or her own campaign, exceeding \$100 in that year. Any committee making an
2 indication under this paragraph is not subject to any reporting requirement under
3 this subchapter ^{draft} if the statement is true.

4 (b) A committee that makes an indication under par. (a) is not required to file
5 a termination report under sub. (2).

6 (c) The indication under par. (a) may be revoked. If the committee revokes the
7 indication under par. (a), the candidate ^{committee} is subject to the reporting requirements
8 under this subchapter ^{draft} as of the date of revocation, or the date that aggregate
9 contributions, disbursements, or obligations for the calendar year exceed \$1,000. If
10 the revocation is not timely, the committee violates s. 11.10000.

****NOTE: This reporting exemption is taken from current law s. 11.05 (2r). That section requires the committee, group, or individual to indicate inactivity on the registration statement. We retained that language in this draft. That begs two questions:

- 1. This draft is not clear: do you intend committees to file a new registration statement each year? If so, we should make that point clear.
- 2. Either way, do you want to tie the indication of inactivity to the registration statement? Or do you want to require the committee to file a statement of inactivity?

****NOTE: In the /P8, each subchapter (for each committee) contained a "general reporting exemption" for inactivity. Because the language was (mostly) identical in each such section, and because we are including the section governing dissolution of committees and termination reports in this subchapter, I eliminated the duplicative material and created one section here in Subchapter I (general provisions).

****NOTE: This section seems duplicative, to some extent, of s. 11.1004 (2), governing suspension reports (this appears at current law s. 11.19 (2)). Do you want to retain both provisions? ←

11 (2) (a) Whenever any committee dissolves or determines that obligations will
12 no longer be incurred, and contributions will no longer be received nor disbursements
13 made during a calendar year, and the committee has no outstanding incurred
14 obligations, the committee shall file with the appropriate filing officer a termination
15 report that indicates a cash balance of zero at the end of the reporting period.

****NOTE: I substituted the word dissolves for disbands in the first sentence of this subsection. Is there a reason that dissolves is not an appropriate term to use here?

1 (b) The committee shall certify the termination report in the manner required
2 under s. 11.1002 (3) (c) and shall include the information required to be reported by
3 that committee on its periodic reports. ✓

****NOTE: Do you want to cross-reference the specific statutory sections requiring
periodic reports (see, for example, s. 11.2003)?

4 (c) The committee shall include in the termination report filed under this
5 subsection the manner in which residual funds were disposed. Residual funds may
6 be used for any political purpose not prohibited by law, returned to the donors in an
7 amount not exceeding the original contribution, or donated to a charitable
8 organization or the common school fund.

9 (d) A committee to which s. 11.1001 (3) applies shall pay the fee imposed under
10 that subsection with a termination report filed under this subsection.

11 (e) This subsection does not apply to any committee making an indication of
12 inactivity under s. 11.1003. sub. (1) ✓

13 (3) (a) Notwithstanding sub. (2), any committee which determines that
14 obligations will no longer be incurred, contributions will no longer be made or
15 received or disbursements made during a calendar year in an aggregate amount of
16 more than \$1,000 may file a suspension report with the appropriate filing officer. ✓

17 (b) The committee shall file the suspension report in the manner required
18 under s. 11.1002 (3) (c) and shall include the information required to be reported by
19 that committee on its periodic reports.

20 (c) Upon receipt of a properly executed report by a committee, the appropriate
21 filing officer shall suspend the requirement imposed upon that committee by this
22 chapter to file periodic reports. A suspension under this paragraph is effective only ✓

1 for the calendar year in which it is granted, unless the committee alters its status
2 before the end of such year or files a termination report under sub. (2).

3 (4) In no case may a candidate committee file a termination or suspension
4 report covering any period ending sooner than the date of the election in which the
5 candidate committee is participating.

6 (5) If a committee files a termination report under sub. (2) or a suspension
7 report under sub. (3) and within 60 days thereafter receives and accepts an
8 unanticipated contribution, the committee shall do one of the following within 60
9 days after receipt of the unanticipated contribution:

****NOTE: Do you want to specify a de minimis amount of contributions that would
not trigger the reporting requirement under this subsection?

****NOTE: Do you want to impose this same requirement on committees that file
reports under sub. (1) (anticipating inactivity)?

10 (a) File an amended termination report. An amended report supersedes the
11 previous report. The individual who certifies to the accuracy of the report shall also
12 certify to a statement that the amended report is filed on account of the receipt of
13 unanticipated contributions and the failure to file a correct termination report was
14 not intentional.

15 (b) Return the contribution to the contributor or donate the contribution to the
16 common school fund or to a charitable organization.

17 **11.1004 Disbursements; form.** Every disbursement which is made by a
18 committee registered under this chapter from the committee's depository account
19 shall be made by negotiable instrument.

20 SUBCHAPTER II

21 CANDIDATE COMMITTEES

e shall

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

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

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

12 **11.2001 Registration; timing; candidate committee required.** (1) TIME
13 OF REGISTRATION. (a) Every individual shall file a registration statement with the
14 appropriate filing officer giving the information required under s. 11.2002 no later
15 than the time he or she qualifies as a candidate under s. 11.1000 (1).

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

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

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

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

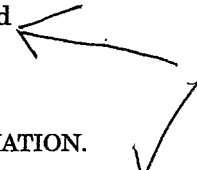
7 2. Accepting a contribution and making a disbursement required for the
 8 production of nomination papers.

9 (c) Except as provided in par. (d), no candidate may establish more than one
 10 candidate committee. A candidate committee may have subcommittees provided
 11 that all subcommittees have the same treasurer and that treasurer is the candidate
 12 or candidate's campaign treasurer.

13 (d) An individual who holds a state or local elective office may establish a
 14 second candidate committee under this subchapter for the purpose of pursuing a
 15 different state or local office.

****NOTE: How long may an individual maintain two candidate committees?

****NOTE: When must the candidate terminate the second candidate committee?
 Would the candidate simply follow the termination procedures under s. 11.1004 (1) and
 (4) or did you want to require the candidate to follow a different procedure?



16

11.2002 Registration; required information. (1) REQUIRED INFORMATION.

17 The statement of registration shall include all of the following, where applicable:

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

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

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

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

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

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

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

candidate ✓

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

21 **11.2003 Reporting.** (1) CONTRIBUTIONS AND DISBURSEMENTS. (a) Each
22 candidate, through his or her candidate committee, shall make full reports, upon a
23 form prescribed by the board and signed by the treasurer under s. 11.1002 (3) (c), of
24 all contributions received by the candidate. The candidate shall include in each

1 report the following information, covering the period since the last date covered on
2 the previous report:

3 1. An itemized statement giving the date, full name, and street address of each
4 person who has made a contribution to the candidate, together with the amount of
5 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.

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

9 3. The name of the principal place of employment, if any, of each individual
10 contributor whose cumulative contributions to the candidate for the calendar year
11 are in excess of \$300.

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

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

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

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

23 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. (4)

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 SUBCHAPTER III

4 POLITICAL PARTY COMMITTEES

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

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

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

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

19 **11.3002 Registration.** (1) **REQUIRED INFORMATION.** The statement of
20 registration shall include all of the following, where applicable:

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

22 (b) The name and mailing address of the treasurer and any other custodian of
23 books and accounts. Unless otherwise directed by the treasurer on the registration
24 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 name of the principal place of employment, if any, of each individual
8 contributor whose cumulative contributions to the political party committee for the
9 calendar year are in excess of \$300.

10 4. An itemized statement of each contribution made anonymously to the
11 political party committee. If the contribution exceeds \$10, 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.

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.

24 c. The date and amount of the loan.

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

1 e. The original amount guaranteed by each guarantor.

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

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

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

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

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

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

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

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

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

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

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

14 (b) File a preelection report.

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

23 (a) File a preelection report.

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

1 **11.4000 Registration; treasurer and depositories.** (1) Each legislative
2 campaign committee required to register under this chapter shall designate a
3 treasurer to comply with the registration and reporting requirements under this
4 subchapter.

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

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

10 **11.4001 Registration; timing.** Every legislative campaign committee that
11 makes or accepts contributions, incurs obligations, or makes disbursements to
12 support or oppose a candidate in a calendar year shall, upon its inception and prior
13 to making or accepting any such contribution, incurring any such obligation, or
14 making any such disbursement, file a registration statement giving the information
15 required by s. 11.4002.

16 **11.4002 Registration; required information.** (1) REQUIRED INFORMATION.
17 The statement of registration shall include all of the following:

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

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

4 (d) A statement signed by the leader of the party in the house for which the
5 committee is established attesting to the fact that the committee is the only
6 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?

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

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

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

19 **11.4003 Reporting.** (1) CONTRIBUTIONS AND DISBURSEMENTS. (a) Each
20 legislative campaign committee shall make full reports, upon a form prescribed by
21 the board and signed by the treasurer under s. 11.1002 (3) (c), of all contributions
22 made and received by the committee. The legislative campaign committee shall

1 include in each report the following information, covering the period since the last
2 date covered on the previous report:

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

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

9 3. The name of the principal place of employment, if any, of each individual
10 contributor whose cumulative contributions to the legislative campaign committee
11 for the calendar year are in excess of \$300.

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

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

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

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

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

25 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 legislative
24 campaign committee required to report under this subchapter shall be reported by
25 such person to the treasurer of the legislative campaign committee within 30 days

1 of receipt by the agent. In the case of a contribution of money, the agent shall
2 transmit the contribution to the treasurer within 30 days of receipt by the agent. The
3 treasurer 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 legislative
5 campaign committee that makes or accepts contributions to support or oppose one
6 or more candidates for office at a spring primary or ^e 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 legislative campaign
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 legislative
19 campaign committee that makes or accepts contributions to support or oppose one
20 or more candidates for office at a spring election or ^e 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 legislative
4 campaign committee that makes or accepts contributions to support or oppose one
5 or more candidates for office at a partisan primary or ^{of a candidate at} 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
16 legislative campaign committee that makes or accepts contributions to support or
17 oppose one or more candidates for office at a general election or ^{of a candidate at} of a candidate at a
18 special election held to fill a vacancy in one or more of the state or local offices voted
19 for at the general election, or that supports or opposes other committees engaging in
20 such activities 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.

SUBCHAPTER V

POLITICAL ACTION COMMITTEES

1
2
3 **11.5000 Registration; treasurer and depositories.** (1) Each political
4 action committee required to register under this chapter shall designate a treasurer
5 to 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 action committee depository account.

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

11 (4) No person may register more than one political action committee under this
12 subchapter.

13 **11.5001 Registration; timing.** (1) Every political action committee that
14 makes or accepts contributions, incurs obligations, or makes disbursements to
15 support or oppose a candidate in a calendar year in an aggregate amount in excess
16 of \$2,500 shall file a registration statement giving the information required by s.
17 11.5002.

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

23 **11.5002 Registration; required information.** (1) ^(B)REQUIRED INFORMATION.

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

25 (a) The name and mailing address of the political action 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 political action
7 committee 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 section shall contain a certification signed by the individual filing the
10 statement that all information contained in the statement is true, correct, and
11 complete.

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

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

20 **11.5003 Reporting.** (1) CONTRIBUTIONS AND DISBURSEMENTS. (a) Each political
21 action committee shall make full reports, upon a form prescribed by the board and
22 signed by the registrant under s. 11.1002 (3) (c), of all contributions made and
23 received by the committee. The political action committee shall include in each
24 report the following information, covering the period since the last date covered on
25 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 political action 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 action committee has made a
6 contribution, together with the amount of the contribution.

7 3. The name and address of the principal place of employment, if any, of each
8 individual contributor whose cumulative contributions to the political action
9 committee for the calendar year are in excess of \$300.

10 4. An itemized statement of each contribution made anonymously to the
11 political action committee. If the contribution exceeds \$10, the political action
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.

19 7. An itemized statement of each loan of money made to the political action
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.

24 c. The date and amount of the loan.

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

1 e. The original amount guaranteed by each guarantor.

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

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

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

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

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

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

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

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

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

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

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

14 (b) File a preelection report.

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

23 (a) File a preelection report.

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

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

7 (a) File a preprimary report.

8 (b) File a preelection report.

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

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

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

19 (a) File a preelection report.

20 (b) 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 (c) 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 **11.5004 Reporting of specific express advocacy. (1) EXPENDITURES. (a)**
25 A political action committee spending \$5,000 or more in the aggregate on express

1 advocacy shall submit statements to the board under par. (b) if all of the following
2 apply to the express advocacy:

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 day that is 30 days from the
6 day of the primary or election involving the candidate in subd. 1. and ending on the
7 day of the primary or election involving that candidate.

8 3. It is targeted to the relevant electorate.

9 (b) A political action committee required to report under this section shall
10 submit statements to the board providing all of the following information:

11 1. The dates on which the committee made the expenditures.

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

13 3. The purpose for making the expenditures.

14 4. The amount spent for each act of express advocacy.

15 5. The name of any candidate affected by the expenditure, the office that the
16 candidate seeks, and whether the express advocacy supports or opposes that
17 candidate.

18 6. Whether the committee coordinated or consulted with, or received the
19 consent of the candidate or candidate's agent, regarding the expenditure.

20 (2) EXCEPTION. A political action committee that is required to report under this
21 section is not required to submit the information described under sub. (1) (b)
22 regarding expenditures made before reaching the \$5,000 threshold under sub. (1) (a).
23 For purposes of this section, an expenditure for express advocacy is the amount spent
24 directly on developing, producing, and disseminating the express advocacy.

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

3 (d) The name and mailing address of a sponsor, as defined in [current law s.
4 11.185 (1)], to which contributions may be redirected as provided under [current law
5 s. 11.185].

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 conduit within 10 days
12 following the change. Except as provided in par. (b), any such change may be
13 reported only by the individual or by the officer who has succeeded to the position of
14 an individual who signed the original statement.

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

17 **11.6003 Reporting.** A conduit transferring a contribution of money shall, in
18 writing at the time the contribution is transferred, identify itself to the transferee
19 as a conduit and report to the transferee of each contribution transferred by it the
20 following information:

21 (1) An itemized statement giving the date, full name, and street address of each
22 person who has made a contribution to the conduit which contribution is being
23 transferred to the transferee.

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

****NOTE: At your request, in the /P7 version of the bill we eliminated reporting requirements for conduits (these had been at 11.6004). However, the requirements under s. 11.6004 (2) related to internal reports submitted by a conduit to the recipient of a contribution released by the conduit. These reports, in turn, are required in s. 11.9004 (2) and (3). For purposes of discussion in this draft, we have re-inserted these "internal" reporting requirements for conduits. Please advise.

4 **11.6004 Redirected contributions. (1) DEFINITIONS.** (a) In this section,
5 "sponsor" means a committee, including a legislative campaign committee, political
6 party committee, recall committee, and referendum committee, but excluding a
7 candidate committee and political action committee, that is associated with a
8 conduit.

9 (2) REDIRECTION. If all of the following apply, a conduit may redirect any
10 contribution received from a person or committee to a sponsor or, if there is no
11 sponsor, to a political action committee affiliated with the sponsor or to an
12 administrative fund of the conduit:

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

17 (b) Either of the following apply:

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

1 organization at the last-known telephone number; by sending a text message to the
2 individual or organization at the last-known cellular telephone number or pager
3 number capable of receiving text messages; by sending a facsimile transmission to
4 the individual or organization at the last-known facsimile transmission number; by
5 sending a letter or postcard to the individual or organization by U.S. mail; by sending
6 a message by electronic mail; or by any combination of the foregoing. A conduit may
7 not satisfy the requirement to attempt in good faith to contact the individual or
8 organization at least 10 times if all 10 attempted contacts occur within a period of
9 30 consecutive days.

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

12 SUBCHAPTER VII

13 REFERENDUM COMMITTEES

14 **11.7000 Registration; treasurer and depositories.** (1) Each referendum
15 committee required to register under this chapter shall designate a treasurer to
16 comply with the registration and reporting requirements under this subchapter.

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

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

22 **11.7001 Registration; timing.** (1) Every referendum committee that makes
23 or accepts contributions, incurs obligations, or makes disbursements for the purpose
24 of influencing a particular vote at a referendum in a calendar year in an aggregate

1 amount in excess of \$10,000 shall file a registration statement giving the information
2 required by s. 11.7002.

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

8 **11.7002 Registration; required information.** (1) REQUIRED INFORMATION.

9 The statement of registration shall include all of the following, where applicable:

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

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

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

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

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

23 (3) CHANGE OF INFORMATION. (a) Any change in information previously
24 submitted in a registration statement shall be reported by the referendum
25 committee within 10 days following the change. Except as provided in par. (b), any

1 such change may be reported only by the individual or by the officer who has
2 succeeded to the position of an individual who signed the original statement.

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

6 **11.7003 Reporting. (1) CONTRIBUTIONS AND DISBURSEMENTS.** (a) Each
7 referendum committee shall make full reports, upon a form prescribed by the board
8 and signed by the treasurer under s. 11.1002 (3) (c), of all contributions received by
9 the committee. The referendum committee shall include in each report the following
10 information, covering the period since the last date covered on the previous report:

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

14 2. The name of the principal place of employment, if any, of each individual
15 contributor whose cumulative contributions to the referendum committee for the
16 calendar year are in excess of \$300.

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

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

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

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

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

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

6 c. The date and amount of the loan.

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

8 e. The original amount guaranteed by each guarantor.

9 f. The balance of the amount guaranteed by each guarantor at the end of the
10 reporting period.

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

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

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

21 10. A statement of the balance of obligations incurred as of the end of the
22 reporting period.

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

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

3 (c) All contributions received by any person acting as an agent of a referendum
4 committee required to report under this subchapter shall be reported by such person
5 to the treasurer of the referendum committee within 30 days of receipt by the agent.
6 In the case of a contribution of money, the agent shall transmit the contribution to
7 the treasurer within 30 days of receipt by the agent. The treasurer shall report the
8 contribution within 30 days of initial receipt by the agent.

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

12 (a) File a preprimary report.

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.

***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?

16 (3) REPORTS TO SUPPORT OR OPPOSE A REFERENDUM AT SPRING ELECTION. A
17 referendum committee making or accepting contributions to support or oppose a
18 referendum appearing on a spring election ballot 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 A REFERENDUM AT PARTISAN PRIMARY. A
23 referendum committee making or accepting contributions in support of or in

1 opposition to a referendum appearing on a partisan primary ballot shall do all the
2 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 IN SUPPORT OF OR OPPOSITION TO A REFERENDUM AT GENERAL ELECTION.

10 A referendum committee making or accepting contributions to support or oppose a
11 referendum appearing on a general election ballot shall do all the following:

12 (a) File a preprimary report.

13 (b) File a preelection report.

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

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

18

SUBCHAPTER VII

19

RECALL COMMITTEES

20 **11.8000 Registration; treasurer and depositories.** (1) Each recall
21 committee required to register under this chapter shall designate a treasurer to
22 comply with the registration and reporting requirements under this subchapter.

23 (2) The treasurer shall ensure that all funds received are deposited in the recall
24 committee depository account.