

1 **11.0404 Reporting.** (1) CONTRIBUTIONS AND DISBURSEMENTS. (a) Each
2 legislative campaign committee shall make full reports, upon a form prescribed by
3 the board and certified as required under s. 11.0103 (3) (c), of all contributions,
4 disbursements, and obligations received, made, and incurred by the committee. The
5 legislative campaign committee shall include in each report the following
6 information, covering the period since the last date covered on the previous report:

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

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

13 3. The name of the principal place of employment, if any, of each individual
14 contributor whose cumulative contributions to the legislative campaign committee
15 for the calendar year are in excess of \$200.

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

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

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

1 7. An itemized statement of each loan of money made to the legislative
2 campaign committee in an aggregate amount or value in excess of \$20, together with
3 all of the 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 8. 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 9. 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 10. 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 11. A statement of the balance of obligations incurred as of the end of the
22 reporting period.

23 (b) The legislative campaign committee shall begin each report filed under this
24 chapter with the first contribution received, disbursement made, or obligation
25 incurred during the reporting period.

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

8 (a) File a preprimary report no earlier than 14 days and no later than 8 days
9 preceding the primary.

10 (b) File a preelection report no earlier than 14 days and no later than 8 days
11 preceding the election.

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

22 (a) File a preelection report no earlier than 14 days and no later than 8 days
23 preceding the election.

24 (b) 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 (c) 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 (d) Unless a continuing report is required to be filed under this subsection on
4 or before the 45th day after the special election, file a postelection report no earlier
5 than 23 days and no later than 45 days after each special election.

6 (4) REPORTS OF LATE CONTRIBUTIONS. If any contribution or contributions of
7 \$1,000 or more cumulatively are received by a legislative campaign committee from
8 a single contributor later than 15 days prior to a primary or election and the
9 contribution or contributions are not included in the preprimary or preelection
10 report required of the committee under this chapter, the treasurer of the committee
11 shall, within 48 hours of receipt, provide the appropriate filing officer with the
12 information required to be reported for contributions received by the committee
13 under this subchapter in such manner as the board may prescribe. The information
14 shall also be included in the committee's next regular report.

15 SUBCHAPTER V

16 POLITICAL ACTION COMMITTEES

17 **11.0501 Registration; treasurer and depositories.** (1) Each political
18 action committee required to register under this chapter shall designate a treasurer
19 to comply with the registration and reporting requirements under this subchapter.

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

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

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, except that a political action committee may indicate more than one
6 purpose under s. 11.0503 (1m).

7 **11.0502 Registration; timing.** (1) Every political action committee that
8 accepts, makes, or incurs contributions, disbursements, or obligations to support or
9 oppose a candidate in a calendar year in an aggregate amount in excess of \$5,000
10 shall file a registration statement giving the information required by s. 11.0503.

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 political action committee shall include all of the following, where applicable,
19 on the registration statement:

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

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

1 (c) If required, the political action committee's major purpose.

2 (d) The name and address of the depository account of the political action
3 committee and of any other institution where funds of the committee are kept.

4 **(1m)** INDICATION OF PURPOSE. (a) Every political action committee filing a
5 statement under this section shall indicate whether the political action committee
6 intends to make the following:

7 1. Contributions to committees.

8 2. Independent expenditures.

9 3. Both contributions to committees and independent expenditures.

10 (b) A political action committee that makes an indication under par. (a) 1. may
11 not accept a contribution from any of the following:

12 1. A foreign or domestic corporation.

13 2. An association organized under ch. 185 or 193.

14 3. A federally recognized American Indian tribe or band.

15 (c) A political action committee that makes an indication under par. (a) 3. shall
16 maintain a separate depository account for each of the following:

17 1. Subject to par. (d), funds to be used to make contributions to one or more
18 committees.

19 2. Funds to be used to make independent expenditures and for administrative
20 and other expenses of the political action committee.

21 (d) A political action committee that makes an indication under par. (a) 3. may
22 not make a contribution to a candidate committee.

23 **(2)** CERTIFICATION. The individual responsible for filing or amending a political
24 action committee's registration statement and any form or report required of the

1 committee under this chapter shall certify that all information contained in the
2 statement, form, or report is true, correct, and complete.

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

8 (b) The administrator or treasurer of a political action committee may report
9 a change in the committee's registration statement.

10 **11.0504 Reporting.** (1) **CONTRIBUTIONS AND DISBURSEMENTS.** (a) Each political
11 action committee shall make full reports, upon a form prescribed by the board and
12 certified as required under s. 11.0103 (3) (c), of all contributions, disbursements, and
13 obligations received, made and incurred by the committee. The political action
14 committee shall include in each report the following information, covering the period
15 since the last date covered on the previous report:

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

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

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

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

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

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

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

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

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

15 c. The date and amount of the loan.

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

17 e. The original amount guaranteed by each guarantor.

18 f. The balance of the amount guaranteed by each guarantor at the end of the
19 reporting period.

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

23 9. An itemized statement of every obligation exceeding \$20 in amount or value,
24 together with the name of the person or business with whom the obligation was

1 incurred, and the date and the specific purpose for which each such obligation was
2 incurred.

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

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

8 (b) The political action committee shall begin each report filed under this
9 chapter with the first contribution received, disbursement made, or obligation
10 incurred during the reporting period.

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

18 (a) File a preprimary report no earlier than 14 days and no later than 8 days
19 preceding the primary. If a candidate for a nonpartisan state office at an election is
20 not required to participate in a spring primary, the political action committee shall
21 file a preprimary report at the time prescribed in s. 11.0103 (4) preceding the date
22 specified for the holding of the primary, were it to be required.

23 (b) File a preelection report no earlier than 14 days and no later than 8 days
24 preceding the election.

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

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

9 (a) File a preelection report no earlier than 14 days and no later than 8 days
10 preceding the election.

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

13 (c) Unless a continuing report is required to be filed under this subsection on
14 or before the 45th day after the special election, file a postelection report no earlier
15 than 23 days and no later than 45 days after each special election.

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

23 (a) File a preprimary report no earlier than 14 days and no later than 8 days
24 preceding the primary.

1 (b) File a preelection report no earlier than 14 days and no later than 8 days
2 preceding the election.

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

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

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

13 (a) File a preelection report no earlier than 14 days and no later than 8 days
14 preceding the election.

15 (b) 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 (c) 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 (d) Unless a continuing report is required to be filed under this subsection on
20 or before the 45th day after the special election, file a postelection report no earlier
21 than 23 days and no later than 45 days after each special election.

22 **11.0505 Reporting; specific express advocacy.** (1) **DISBURSEMENTS.** (a) A
23 political action committee spending \$5,000 or more in the aggregate on express
24 advocacy shall submit statements to the board under par. (b) if the express advocacy
25 is made during the period beginning on the day that is 30 days prior to the day of the

1 primary or election involving the candidate identified under par. (b) 5. and ending
2 on the day of the primary or election involving that candidate.

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

5 1. The dates on which the committee made the disbursements.

6 2. The name and address of the persons who received the disbursements.

7 3. The purpose for making the disbursements.

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

9 5. The name of any candidate affected by the disbursement, the office that the
10 candidate seeks, and whether the express advocacy supports or opposes that
11 candidate.

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

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

18 **(2) EXCEPTION.** (a) A political action committee that is required to report under
19 this section is not required to submit the information described under sub. (1) (b)
20 regarding disbursements made before reaching the \$5,000 threshold under sub. (1)

21 (a). For purposes of this section, a disbursement for express advocacy is the amount
22 spent directly on developing, producing, and disseminating the express advocacy.

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

1 **11.0603 Registration; required information.** (1) REQUIRED INFORMATION.

2 The conduit shall include all of the following, where applicable, on the registration
3 statement:

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

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

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

13 (d) The name and mailing address of a sponsor, as defined in s. 11.0605 (1), to
14 which contributions may be redirected as provided under s. 11.0605 (2).

15 **(2) CERTIFICATION.** The individual responsible for filing or amending a conduit's
16 registration statement shall certify that all information contained in the statement
17 is true, correct, and complete.

18 **(3) CHANGE OF INFORMATION.** The conduit shall report any change in information
19 previously submitted in a registration statement within 10 days following the
20 change. Any such change may be reported only by the individual or by the officer who
21 has succeeded to the position of an individual who signed the original statement or
22 by the conduit administrator.

23 **11.0604 Reporting.** A conduit releasing a contribution of money to the
24 recipient shall, in writing at the time the contribution is released, identify itself to

1 the recipient as a conduit and report to the recipient the following information about
2 each contribution transferred by it:

3 (1) An itemized statement giving the date, full name, and street address of each
4 person who has made a contribution to the conduit which contribution is being
5 released to the recipient, together with the amount of the contribution.

6 (2) The name of the principal place of employment, if any, of each individual
7 contributor whose cumulative contributions to the transferee for the calendar year
8 are in excess of \$200.

9 **11.0605 Redirected contributions.** (1) DEFINITIONS. In this section,
10 “sponsor” means a person, other than an individual or a candidate committee, that
11 is associated with a conduit.

12 (2) REDIRECTION. If all of the following apply, a conduit may redirect any
13 contribution received from a person or committee to a sponsor or, if there is no
14 sponsor, to an administrative fund of the conduit:

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

19 (b) Either of the following apply:

20 1. The conduit has, over the 24-month period described in par. (a), attempted
21 in good faith to contact the individual or organization that made the contribution at
22 least 5 times, and has documented each such attempt, but has been unable to make
23 contact with the individual or organization. A conduit may satisfy the requirement
24 to contact the individual or organization by telephoning the individual or
25 organization at the last-known telephone number; by sending a text message to the

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

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

11 SUBCHAPTER VII

12 REFERENDUM COMMITTEES

13 **11.0701 Registration; treasurer and depositories.** (1) Each referendum
14 committee required to register under this chapter shall designate a treasurer to
15 comply with the registration and reporting requirements under this subchapter.

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

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

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

24 **11.0702 Registration; timing.** (1) Every referendum committee that accepts
25 contributions, makes disbursements, or incurs obligations for the purpose of

1 influencing a particular vote at a referendum in a calendar year in an aggregate
2 amount in excess of \$10,000 shall file a registration statement giving the information
3 required by s. 11.0703.

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

9 **11.0703 Registration; required information. (1) REQUIRED INFORMATION.**

10 The referendum committee shall include all of the following on the registration
11 statement:

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

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

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

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

21 (2) CERTIFICATION. The individual responsible for filing or amending a
22 referendum committee's registration statement and any form or report required of
23 the committee under this chapter shall certify that all information contained in the
24 statement, form, or report is true, correct, and complete.

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

6 (b) The administrator or treasurer of a referendum committee may report a
7 change in the committee's registration statement.

8 **11.0704 Reporting.** **(1) CONTRIBUTIONS AND DISBURSEMENTS.** (a) Each
9 referendum committee shall make full reports, upon a form prescribed by the board
10 and certified as required under s. 11.0103 (3) (c), of all contributions, disbursements,
11 and obligations received, made, or incurred by the committee. The referendum
12 committee shall include in each report the following information, covering the period
13 since the last date covered on the previous report:

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

17 2. The name of the principal place of employment, if any, of each individual
18 contributor whose cumulative contributions to the referendum committee for the
19 calendar year are in excess of \$200.

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

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

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

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

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

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

10 c. The date and amount of the loan.

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

12 e. The original amount guaranteed by each guarantor.

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

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

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

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

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

3 (b) The referendum committee shall begin each report filed under this chapter
4 with the first contribution received, disbursement made, or obligation incurred
5 during the reporting period.

6 **(2) REPORTS TO SUPPORT OR OPPOSE A REFERENDUM AT SPRING PRIMARY.** A
7 referendum committee accepting contributions, making disbursements, or incurring
8 obligations to support or oppose a referendum appearing on a spring primary ballot
9 shall do all the following:

10 (a) File a preprimary report no earlier than 14 days and no later than 8 days
11 preceding the primary.

12 (b) File a preelection report no earlier than 14 days and no later than 8 days
13 preceding the election.

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 TO SUPPORT OR OPPOSE A REFERENDUM AT SPRING ELECTION.** A
17 referendum committee accepting contributions, making disbursements, or incurring
18 obligations to support or oppose a referendum appearing on a spring election ballot
19 shall do all the following:

20 (a) File a preelection report no earlier than 14 days and no later than 8 days
21 preceding the election.

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

24 **(4) REPORTS TO SUPPORT OR OPPOSE A REFERENDUM AT PARTISAN PRIMARY.** A
25 referendum committee accepting contributions, making disbursements, or incurring

1 obligations in support of or in opposition to a referendum appearing on a partisan
2 primary ballot shall do all the following:

3 (a) File a preprimary report no earlier than 14 days and no later than 8 days
4 preceding the primary.

5 (b) File a preelection report no earlier than 14 days and no later than 8 days
6 preceding the election.

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 IN SUPPORT OF OR OPPOSITION TO A REFERENDUM AT GENERAL ELECTION.**

12 A referendum committee accepting contributions, making disbursements, or
13 incurring obligations to support or oppose a referendum appearing on a general
14 election ballot shall do all the following:

15 (a) File a preprimary report no earlier than 14 days and no later than 8 days
16 preceding the primary.

17 (b) File a preelection report no earlier than 14 days and no later than 8 days
18 preceding the election.

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

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

23 **SUBCHAPTER VIII**

24 **RECALL COMMITTEES**

1 **11.0801 Registration; treasurer and depositories.** (1) Each recall
2 committee required to register under this chapter shall designate a treasurer to
3 comply with the registration and reporting requirements under this subchapter.

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

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

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

11 **11.0802 Registration; timing.** (1) Every recall committee that accepts
12 contributions, makes disbursements, or incurs obligations to support or oppose a
13 recall in a calendar year in an aggregate amount in excess of \$2,000 shall file a
14 registration statement giving the information required by s. 11.0803.

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

20 **11.0803 Registration; required information.** (1) REQUIRED INFORMATION.
21 The recall committee shall include all of the following on the registration statement:

22 (a) The name and mailing address of the recall committee.

23 (b) The name and mailing address of the treasurer and any other custodian of
24 books and accounts. Unless otherwise directed by the treasurer on the registration
25 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 recall committee and
4 of any other institution where funds of the committee are kept.

5 (2) CERTIFICATION. The individual responsible for filing or amending a recall
6 committee's registration statement and any form or report required of the committee
7 under this chapter shall certify that all information contained in the statement,
8 form, or report is true, correct, and complete.

9 (3) CHANGE OF INFORMATION. (a) The recall committee shall report any change
10 in information previously submitted in a registration statement 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 administrator or treasurer of a recall committee may report a change
15 in the committee's registration statement.

16 **11.0804 Reporting.** (1) CONTRIBUTIONS AND DISBURSEMENTS. (a) Each recall
17 committee shall make full reports, upon a form prescribed by the board and certified
18 as required under s. 11.0103 (3) (c), of all contributions received, disbursements
19 made, and obligations incurred by the committee. The recall committee shall include
20 in each report the following information, covering the period since the last date
21 covered on the previous report:

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

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

4 3. The name of the principal place of employment, if any, of each individual
5 contributor whose cumulative contributions to the recall committee for the calendar
6 year are in excess of \$200.

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

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

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

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

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

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

20 c. The date and amount of the loan.

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

22 e. The original amount guaranteed by each guarantor.

23 f. The balance of the amount guaranteed by each guarantor at the end of the
24 reporting period.

1 (d) Candidates for court of appeals judge in districts which contain a county
2 having a population of more than 500,000, \$6,000.

3 (e) Candidates for court of appeals judge in other districts, \$5,000.

4 (f) Candidates for circuit judge in circuits having a population of more than
5 300,000, or candidates for district attorney in prosecutorial units having a
6 population of more than 300,000, \$6,000.

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

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

10 1. Five hundred dollars.

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

14 **(2) CANDIDATE COMMITTEES.** A candidate committee may contribute to another
15 candidate committee no more than the following amounts specified for the candidate
16 whose nomination or election the committee supports [See Figure 11.0901 following]:

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

19 (b) Candidates for state senator, \$2,000.

20 (c) Candidates for representative to the assembly, \$1,000.

21 (d) Candidates for court of appeals judge in districts which contain a county
22 having a population of more than 500,000, \$6,000.

23 (e) Candidates for court of appeals judge in other districts, \$5,000.

1 (f) Candidates for circuit judge in circuits having a population of more than
2 300,000, or candidates for district attorney in prosecutorial units having a
3 population of more than 300,000, \$6,000.

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

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

7 1. Five hundred dollars.

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

11 **(3) POLITICAL ACTION COMMITTEES.** A political action committee may contribute
12 to a candidate committee no more than the following amounts specified for the
13 candidate whose nomination or election the committee supports [See Figure 11.0901
14 following]:

15 (a) Candidates for governor, \$86,000.

16 (b) Candidates for lieutenant governor, \$26,000.

17 (c) Candidates for attorney general, \$44,000.

18 (d) Candidates for secretary of state, state treasurer, state superintendent, or
19 justice, \$18,000.

20 (e) Candidates for state senator, \$2,000.

21 (f) Candidates for representative to the assembly, \$1,000.

22 (g) Candidates for court of appeals judge in districts which contain a county
23 having a population of more than 500,000, \$6,000.

24 (h) Candidates for court of appeals judge in other districts, \$5,000.

1 (i) Candidates for circuit judge in circuits having a population of more than
2 300,000, or candidates for district attorney in prosecutorial units having a
3 population of more than 300,000, \$6,000.

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

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

7 1. Four hundred dollars.

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

11 (4) OTHER ENTITIES. A domestic corporation, an association organized under ch.
12 185 or 193, or a federally recognized American Indian tribe or band located in this
13 state may contribute to a political action committee that indicates a purpose under
14 s. 11.0503 (1m) (a) 2. or 3. no more than the following amounts specified for the
15 candidate whose nomination or election the committee supports [See Figure 11.0901
16 following]:

17 (a) Candidates for governor, \$86,000.

18 (b) Candidates for lieutenant governor, \$26,000.

19 (c) Candidates for attorney general, \$44,000.

20 (d) Candidates for secretary of state, state treasurer, state superintendent, or
21 justice, \$18,000.

22 (e) Candidates for state senator, \$2,000.

23 (f) Candidates for representative to the assembly, \$1,000.

24 (g) Candidates for court of appeals judge in districts which contain a county
25 having a population of more than 500,000, \$6,000.

1 (h) Candidates for court of appeals judge in other districts, \$5,000.

2 (i) Candidates for circuit judge in circuits having a population of more than
3 300,000, or candidates for district attorney in prosecutorial units having a
4 population of more than 300,000, \$6,000.

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

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

8 1. Four hundred dollars.

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

12 **Figure 11.0901:**

	INDIVIDUAL CONTRIBUTORS	CANDIDATE COMMITTEE CONTRIBUTORS	POLITICAL ACTION COMMIT- TEE CONTRIBU- TORS	OTHER ENTITY CONTRIBUTORS
GOVERNOR	\$20,000	\$20,000	\$86,000	\$86,000
LT. GOVERNOR	\$20,000	\$20,000	\$26,000	\$26,000
SECRETARY OF STATE	\$20,000	\$20,000	\$18,000	\$18,000
STATE TREA- SURER	\$20,000	\$20,000	\$18,000	\$18,000
ATTORNEY GEN- ERAL	\$20,000	\$20,000	\$44,000	\$44,000
STATE SUPERIN- TENDENT	\$20,000	\$20,000	\$18,000	\$18,000
JUSTICE	\$20,000	\$20,000	\$18,000	\$18,000
STATE SENATOR	\$2,000	\$2,000	\$2,000	\$2,000
ASSEMBLY REP- RESENTATIVE	\$1,000	\$1,000	\$1,000	\$1,000

APPEALS JUDGE – POPULOUS DIS- TRICTS	\$6,000	\$6,000	\$6,000	\$6,000
APPEALS JUDGE – OTHER DIS- TRICTS	\$5,000	\$5,000	\$5,000	\$5,000
CIRCUIT JUDGE – POPULOUS AREA	\$6,000	\$6,000	\$6,000	\$6,000
DISTRICT ATTORNEY – POPULOUS AREA	\$6,000	\$6,000	\$6,000	\$6,000
CIRCUIT JUDGE – OTHER AREA	\$2,000	\$2,000	\$2,000	\$2,000
DISTRICT ATTORNEY – OTHER AREA	\$2,000	\$2,000	\$2,000	\$2,000
LOCAL OFFICES	GREATER OF \$500 OR 2 CENTS TIMES THE POPU- LATION, BUT NOT MORE THAN \$6,000	GREATER OF \$500. OR 2 CENTS TIMES THE POPU- LATION, BUT NOT MORE THAN \$6,000	GREATER OF \$400 OR 2 CENTS TIMES THE POPU- LATION, BUT NOT MORE THAN \$5,000	GREATER OF \$400 OR 2 CENTS TIMES THE POPU- LATION, BUT NOT MORE THAN \$5,000

1 **11.09015 Contribution limit adjustment.** Beginning on January 1, 2021,
2 and on January 1 every 5 years thereafter, the board shall modify the dollar amounts
3 under s. 11.0901 (1) to (4), rounded to the nearest multiple of \$25, to adjust for the
4 change in the consumer price index, all items. U.S. city average, published by the
5 federal Department of Labor for the preceding 5–year period ending on December 31.

6 **11.0902 Applicable periods. (1)** For an individual who is a candidate for an
7 office that the individual holds, the limits under s. 11.0901 (1) to (4) apply during the
8 term of that office.

9 **(2)** For an individual who is a candidate for an office that the individual does
10 not hold, the limits under s. 11.0901 (1) to (4) apply during the period beginning on
11 the date on which the individual becomes a candidate under s. 11.0101 (1) (a) and
12 ending on July 1 for a candidate at a spring primary or spring election, January 1

1 for a candidate at a partisan primary or general election, and 60 days after a special
2 election for a candidate at a special election.

3 **11.0903 Exceptions.** Except as provided in subs. (3) (b) and (4) (b), the
4 following contributions may be made in unlimited amounts:

5 (1) Contributions to a political action committee.

6 (2) Contributions transferred between political action committees.

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

9 (b) A political action committee may contribute no more than \$12,000 in any
10 calendar year to a legislative campaign committee.

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

12 (b) A political action committee may contribute no more than \$12,000 in any
13 calendar year to a political party.

14 (5) Contributions made by a political party or legislative campaign committee
15 to a candidate committee.

16 (6) Contributions paid to a segregated fund established and administered by
17 a political party or legislative campaign committee for purposes other than making
18 contributions to a candidate committee.

19 (7) Contributions that a candidate makes to his or her candidate committee
20 from the candidate's personal funds or property or the personal funds or property
21 that are owned jointly or as marital property with the candidate's spouse.

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

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

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

5 (11) Contributions to a recall committee.

6 (12) Contributions to a referendum committee.

7 **11.0904 Valuation.** (1) Except as provided in s. 11.0908, for purposes of
8 complying with a contribution limit under this section, the value of a contribution of
9 any tangible or intangible item, other than money, is the item's fair market value at
10 the time that the individual or committee made the contribution.

11 (2) Except as provided in s. 11.0908, for purposes of complying with a
12 contribution limit under this section, the value of a contribution of a service is the
13 fair market value of the service at the time that the individual or committee made
14 the contribution.

15 **11.0905 Conduit contributions.** (1) For purposes of this chapter, a
16 contribution released by a conduit to a committee is to be reported by the committee
17 as a contribution from the individual who made the contribution and not as a
18 contribution from the conduit.

19 (2) A contribution of money received from a conduit, accompanied by the
20 information required under s. 11.0605 (3), is considered to be a contribution from the
21 original contributor.

22 (3) Each filing officer shall place a copy of any report received under s. 11.0605
23 (3) in the file of the conduit and the file of the transferee.

24 **11.0906 Limitation on cash contributions.** Every contribution of money
25 exceeding \$100 shall be made by negotiable instrument or evidenced by an itemized

1 credit card receipt bearing on the face the name of the remitter. No committee
2 required to report under this chapter may accept a contribution made in violation of
3 this section. The committee shall promptly return the contribution, or donate it to
4 the common school fund or to a charitable organization in the event that the donor
5 cannot be identified.

6 **11.0907 Return of contributions.** (1) A committee required to report under
7 this chapter may return a contribution at any time before or after it has been
8 deposited.

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

11 (b) A committee that accepts a contribution contrary to law, reports that
12 contribution, and returns that contribution within 15 days after the filing date for
13 the reporting period in which the contribution is received does not violate the
14 contribution limits under s. 11.0901 or source limits under s. 11.0909.

15 **11.0908 Valuation of opinion poll results.** (1) In this section:

16 (a) “Election period” means any of the following:

17 1. The period beginning on December 1 and ending on the date of the spring
18 election.

19 2. The period beginning on May 1 and ending on the date of the general election.

20 3. The period beginning on the first day for circulating nomination papers and
21 ending on the date of a special election.

22 (b) “Initial recipient” means the individual who or committee which
23 commissions a public opinion poll or voter survey.

24 (c) “Results” means computer output or a written or verbal analysis.

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

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

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

18 (4) If the committee receives the opinion poll or voter survey results more than
19 60 days after the initial recipient received the results the committee is not required
20 to report the results as a contribution.

21 (5) If a person contributes opinion poll or voter survey results to more than one
22 committee, the person shall apportion the value of the poll or survey to each
23 committee receiving the results by one of the following methods and shall provide the
24 apportioned values to the committees:

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

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

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

9 1. Divide the number of question results received by each recipient by the total
10 number of question results received by all recipients.

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

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

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

23 **11.0909 Corporations, cooperatives, and tribes.** No foreign or domestic
24 corporation, or association organized under ch. 185 or 193, and no federally
25 recognized American Indian Tribe in this state may make a contribution to a

1 committee, other than a referendum committee, and except as provided under ss.
2 11.0503 (1m) (a) 2. and 3., 11.0901 (4), s. 11.0903 (6).

3 **11.09095 Sole proprietors, partnerships, and limited liability**
4 **companies.** (1) A contribution made to a candidate committee by a sole
5 proprietorship is considered a contribution made by the individual who is the sole
6 proprietor and subject to the individual limits under s. 11.0901 (1).

7 (2) A contribution made to a candidate committee by a partnership is
8 considered a contribution made by each of the contributing partners and subject to
9 the individual limits under s. 11.0901 (1). A partnership that makes a contribution
10 to a candidate committee shall provide to the committee the names of the
11 contributing partners and the amount of the individual contribution made by each
12 partner. For purposes of determining the individual contribution amounts made by
13 each partner, the partnership shall attribute the individual contributions according
14 to each partner's share of the partnership's profits, unless the partners agree to
15 apportion the contribution in a different manner.

16 (2) LIMITED LIABILITY COMPANIES. (a) A contribution made to a candidate
17 committee by a limited liability company treated as a partnership by the federal
18 internal revenue service pursuant to 26 CFR 301.7701-3 is considered a contribution
19 made by each of the contributing members and subject to the individual limits under
20 s. 11.0901 (1). A limited liability company that makes a contribution under this
21 paragraph shall affirm to the candidate committee that it is treated as a partnership
22 for federal tax purposes and eligible to make the contribution. The company shall
23 provide to the committee the names of the contributing members and the amount of
24 the individual contribution made by each member. For purposes of determining the
25 individual contribution amounts made by each member, the company shall attribute

1 the individual contributions according to each member's share of the company's
2 profits, unless the members agree to apportion the contribution in a different
3 manner.

4 (b) A contribution made to a candidate committee by a single-member limited
5 liability company in which the sole member is an individual is considered a
6 contribution made by that individual and subject to the individual limits under s.
7 11.0901 (1). A limited liability company that makes a contribution under this
8 paragraph shall affirm to the candidate committee that it is a single-member limited
9 liability company in which the sole member is an individual and eligible to make the
10 contribution.

11 **11.0910 Two candidate committees.** (1) If a candidate establishes a 2nd
12 candidate committee under s. 11.0202 (2) to pursue a state or local office for which
13 the contribution limit under this subchapter is higher than the contribution limit for
14 the office that the candidate originally sought, the 2nd candidate committee may
15 accept contributions up to the higher limit, but shall take into account the amount
16 of any contributions transferred from the first candidate committee to the 2nd
17 candidate committee to determine whether the 2nd candidate committee has
18 reached or exceeded the higher limits.

19 (2) If a candidate establishes a 2nd candidate committee under s. 11.0202 (2)
20 to pursue a state or local office for which the contribution limit under this subchapter
21 is lower than the contribution limit for the office that the candidate originally sought,
22 the first candidate committee may transfer its contributions to the 2nd candidate
23 committee in an amount not to exceed the contribution limits applicable to the 2nd
24 candidate committee.

1 committee, or political party exercises control over; or engages in substantial
2 discussions or negotiations with the person making the disbursement regarding; any
3 of the following:

4 (1) The communication's content.

5 (2) The communication's timing.

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

7 (4) The number or frequency of communications.

8 **11.1004 Unlawful political contributions.** (1) Subject to sub. (2), no person
9 may, directly or indirectly, make any contribution other than from funds or property
10 belonging to the person. No person may, directly or indirectly, give funds or property
11 to another person for the purpose of making a contribution in other than the person's
12 own name. No person may intentionally accept or receive any contribution made in
13 violation of this subsection.

14 (2) A conduit releasing a contribution of money in the manner prescribed in s.
15 11.0604 does not violate sub. (1).

16 (3) No person may intentionally accept or receive any contribution made in
17 violation of this chapter.

18 **11.1005 Use of government materials by candidates.** (1) (a) Except as
19 provided in sub. (2), no person elected to state or local office who becomes a candidate
20 for national, state, or local office may use public funds for the cost of materials or
21 distribution for 50 or more pieces of substantially identical material distributed
22 after:

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

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

4 3. In the case of a candidate who is nominated at a caucus, the date of the
5 caucus.

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

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

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

14 (a) Answers to communications of constituents.

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

18 (c) Communications between members of the legislature regarding the
19 legislative or deliberative process while the legislature is in session.

20 (d) Communications not exceeding 500 pieces by members of the legislature
21 relating solely to the subject matter of a special session or extraordinary session,
22 made during the period between the date that the session is called or scheduled and
23 14 days after adjournment of the session.

24 **11.1006 Travel by public officers.** (1) No person may use any vehicle or
25 aircraft owned by the state or by any local governmental unit for any trip which is

1 exclusively for the purposes of campaigning to support or oppose any candidate for
2 national, state, or local office, unless use of the vehicle or aircraft is required for
3 purposes of security protection provided by the state or local governmental unit.

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

18 **11.1007 Political solicitation involving public officials and employees**
19 **restricted.** (1) In this section:

20 (a) “Contribution” includes a contribution made for a political purpose.

21 (b) “Political purpose” means for the purpose of influencing the election or
22 nomination for election of an individual to state, local, or national office; for the
23 purpose of influencing the recall from or retention in office of an individual holding
24 a state, local, or national office; for the purpose of payment of a recount at an election,
25 or for the purpose of influencing a particular vote at a referendum.

****NOTE: I modified the definition of political purpose (which otherwise does not appear in this draft) and contribution for this section. See current law ss. 11.01 (16) (intro.) and 11.36 (5). We are using this defined term (“political purpose”) as a placeholder while we come up with a perhaps better term. Are you comfortable with the concept of “political purpose” (that is, the substance of the definition) as it is used in this section and s. 11.1008?

1 **(2)** (a) Except as provided in par. (b) and (c), no person may solicit or receive
2 from any state officer or employee or from any officer or employee of the University
3 of Wisconsin Hospitals and Clinics Authority any contribution or service for any
4 political purpose while the officer or employee is engaged in his or her official duties.

****NOTE: This is (modified) current law s. 11.36 (1). You asked whether this should be moved to chapter 13. I don’t believe moving this section is necessary. You also asked that we amend this section to open a contribution / solicitation window for everyone and not just candidates who are up for election in a year. I’m not clear about this instruction.

5 (b) Paragraph (a) does not apply to a contribution or service solicited or received
6 from a state officer or employee or an officer or employee of the University of
7 Wisconsin Hospitals and Clinics Authority who is on an unpaid leave of absence at
8 the time of the solicitation or receipt.

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

9 (c) An elected state official may solicit and receive services not constituting a
10 contribution from a state officer or employee or an officer or employee of the
11 University of Wisconsin Hospitals and Clinics Authority with respect to a
12 referendum only. Agreement to perform services authorized under this subsection
13 may not be a condition of employment for any such officer or employee.

14 **(3)** No person may solicit or receive from any officer or employee of a political
15 subdivision of this state any contribution or service for any political purpose during
16 established hours of employment or while the officer or employee is engaged in his
17 or her official duties.

18 **(4)** Every person who has charge or control in a building, office, or room
19 occupied for any purpose by this state, by any political subdivision thereof, or by the

1 University of Wisconsin Hospitals and Clinics Authority shall prohibit the entry of
2 any person into that building, office, or room for the purpose of making or receiving
3 a contribution.

4 (5) No person may enter or remain in any building, office, or room occupied for
5 any purpose by the state, by any political subdivision thereof or by the University of
6 Wisconsin Hospitals and Clinics Authority or send or direct a letter or other notice
7 thereto for the purpose of requesting or collecting a contribution.

8 (6) This section does not apply to a response by a legal custodian or subordinate
9 of the custodian to a request to locate, reproduce, or inspect a record under s. 19.35
10 if the request is processed in the same manner as the custodian or subordinate
11 responds to other requests to locate, reproduce, or inspect a record under s. 19.35.

12 **11.1008 Unlawful political disbursements and obligations.** (1) In this
13 section, political purpose has the meaning given in s. 11.1007 (1) (b).

14 (2) No person may intentionally receive or accept anything of value, or any
15 promise or pledge thereof, constituting a disbursement made or obligation incurred
16 for political purposes contrary to law.

17 (3) (a) Except as provided in pars. (b) and (c), no committee may make or
18 authorize a disbursement or the incurrence of an obligation from moneys solicited
19 for a political purpose for a purpose which is other than a political purpose.

20 (b) A committee may accept contributions and make disbursements from a
21 campaign depository account for any of the following:

22 1. For the purpose of making disbursements in connection with a campaign for
23 national office.

24 2. For payment of civil penalties incurred by the committee under this chapter
25 but not under any other chapter.

1 (b) A person required to report under this section shall submit statements to
2 the board providing all of the following information:

3 1. The dates on which the person made the disbursements.

4 2. The name and address of the persons who received the disbursements.

5 3. The purpose for making the disbursements.

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

7 5. The name of any candidate affected by the disbursement, the office that the
8 candidate seeks, and whether the express advocacy supports or opposes that
9 candidate.

10 6. An affirmation, made under oath, that the person will comply with the
11 prohibition on coordination under s. 11.1003 with respect to any candidate or agent
12 or candidate committee who is supported or opposed by the express advocacy.

13 7. The name and mailing and street address of the person's designated agent
14 in this state.

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

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

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

22 **(2) EXCEPTION.** A person who is required to report under this section is not
23 required to submit the information described under sub. (1) (b) regarding
24 disbursements made before reaching the \$5,000 threshold under sub. (1) (a). For

1 purposes of this section, a disbursement for express advocacy is the amount spent
2 directly on developing, producing, and disseminating the express advocacy.

3 (3) TIMING. A person who is required to report under this section shall submit
4 the report to the board no later than 48 hours after making the disbursements.

5 **11.1102 Defense fund authorized.** (1) Any candidate or public official who
6 is being investigated for, charged with, or convicted of a criminal violation of this
7 chapter or ch. 12, or whose agent is so investigated, charged, or convicted, may
8 establish a defense fund for disbursements supporting or defending the candidate,
9 official, or agent, or any dependent of the candidate, official, or agent, while that
10 person is being investigated for, or while the person is charged with or convicted of
11 a criminal violation of this chapter or ch. 12.

12 (2) No person may use a contribution received from a contributor to a candidate
13 committee fund for a purpose for which a defense fund is authorized under sub. (1)
14 unless the person obtains the contributor's authorization. Notwithstanding s.
15 11.1008 (3) (a), any contributor may authorize the transfer of all or part of a
16 contribution from a campaign fund to a defense fund.

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

17 **11.1103 Donations to charitable organizations or school fund.** Any
18 committee may make a donation to a charitable organization or the common school
19 fund from the committee's depository account. No later than 5 days after a committee
20 makes a donation to a charitable organization or the common school fund from the
21 committee's depository account, the committee shall notify the committee's filing
22 officer in writing of the name of the donee and the date of the donation, and shall

1 provide an explanation for not retaining the amount donated in the committee's
2 depository account.

3 **11.1104 Attribution of political contributions, disbursements and**
4 **communications.** (1) No disbursement may be made anonymously and no
5 contribution or disbursement may be made in a fictitious name or by one person or
6 organization in the name of another.

7 (2) (a) Every printed advertisement, billboard, handbill, sample ballot,
8 television or radio advertisement, or other communication which is paid for by any
9 contribution or disbursement shall clearly identify its source.

10 (b) Every communication described under par. (a) the cost of which is paid for
11 or reimbursed by a committee, or for which a committee assumes responsibility,
12 whether by accepting a contribution or making a disbursement, shall identify its
13 source by the words "Paid for by" followed by the name of the committee making the
14 payment or reimbursement or assuming responsibility for the communication and
15 may include the name of the treasurer or other authorized agent of the committee.

16 (c) Every communication described under par. (a) that is directly paid for or
17 reimbursed by an individual, including a candidate who is serving as his or her own
18 candidate committee treasurer, or for which an individual assumes responsibility,
19 whether by accepting a contribution or making a disbursement, shall identify its
20 source by the words "Paid for by" followed by the name of the candidate or other
21 individual making the payment or reimbursement or assuming responsibility for the
22 communication.

23 (d) In addition to the requirements of pars. (a) to (c), a person required to submit
24 an affirmation under oath, as provided under s. 11.0505 (1) (b) 6. or s. 11.1101 (1) (b)
25 6. shall also include the words "Not authorized by any candidate or candidate's agent

1 or committee” in every communication supporting or opposing any clearly identified
2 candidate.

3 (e) Communications under this section by a candidate committee may identify
4 the name of the candidate committee, except as provided in par. (b) 2. and except that
5 no abbreviation may be used to identify the committee.

6 (em) Each printed advertisement, billboard, handbill, paid television or radio
7 advertisement, or other communication made for the purpose of influencing the
8 recall from or retention in office of an individual holding a state or local office shall
9 clearly identify its source in the manner prescribed in pars. (b) and (c).

10 (f) This subsection does not apply to communications printed on small items
11 on which the information required by this subsection cannot be conveniently printed.
12 The board may, by rule, specify small items to which this subsection shall not apply.

13 (g) The attributions required by this subsection in written communications
14 shall be readable, legible, and readily accessible.

15 (2) Whenever any person receives payment from another person, in cash or
16 in-kind, for the direct or indirect cost of conducting a poll concerning support or
17 opposition to a candidate, political party, or referendum, the person conducting the
18 poll shall, upon request of any person who is polled, disclose the name and address
19 of the person making payment for the poll and, in the case of a committee, the name
20 of the treasurer of the committee making payment.

21 **11.0206 Continuing compliance.** An individual does not cease to be a
22 candidate for purposes of compliance with this chapter or ch. 12 after the date of an
23 election and no candidate or candidate committee is released from any requirement
24 or liability otherwise imposed under this chapter or ch. 12 simply because the
25 election date has passed.