



**PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION**

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

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*Analysis by the Legislative Reference Bureau*

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

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*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2 **SECTION 1.** Chapter 11 of the statutes is repealed and recreated to read: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 **11.0101 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. Receives a contribution, makes a disbursement, or gives consent for another  
6 person to receive a contribution or make a disbursement in order to bring about the  
7 individual's nomination or election to a state or local office.

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

10          (c) The individual holds a state or local office, unless the individual is legally  
11 prohibited from seeking reelection or files a declaration of noncandidacy.

12          (2) "Candidate committee" means a committee authorized by a candidate or a  
13 candidate's agent to accept contributions or make expenditures in support of a  
14 candidate's campaign.

15          (3) "Charitable organization" means any organization described in section 170  
16 (c) (2) of the Internal Revenue Code, and also includes the United States, any state,  
17 territory or possession, and the District of Columbia; and any political subdivision  
18 of any any state, territory, or possession; when a gift is made exclusively for public  
19 purposes.

20          (4) "Candidate's agent" means an individual who acts under the direction of the  
21 candidate regarding the conduct of the candidate's campaign and the operation of the  
22 candidate committee, but does not include an employee of a political party or a  
23 legislative campaign committee that is not also an employee of the candidate.

24          (5) "Clearly identified" means any of the following with regard to a  
25 communication supporting or opposing a candidate:

1 (a) The candidate's name appears.

2 (b) A photograph or drawing of the candidate appears.

3 (c) The candidate's identity is apparent by unambiguous reference.

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

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

12 (8) (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.

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.

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

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

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

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

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

4           7. The reuse of surplus materials or the use of unused surplus materials  
5 acquired in connection with a previous campaign for or against the same candidate,  
6 political party, or recall if the materials were previously reported as a contribution  
7 under subchapter IX.

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

10          **(9)** “Corporation” includes a foreign limited liability company, as defined in s.  
11 183.0102 (8) and a limited liability company, as defined in s. 183.0102 (10), if the  
12 foreign limited liability company or the limited liability company elect to be treated  
13 as a corporation by the federal internal revenue service, pursuant to 26 CFR  
14 301.7701-3, or if the foreign limited liability company or the limited liability  
15 company has publicly traded shares.

16          **(10)** “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.

20          **(11)** “Express advocacy” means all of the following:

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

23           1. “Vote for”.

24           2. “Elect”.

25           3. “Support”.

1           4. “Cast your ballot for”.

2           5. “Smith for ... (an elective office)”.

3           6. “Vote against”.

4           7. “Defeat”.

5           8. “Reject”.

6           9. “Cast your ballot against”.

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

10           (12) “Federal account committee” means a committee of a state political party  
11 organization that makes contributions to candidates for national office and is  
12 registered with federal election commission.

13           (13) “Federal candidate committee” means a committee of a candidate for the  
14 U.S. senate or house of representatives from this state that the candidate designates  
15 under 2 USC 432 (e).

16           (14) “Filing officer” means the board or official assigned to a committee or  
17 conduit under s. 11.0102.

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

24           (17) “Intentionally” has the meaning given in s. 939.23 (3).

1           **(18)** “Legislative campaign committee” means a committee organized in either  
2 house of the legislature to support a candidate of a political party for legislative office.

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

5           **(20)** “National political party committee” means a national committee as  
6 defined in 2 USC 431 (14).

7           **(21)** “Obligation” means any express agreement to make a contribution or  
8 disbursement, including all of the following:

9           (a) A loan or loan guarantee.

10           (b) A promise or a payment to purchase, rent, or lease tangible personal  
11 property.

12           (c) A promise or a payment for a service that has been or will be performed.

13           **(22)** “Partisan primary” means the primary held the 2nd Tuesday in August  
14 to nominate candidates to be voted for at the general election.

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

17           1. Has express advocacy as its major purpose.

18           2. Is organized by any person, other than an individual, or by any combination,  
19 permanent or temporary, of 2 or more persons unrelated by marriage.

20           3. Makes or accepts contributions or makes expenditures with regard to a state  
21 or local office and to support or oppose any of the following:

22           a. A candidate.

23           b. A candidate committee.

24           c. A legislative campaign committee.

25           d. A political party committee.

1 e. A recall committee.

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

4 **(24)** (a) “Political party” means all of the following:

5 1. A state committee organized exclusively for express advocacy purposes  
6 under whose name candidates appear on a ballot at any election and all county,  
7 legislative, local, and other affiliated committees authorized to operate under the  
8 same name.

9 2. A committee described under subd. 1. that makes and accepts contributions  
10 and makes expenditures to support or oppose a candidate for state or local office or  
11 to support or oppose a referendum held in this state.

12 (b) “Political party” does not include a legislative campaign committee.

13 **(25)** “Recall committee” means a committee formed for the purpose of  
14 supporting or opposing the recall of any of the following:

15 (a) An incumbent elective official holding a state office.

16 (b) An incumbent elective official holding a local office.

17 **(26)** “Referendum committee” means a committee that is organized by any  
18 person, other than an individual, or by any combination, permanent or temporary,  
19 of 2 or more persons unrelated by marriage that acts to support or oppose the passage  
20 or defeat of a referendum held in this state, but that does not receive contributions  
21 or make expenditures or contributions for the purpose of influencing or attempting  
22 to influence a candidate’s nomination or election.

23 **(27)** “Special election” means any election, other than those described in subs.  
24 (15), (22), (28), (30), and (31) to fill vacancies or to conduct a referendum.

1           (28) “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           (29) “Treasurer” means the individual who registers a committee or conduit  
7 with a filing officer and who makes reports on behalf of the committee or conduit.

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

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

16           **11.0102 Determination of filing officer and duty to file; fees.** (1) Each  
17 committee and conduit required to register and report under this chapter shall have  
18 and shall file each registration statement and report required under this chapter  
19 with one filing officer as follows:

20           (a) The following shall file with the board:

- 21           1. A candidate committee of a candidate for state office.
- 22           2. A conduit.
- 23           3. A legislative campaign committee.
- 24           4. A political action committee.
- 25           5. A political party.



1           6. A recall committee as defined in s. 11.0101 (\_\_\_) (a).

2           7. Except as provided in pars. (f) and (g), a referendum committee.

3           (b) Subject to pars. (c) and (d), a candidate committee for a candidate seeking  
4 local office shall file with the clerk of the most populous jurisdiction for which the  
5 candidate seeks office.

6           (c) A candidate committee for a candidate for municipal judge elected under s.  
7 755.01 (4) shall file with the county clerk or board of election commissioners of the  
8 county having the largest portion of the population in the jurisdiction served by the  
9 judge.

10          (d) A candidate committee for a candidate for school board member shall file  
11 with the school district clerk.

12          (e) A recall committee as defined in s. 11.0101 (\_\_\_) (b) shall file with the filing  
13 officer for candidates for that office.

14          (f) A referendum committee acting to support or oppose any local referendum,  
15 other than a school district referendum, shall file with the clerk of the most populous  
16 jurisdiction in which the referendum will be conducted.

17          (g) A referendum committee acting to support or oppose a school district  
18 referendum shall file with the school district clerk.

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

24          (b) Except as provided in s. 11.0104 (1), a committee that is subject to par. (a)  
25 shall pay the fee specified in par. (a) together with the report filed by that committee

1 on the 15th day of the month of January in each year. If a committee that is subject  
2 to par. (a) registers under this chapter or changes status so that par. (a) becomes  
3 applicable to the committee during a calendar year, the committee shall pay the fee  
4 for that year with the filing of the committee's registration statement or at any time  
5 before the change in status becomes effective.

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

7 (d) Paragraph (a) does not apply to any committee for any year during which  
8 the committee does not make disbursements exceeding a total of \$2,500.

9 **(3)** Each filing officer, other than the board, shall do all of the following:

10 (a) Obtain the forms and manuals prescribed by the board under s. 11. \_\_000  
11 (1) and (3).

\*\*\*\*NOTE: You asked that we eliminate that portion of the local filing officers duties related to election laws (The most substantive excised material read as follows: "The officer shall distribute copies of the election laws received from the board to election officials without charge. The officer shall furnish copies of manuals and election laws to other persons at cost.") Do you want to explicitly assign these responsibilities to the Board?

12 (b) Develop a filing, coding, and cross-indexing system consonant with the  
13 purposes of this chapter.

14 (c) Provide all of the following, without charge, to any committee required to  
15 file reports or statements with the officer:

16 1. Forms prescribed by the board for the making of reports and statements. The  
17 officer shall send the required forms, by 1st class mail addressed to the attention of  
18 the treasurer or other person indicated on the committee's registration statement,  
19 not earlier than 21 days and not later than 14 days prior to the applicable filing  
20 deadline under this chapter. The officer need not send forms to a committee who has  
21 filed a suspension report under s. 11.0104. Whenever a filing officer sends notice of

1 the filing requirements under this chapter to the treasurer of a candidate committee,  
2 the filing officer shall also send a notice to the candidate.

\*\*\*\*NOTE: Persons reporting to the Board must do so electronically; the requirement that the board send a copy of forms by first class mail has been eliminated. Do you want to make the same changes here? That is, do you want to require reports filed with a local filing officer to be filed electronically?

3 2. Upon request, copies of manuals under par. (a).

4 (d) Notify the board, in writing, of any facts within the filing officer's knowledge  
5 or evidence in the officer's possession, including errors or discrepancies in reports or  
6 statements and delinquencies in filing which may be grounds for civil action or  
7 criminal prosecution. The board may transmit a copy of the notification submitted  
8 under this paragraph to the district attorney. The board or the attorney general shall  
9 advise the filing officer in writing at the end of each 30-day period of the status of  
10 such matter until the time of disposition.

\*\*\*\*NOTE: The last sentence of this paragraph does not really belong here; if you wish to keep this duty, I recommend moving it to the section governing duties of the Board. Please advise.

11 (e) Make available a list of delinquents for public inspection.

12 (f) Compile and maintain on an electronic system a current list of all reports  
13 and statements received by or required of and pertaining to each committee  
14 registered under this chapter.

15 (g) Make the reports and statements filed with the officer available for public  
16 inspection and copying, commencing as soon as practicable but not later than the end  
17 of the 2nd day following the day during which they are received.

18 (h) Upon the request of any person, permit copying of any report or statement  
19 described under par. (g) by hand or by duplicating machine at cost. No person may  
20 sell the information copied from the report or statement or utilize the information

1 for the purpose of soliciting contributions from individuals identified in the report  
2 or statement or for any commercial purpose.

3 (i) Determine whether each financial report or statement required to be filed  
4 under this chapter has been filed in the form and by the time prescribed by law, and  
5 whether it conforms on its face to the requirements of this chapter. The officer shall  
6 immediately send to any committee that is delinquent in filing, or that has filed  
7 otherwise than in the proper form, a notice that the committee has failed to comply  
8 with this chapter. Whenever a candidate committee has appointed an individual  
9 other than the candidate as campaign treasurer, the board shall send the notice to  
10 both the candidate and the treasurer of the candidate committee.

11 **11.0103 Reporting; general. (1) REPORT MUST BE COMPLETE.** (a) Each  
12 committee required to file a report under this chapter shall make a good faith effort  
13 to obtain all required information.

14 (b) Failure to receive a form or notice from a filing officer or notice does not  
15 exempt a committee or conduit from a reporting requirement under this chapter.

\*\*\*\*NOTE: I modified this sentence from a sentence that appears in current law s.  
11.21 (2). That subsection relates to the duties of the Board, not the obligations of a  
reporting entity. Are you comfortable with its placement here?

16 **(2) CONTRIBUTIONS; WHEN RECEIVED; WHEN REPORTED.** (a) 1. A contribution is  
17 received by a candidate committee for purposes of this chapter when it is under the  
18 control of the candidate or the treasurer or agent of the candidate.

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

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

1           **(3) CONTENTS OF REPORT; FILING DATES; CERTIFICATION; SHORT FORM; CONTENTS. (a)**

2           The first report shall commence no later than the date that the first contribution is  
3           received and accepted. Reports filed under this chapter shall include all  
4           contributions and disbursements made and received and obligations incurred as of  
5           the end of:

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

8           2. The last day of the immediately preceding month in the case of a continuing  
9           report required under this chapter.

10          3. The 22nd day following the special election in the case of a postelection report  
11          required under this chapter.

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

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

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

18          (d) The board shall prescribe a simplified, short form for compliance with this  
19          section by a committee treasurer who has not engaged in any financial transaction  
20          since the last date included on the treasurer's preceding report.

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

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.

23           2. A candidate committee that makes, accepts, or incurs a contribution,  
24 disbursement, or obligation to support or oppose a candidate at a primary during the

1 period covered by the preprimary report shall file both the preprimary and  
2 preelection reports, regardless of whether the candidate committee engages in such  
3 activity during the period covered by the preelection report.

4 **11.0104 Reporting exemptions: suspension reports.** (1) (a) Except as  
5 provided in par. (b), any committee which determines that it will not accept  
6 contributions, make disbursements, or incur obligations in an aggregate amount  
7 exceeding \$2,500 in a calendar year may file a suspension report with the  
8 appropriate filing officer. The committee shall certify the suspension report in the  
9 manner required under s. 11.0103 (3) (c) and shall include the information required  
10 to be reported by that committee on its continuing reports.

11 (b) In no case may a candidate committee file a suspension report covering any  
12 period ending sooner than the date of the election in which the candidate committee  
13 is participating.

14 (2) Upon receipt of a properly executed suspension report by a committee, the  
15 appropriate filing officer shall suspend the requirement imposed upon that  
16 committee by this chapter to file continuing reports. A suspension under this section  
17 is effective only for the calendar year in which it is granted, unless the committee  
18 alters its status before the end of such year or files a termination report under s.  
19 11.0105.

20 (3) A suspension made under sub. (1) may be revoked. If revoked, the  
21 committee shall comply with the reporting requirements applicable to the committee  
22 under this chapter as of the date of revocation, or the date that aggregate  
23 contributions, disbursements, or obligations for the calendar year exceed \$2,500. If  
24 the revocation is not timely, the committee violates s. 11.1002.

1           (4) A committee that files a suspension report under sub. (1) is not required to  
2 file a termination report under s. 11.0105.

3           (5) If a committee files a suspension report under sub. (1) and within 60 days  
4 thereafter receives and accepts an unanticipated contribution, the committee shall  
5 do one of the following within 60 days after receipt of the unanticipated contribution:

6           (a) File an amended suspension report. An amended report supersedes the  
7 previous report. The individual who certifies to the accuracy of the report shall also  
8 certify to a statement that the amended report is filed on account of the receipt of  
9 unanticipated contributions and the failure to file a correct suspension report was  
10 not intentional.

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

13           **11.0105 Reporting exemptions: dissolution of committee and**  
14 **termination reports.** (1) (a) Except as provided in par. (b) and s. 11.0104 (4),  
15 whenever any committee dissolves or determines that obligations will no longer be  
16 incurred, and contributions will no longer be received nor disbursements made  
17 during a calendar year, and the committee has no outstanding incurred obligations,  
18 the committee shall file with the appropriate filing officer a termination report that  
19 indicates a cash balance of zero at the end of the reporting period. The committee  
20 shall certify the termination report in the manner required under s. 11.0103 (3) (c)  
21 and shall include the information required to be reported by that committee on its  
22 continuing reports.

23           (b) In no case may a candidate committee file a termination report covering any  
24 period ending sooner than the date of the election in which the candidate committee  
25 is participating.



1           (2) A committee to which s. 11.0102 (2) applies shall pay the fee imposed under  
2 that subsection with a termination report filed under this section.

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

8           (4) If a committee files a termination report under sub. (1) and within 60 days  
9 thereafter receives and accepts an unanticipated contribution, the committee shall  
10 do one of the following within 60 days after receipt of the unanticipated contribution:

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

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

18           **11.0106 Disbursements; form.** Every disbursement which is made by a  
19 committee registered under this chapter from the committee's depository account  
20 shall be made by negotiable instrument.

21           **11.0107 Nonapplicability.** (1) Federal account committees, federal  
22 candidate committees, and national political party committees are not required to  
23 register under this chapter.

24           (2) A federal account committee that makes contributions to a political party  
25 need not file reports under this chapter for any period covered in a report filed with

1 the federal election commission if the board receives a copy of that report and the  
2 federal account committee makes no contributions to any other committee required  
3 to register under this chapter.

4 (3) A federal candidate committee need not file reports under this chapter for  
5 any period covered in a report filed with the federal election commission if the board  
6 receives a copy of that report.

7 (4) A national political party committee need not file reports under this chapter  
8 for any period covered in a report filed with the federal election commission.

## 9 SUBCHAPTER II

### 10 CANDIDATE COMMITTEES

11 **11.0201 Registration; treasurer and depositories.** (1) Each candidate  
12 shall either appoint a treasurer of his or her candidate committee to comply with the  
13 registration and reporting requirements under this subchapter or serve as the  
14 treasurer and comply with the registration and reporting requirements under this  
15 subchapter. If the candidate appoints a treasurer, the candidate and the candidate's  
16 treasurer shall cosign the registration statement of the candidate's committee.

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

19 (b) Notwithstanding par. (a), any candidate who serves as his or her own  
20 treasurer and who is authorized to file and files a suspension report under s. 11.0104  
21 may designate a single personal account as his or her candidate committee  
22 depository account, and may intermingle personal and other funds with campaign  
23 funds. If a candidate establishes a separate candidate committee depository  
24 account, the candidate shall transfer all campaign funds in the personal account to

1 the new depository account. Disbursements made from a personal account under  
2 this paragraph need not be identified in accordance with s. 11.0105.

\*\*\*\*NOTE: This par. (b) is (modified) current law s. 11.14 (3); we eliminated reference to a contribution exceeding \$100 from a single source. Does this paragraph accomplish your intent? Note that we eliminated similar language from s. 11.0104 (1) (a) (current law s. 11.05 (2r)) under which a committee may make an indication of inactivity. Okay?

\*\*\*\*NOTE: Current law exempts disbursements from a personal account from compliance with the “negotiable instrument” requirement; this bill retains that exception. Is that consistent with your intent?

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

6 (4) The treasurer shall maintain the records of the candidate committee in an  
7 organized and legible manner for not less than 3 years after the date of the election  
8 in which the candidate committee participates.

9 **11.0202 Registration; timing; candidate committee required.** (1) TIME  
10 OF REGISTRATION. (a) Each candidate, through his or her candidate committee, shall  
11 file a registration statement with the appropriate filing officer giving the  
12 information required under s. 11.0203 as soon as practicable after the individual  
13 qualifies as a candidate under s. 11.0101 (1).

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

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

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

3 1. Accepting a contribution and making a disbursement in the amount required  
4 to rent a postal box, or in the minimum amount required by a bank or trust company  
5 to open a checking account, prior to the time of registration, if the disbursement is  
6 properly reported on the first report submitted under s. 11.0204 after the date that  
7 the candidate committee is registered, whenever a reporting requirement applies to  
8 the candidate committee.

9 2. Accepting a contribution and making a disbursement required for the  
10 production of nomination papers.

11 (c) Except as provided in par. (d), no candidate may establish more than one  
12 candidate committee. A candidate committee may have subcommittees provided  
13 that all subcommittees have the same treasurer as the candidate committee.

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

17 **11.0203 Registration; required information. (1) REQUIRED INFORMATION.**

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

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

20 (b) The name and mailing address of the candidate committee treasurer and  
21 any other custodian of books and accounts. Unless otherwise directed by the  
22 treasurer on the registration form and except as otherwise provided in this chapter  
23 or any rule of the board, all mailings that are required by law or by rule of the board  
24 shall be sent to 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 candidate 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 **11.0204 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 certified as required under s. 11.0103 (3) (c), of all  
22 contributions and disbursements made and received by the candidate committee.  
23 The candidate committee shall include in each report the following information,  
24 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 candidate committee, together with the  
3 amount of the contribution.

4           2. An itemized statement giving the date, full name, and street address of each  
5 committee to which the candidate committee has made a contribution, together with  
6 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 candidate committee for the  
9 calendar year are in excess of \$200.

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

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

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

\*\*\*\*NOTE: Per Adam, modifications to this paragraph are on hold.

23 (2) REPORTS; CANDIDATES AT SPRING PRIMARY. A candidate committee of a  
24 candidate at a spring primary or of a candidate at a special primary held to nominate

1 nonpartisan candidates to be voted for at a special election held to fill a vacancy in  
2 one or more of the nonpartisan state or local offices voted for at the spring election  
3 shall do all of the following:

4 (a) File a preprimary report. If a candidate for a nonpartisan state office at an  
5 election is not required to participate in a spring primary, the candidate committee  
6 shall file a preprimary report at the time prescribed in s. 11.0103 (4) preceding the  
7 date specified for the holding of the primary, were it to be required.

8 (b) File a preelection report.

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

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

15 (a) File a preelection report.

16 (b) 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 **(4) REPORTS; CANDIDATES AT PARTISAN PRIMARY.** A candidate committee of a  
19 candidate 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 shall do all of the following:

22 (a) File a preprimary report.

23 (b) File a preelection report.

24 (c) 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 (d) 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.

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

7 (a) File a preelection report.

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

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

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

16 (a) 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 (b) 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 (7) REPORTS OF LATE CONTRIBUTIONS. If any contribution or contributions of  
21 \$1,000 or more cumulatively are received by a candidate committee for a candidate  
22 for state office from a single contributor later than 15 days prior to a primary or  
23 election and the contribution or contributions are not included in the preprimary or  
24 preelection report required of the committee under this chapter, the treasurer of the  
25 committee or the individual receiving the contribution shall, within 48 hours of

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

8 **11.0205 Transfers between candidates for governor and lieutenant**  
9 **governor.** The candidate committee for governor and the candidate committee for  
10 lieutenant governor of the same political party may receive contributions and make  
11 disbursements for both candidates from either candidate committee's depository  
12 account.

\*\*\*NOTE: This is [modified] current law s. 11.10 (5).

### 13 SUBCHAPTER III

### 14 POLITICAL PARTIES

15 **11.0301 Registration; treasurer and depositories.** (1) Each political party  
16 required to register under this chapter shall designate a treasurer to comply with the  
17 registration and reporting requirements under this subchapter.

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

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

1           (4) The treasurer shall maintain the records of the political party in an  
2 organized and legible manner for not less than 3 years after the date of the election  
3 in which the political party participates.

4           **11.0302 Registration; timing.** Every political party that makes or accepts  
5 contributions, incurs obligations, or makes disbursements to support or oppose a  
6 candidate in a calendar year shall, upon its inception and prior to making or  
7 accepting any such contribution, incurring any such obligation, or making any such  
8 disbursement, file a registration statement giving the information required by s.  
9 11.3002.

10           **11.0303 Registration; required information.** (1) REQUIRED INFORMATION.  
11 The statement of registration shall include all of the following, where applicable:

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

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 political party and  
19 of any other institution where funds of the political party committee are kept.

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

24           (3) CHANGE OF INFORMATION. (a) Any change in information previously  
25 submitted in a registration statement shall be reported by the political party within

1 10 days following the change. Except as provided in par. (b), any such change may  
2 be reported only by the individual or by the officer who has succeeded to the position  
3 of an individual who signed the original statement.

4 (b) The chief executive officer or treasurer of a political party may report a  
5 change in the political party's registration statement.

6 **11.0304 Reporting.** (1) CONTRIBUTIONS AND DISBURSEMENTS. (a) Each political  
7 party shall make full reports, upon a form prescribed by the board and certified as  
8 required under s. 11.0103 (3) (c), of all contributions and disbursements made and  
9 received by the political party. The political party shall include in each report the  
10 following information, covering the period since the last date covered on the previous  
11 report:

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

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

18 3. The name of the principal place of employment, if any, of each individual  
19 contributor whose cumulative contributions to the political party for the calendar  
20 year are in excess of \$200.

21 4. An itemized statement of each contribution made anonymously to the  
22 political party committee. If the contribution exceeds \$10, the political party  
23 committee shall specify whether the committee donated the contribution to the  
24 common school fund or to a charitable organization, and shall include the full name  
25 and mailing address of the donee.

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

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

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

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

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

9           c. The date and amount of the loan.

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

11          e. The original amount guaranteed by each guarantor.

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

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

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

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

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

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 political  
4 party required to report under this subchapter shall be reported by such person to  
5 the treasurer of the political party within 30 days of receipt by the agent. In the case  
6 of a contribution of money, the agent shall transmit the contribution to the treasurer  
7 within 30 days of receipt by the agent. The treasurer shall report the contribution  
8 within 30 days of initial receipt by the agent.

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

16 (a) File a preprimary report. If a candidate for a nonpartisan state office at an  
17 election is not required to participate in a spring primary, the political party shall file  
18 a preprimary report at the time prescribed in s. 11.0103 (4) preceding the date  
19 specified for the holding of the primary, were it to be required.

20 (b) File a preelection report.

21 (c) 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.

23 **(3) REPORTS TO SUPPORT OR OPPOSE CANDIDATES AT SPRING ELECTION.** A political  
24 party that makes or accepts contributions to support or oppose one or more  
25 candidates for office at a spring election or a candidate at a special election held to

1 fill a vacancy in one or more of the nonpartisan state or local offices voted for at the  
2 spring election, or to support or oppose committees engaging in such activities, shall  
3 do all the following:

4 (a) File a preelection report.

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

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

13 (a) File a preprimary report.

14 (b) File a preelection report.

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

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

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

25 (a) File a preelection report.

1 (b) 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 (c) 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 (6) REPORTS BY POLITICAL PARTY COMMITTEES. Every committee of a political  
6 party that is required to file statements and reports under this subchapter shall file  
7 all statements and reports with the board. A congressional, legislative, county, or  
8 local party committee may designate a state committee of a political party as its  
9 reporting agent for purposes of this subchapter, but such designation does not permit  
10 combining reports. The state committee treasurer shall inform the board of a  
11 designation made under this subsection.

12 (7) REPORTS OF LATE CONTRIBUTIONS. If any contribution or contributions of  
13 \$1,000 or more cumulatively are received by a political party from a single  
14 contributor later than 15 days prior to a primary or election and the contribution or  
15 contributions are not included in the preprimary or preelection report required of the  
16 political party under this chapter, the treasurer of the political party shall, within  
17 48 hours of receipt, provide the appropriate filing officer with the information  
18 required to be reported for contributions received by the political party under this  
19 subchapter in such manner as the board may prescribe. The information shall also  
20 be included in the political party's next regular report. For purposes of the reporting  
21 requirement under this subsection, only contributions received during the period  
22 beginning with the day after the last date covered on the preprimary or preelection  
23 report, and ending with the day before the primary or election need be reported.

24 SUBCHAPTER IV

25 LEGISLATIVE CAMPAIGN COMMITTEES



1           **11.0401 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          (4) The treasurer shall maintain the records of the legislative campaign  
11 committee in an organized and legible manner for not less than 3 years after the date  
12 of the election in which the legislative campaign committee participates.

13           **11.0402 Registration; timing.** Every legislative campaign committee that  
14 makes or accepts contributions, incurs obligations, or makes disbursements to  
15 support or oppose a candidate in a calendar year shall, upon its inception and prior  
16 to making or accepting any such contribution, incurring any such obligation, or  
17 making any such disbursement, file a registration statement giving the information  
18 required by s. 11.0403.

19           **11.0403 Registration; required information.** (1) REQUIRED INFORMATION.  
20 The statement of registration shall include all of the following:

21           (a) The name and mailing address of the legislative campaign 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 legislative campaign  
4 committee and of any other institution where funds of the legislative campaign  
5 committee are kept.

6 (d) A statement signed by the leader of the party in the house for which the  
7 legislative campaign committee is established attesting to the fact that the  
8 legislative campaign committee is the only authorized legislative campaign  
9 committee for that party in that house.

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

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

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

21 **11.0404 Reporting.** (1) CONTRIBUTIONS AND DISBURSEMENTS. (a) Each  
22 legislative campaign committee shall make full reports, upon a form prescribed by  
23 the board and certified as required under s. 11.0103 (3) (c), of all contributions and  
24 disbursements made and received by the committee. The legislative campaign

1 committee shall include in each report the following information, covering the period  
2 since the last 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 committee to which the legislative campaign committee has made a contribution,  
8 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 \$200.

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 (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 legislative  
21 campaign committee required to report under this subchapter shall be reported by  
22 such person to the treasurer of the legislative campaign committee within 30 days  
23 of receipt by the agent. In the case of a contribution of money, the agent shall  
24 transmit the contribution to the treasurer within 30 days of receipt by the agent. The  
25 treasurer shall report the contribution within 30 days of initial receipt by the agent.

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

8           (a) File a preprimary report.

9           (b) File a preelection report.

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

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

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

20          (a) File a preelection report.

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

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



1           (4) The treasurer shall maintain the records of the political action committee  
2 in an organized and legible manner for not less than 3 years after the date of the  
3 election in which the political action committee participates.

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

6           **11.0502 Registration; timing.** (1) Every political action committee that  
7 makes or accepts contributions, incurs obligations, or makes disbursements to  
8 support or oppose a candidate in a calendar year in an aggregate amount in excess  
9 of \$2,500 shall file a registration statement giving the information required by s.  
10 11.5002.

11           (2) A political action committee that triggers the registration requirement  
12 under sub. (1) shall file the registration statement no later than the 10th business  
13 day commencing after receipt of the first contribution by the political action  
14 committee exceeding the amount specified under sub. (1), before making any  
15 disbursement exceeding that amount, and before incurring obligations exceeding  
16 that amount.

17           **11.0503 Registration; required information.** (1) REQUIRED INFORMATION.  
18 The statement of registration shall include all of the following:

19           (a) The name and mailing address of the political action 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  
23 mailings that are required by law or by rule of the board shall be sent to the treasurer  
24 at the treasurer's address indicated upon the form.

1 (c) The name and address of the depository account of the political action  
2 committee and 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 political action  
9 committee within 10 days following the change. Except as provided in par. (b), any  
10 such change may be reported only by the individual or by the officer who has  
11 succeeded to the position of an individual who signed the original statement.

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

14 **11.0504 Reporting.** (1) CONTRIBUTIONS AND DISBURSEMENTS. (a) Each political  
15 action committee shall make full reports, upon a form prescribed by the board and  
16 certified as required under s. 11.0103 (3) (c), of all contributions and disbursements  
17 made and received by the committee. The political action committee shall include  
18 in each report the following information, covering the period since the last date  
19 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 political action committee, together with  
22 the amount of the contribution.

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



1           3. The name of the principal place of employment, if any, of each individual  
2 contributor whose cumulative contributions to the political action committee for the  
3 calendar year are in excess of \$200.

4           4. An itemized statement of each contribution made anonymously to the  
5 political action committee. If the contribution exceeds \$10, the political action  
6 committee shall specify whether the committee donated the contribution to the  
7 common school fund or to a charitable organization, and shall include the full name  
8 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.

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

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

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

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

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

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

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

18           **(2) REPORTS TO SUPPORT OR OPPOSE CANDIDATES AT SPRING PRIMARY.** A political  
19 action committee that makes or accepts contributions to support or oppose one or  
20 more candidates for office at a spring primary or a candidate at a special primary held  
21 to nominate nonpartisan candidates to be voted for at a special election held to fill  
22 a vacancy in one or more of the nonpartisan state or local offices voted for at the  
23 spring election, or to support or oppose other committees engaging in such activities,  
24 shall do all 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 political action  
3 committee shall file a preprimary report at the time prescribed in s. 11.0103 (4)  
4 preceding the date specified 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 political  
9 action committee that makes or accepts contributions to support or oppose one or  
10 more candidates for office at a spring election or a candidate at a special election held  
11 to fill a vacancy in one or more of the nonpartisan state or local offices voted for at  
12 the spring election, or to support or oppose other committees engaging in such  
13 activities, 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 political  
18 action committee that makes or accepts contributions to support or oppose one or  
19 more candidates for office at a partisan primary or a candidate at a special primary  
20 held to nominate candidates to be voted for at a special election held to fill a vacancy  
21 in one or more of the state or local offices voted for at the general election, or to  
22 support or oppose other committees engaging in such activities, shall do all the  
23 following:

24           (a) File a preprimary report.

25           (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 political  
6 action committee that makes or accepts contributions to support or oppose one or  
7 more candidates for office at a general election or a candidate at a special election  
8 held to fill a vacancy in one or more of the state or local offices voted for at the general  
9 election, or to support or oppose other committees engaging in such activities shall  
10 do all 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 **11.0505 Reporting; specific express advocacy.** (1) EXPENDITURES. (a) A  
17 political action committee spending \$5,000 or more in the aggregate on express  
18 advocacy shall submit statements to the board under par. (b) if the express advocacy  
19 is made during the period beginning on the day that is 30 days prior to the day of the  
20 primary or election involving the candidate in subd. 1. and ending on the day of the  
21 primary or election involving that candidate.

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

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

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

1           3. The purpose for making the expenditures.

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

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

6           6. An affirmation, made under oath, that the political action committee will  
7 comply with the prohibition on coordination under s. 11.1003 with respect to any  
8 candidate or agent or candidate committee who is supported or opposed by the  
9 express advocacy.

10          7. The name and mailing and street address of the political action committee's  
11 designated agent in this state.

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

17          (b) This section does not apply to any of the following:

18           1. A communication, other than an advertisement, appearing in a news story,  
19 commentary, or editorial distributed through the facilities of any legitimate news  
20 organization, unless the facilities are controlled by any committee, or candidate.

21           2. A communication made exclusively between an organization and its  
22 members.

23          **(3) TIMING.** A political action committee that is required to report under this  
24 section shall submit the report to the board no later than 48 hours after making the  
25 expenditures.

## 1 SUBCHAPTER VI

## 2 CONDUITS

3 **11.0601 Registration; treasurer and depositories.** (1) Each conduit  
4 required to register under this chapter shall designate a treasurer to comply with the  
5 registration and reporting requirements under this subchapter.

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

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

10 (4) The treasurer shall maintain the records of the conduit in an organized and  
11 legible manner for not less than 3 years after the date of the election in which the  
12 conduit participates.

13 **11.0602 Registration; timing.** Every conduit that accepts and releases  
14 contributions to support or oppose a candidate in a calendar year shall, upon its  
15 inception and prior to accepting or releasing any such contribution, file a registration  
16 statement giving the information required by s. 11.0603.

17 **11.0603 Registration; required information.** (1) REQUIRED INFORMATION.  
18 The statement of registration shall include all of the following, where applicable:

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

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

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 s. 11.0605 (1), to  
4 which contributions may be redirected as provided under s. 11.0605 (2).

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

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

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

16 **11.0604 Reporting.** A conduit transferring a contribution of money shall, in  
17 writing at the time the contribution is transferred, identify itself to the transferee  
18 as a conduit and report to the transferee of each contribution transferred by it the  
19 following information:

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

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

1           **11.0605 Redirected contributions.** (1) DEFINITIONS. In this section,  
2 “sponsor” means a committee, including a legislative campaign committee, political  
3 party, recall committee, and referendum committee, but excluding a candidate  
4 committee and political action committee, that is associated with a conduit.

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

9           (a) The conduit has held the contribution for at least 24 consecutive months,  
10 including the 24 months immediately preceding March 29, 2014, over which time the  
11 individual or organization that made the contribution has made no contact with the  
12 conduit.

13           (b) Either of the following apply:

14           1. The conduit has, over the 24-month period described in par. (a), attempted  
15 in good faith to contact the individual or organization that made the contribution at  
16 least 5 times, and has documented each such attempt, but has been unable to make  
17 contact with the individual or organization. A conduit may satisfy the requirement  
18 to contact the individual or organization by telephoning the individual or  
19 organization at the last-known telephone number; by sending a text message to the  
20 individual or organization at the last-known cellular telephone number or pager  
21 number capable of receiving text messages; by sending a facsimile transmission to  
22 the individual or organization at the last-known facsimile transmission number; by  
23 sending a letter or postcard to the individual or organization by U.S. mail; by sending  
24 a message by electronic mail; or by any combination of the foregoing. A conduit may  
25 not satisfy the requirement to attempt in good faith to contact the individual or



1 organization at least 10 times if all 10 attempted contacts occur within a period of  
2 30 consecutive days.

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

## 5 SUBCHAPTER VII

### 6 REFERENDUM COMMITTEES

7 **11.0701 Registration; treasurer and depositories.** (1) Each referendum  
8 committee required to register under this chapter shall designate a treasurer to  
9 comply with the registration and reporting requirements under this subchapter.

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

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

15 (4) The treasurer shall maintain the records of the referendum committee in  
16 an organized and legible manner for not less than 3 years after the date of the election  
17 in which the referendum committee participates.

18 **11.0702 Registration; timing.** (1) Every referendum committee that makes  
19 or accepts contributions, incurs obligations, or makes disbursements for the purpose  
20 of influencing a particular vote at a referendum in a calendar year in an aggregate  
21 amount in excess of \$10,000 shall file a registration statement giving the information  
22 required by s. 11.0703.

23 (2) A referendum committee that triggers the registration requirement under  
24 sub. (1) shall file the registration statement no later than the 10th business day  
25 commencing after receipt of the first contribution by the referendum committee

1 exceeding the amount specified under sub. (1), before making any disbursement  
2 exceeding that amount, and before incurring obligations exceeding that amount.

3 **11.0703 Registration; required information. (1) REQUIRED INFORMATION.**

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

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

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

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

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

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

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

23 (b) The chief executive officer or treasurer of a referendum committee may  
24 report a change in the committee's registration statement.