

****NOTE: This is the substantive provision taken from the definition of “candidate” under current law.

1 **11.1105 Duties of the government accountability board.** The board shall:

2 **(1)** Prescribe forms for making the reports, statements, and notices required
3 by this chapter. The board shall make the forms available free of charge on the
4 board’s Internet site and shall distribute or arrange for the distribution of all forms
5 for use by other filing officers.

6 **(2)** Upon request, transmit a form described under sub. (1), free of charge, by
7 facsimile or by 1st class mail.

8 **(3)** (a) Prepare and publish for the use of persons required to file reports and
9 statements under this chapter a manual setting forth simply and concisely
10 recommended uniform methods of bookkeeping and reporting.

11 (b) Prepare, publish, and revise as necessary a manual simply and concisely
12 describing the filing and registration requirements established in this chapter in
13 detail, as well as other major provisions of this chapter and ch. 12.

14 **(4)** Develop a filing, coding, and cross-indexing system consonant with the
15 purposes of this chapter.

16 **(5)** Assign an identification number to each committee for whom the board acts
17 as a filing officer under s. 11.0102 (1) and to each conduit.

18 **(6)** (a) Except as provided in par. (b), require each committee for whom the
19 board serves as filing officer under s. 11.0102 (1) to file each campaign finance report
20 that is required to be filed under this chapter in an electronic format. The board shall
21 permit an authorized individual to provide at the time of filing an electronic
22 signature, as defined in s. 137.11 (8), that is subject to a security procedure, as
23 defined in s. 137.11 (13). A committee that files a report under this subsection in an

1 electronic format may file with the board that portion of the report signed by an
2 authorized individual rather than submit the electronic signature of that individual.
3 The board shall provide complete instructions to any committee that files a report
4 under this subsection.

5 (b) Permit a committee that accepts contributions in a total amount or value
6 of \$1,000 or less during a campaign period to opt out of the requirement to file a
7 campaign finance report in an electronic format as specified in par. (a). In this
8 paragraph, the “campaign period” of a candidate committee begins and ends with the
9 “campaign” of the candidate whose candidacy is supported, as defined in [current law
10 s. 11.26 (17)], and the “campaign period” of any other committee begins on January
11 1 of each odd-numbered year and ends on December 31 of the following year.

****NOTE: Current law s. 11.21 (16) cross references s. 11.26 (17); this subsection governs when a campaign starts and ends. I don't believe this draft includes a comparable provision. Do you want to include something similar to s. 11.26 (17) in this draft? If not, how should I modify the first clause of the last sentence of this paragraph?

12 (7) 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 (8) Maintain a duplicate record of any statement received by a political action
16 committee under s. 11.0505 or by a person under s. 11.1101 together with the record
17 of each candidate to whom it relates.

18 (9) Determine whether each report or statement required to be filed under this
19 chapter has been filed in the form and by the time prescribed by law, and whether
20 it conforms on its face to the requirements of this chapter.

21 (10) Immediately send to any committee or conduit which is delinquent in
22 filing, or which has filed otherwise than in the proper form, a notice that the
23 committee or conduit has failed to comply with this chapter. Whenever a candidate

1 committee has appointed an individual other than the candidate as campaign
2 treasurer, the board shall send the notice to both the candidate and the treasurer of
3 the candidate committee.

4 (11) Receive and maintain in an orderly manner all reports and statements
5 required to be filed with the state under the federal election campaign act. The board
6 shall:

7 (a) Preserve such reports and statements for a period of 6 years from date of
8 receipt.

9 (b) Compile and maintain a current list of all reports and statements pertaining
10 to each candidate who is required to file a report or statement under the federal
11 election campaign act.

12 (c) Promptly compile and release for public inspection a list of all reports
13 received from candidates for national office and from committees supporting or
14 opposing such candidates which are required to be filed with the state under the
15 federal election campaign act, as soon as possible after each deadline for receipt of
16 such reports as provided by federal law.

17 (12) Make the reports and statements filed under this chapter, including those
18 reports and statements filed under sub. (11), available on the board's Internet site
19 for public inspection and copying, commencing as soon as practicable but not later
20 than the end of the 2nd day following the day during which they are received.

21 (13) Upon the request of any person, permit copying of any report or statement
22 described under sub. (12) by hand or by duplicating machine at cost. No person may
23 sell the information copied from the report or statement or utilize the information
24 for the purpose of soliciting contributions from individuals identified in the report
25 or statement or for any commercial purpose.

1 or one percent of the annual salary of the office for which the candidate is being
2 supported or opposed, whichever is greater, for each day of delinquency.

3 (3) Notwithstanding sub. (1), any person who makes any contribution in
4 violation of this chapter may be required to forfeit treble the amount of the
5 contribution or portion of that contribution which is illegally contributed.

6 (4) Notwithstanding sub. (1), any person who violates s. 11.0102 (3) or 11.1008
7 shall forfeit \$10 for each person who is solicited, but not more than \$1,000 for each
8 report from which persons are solicited, in violation of s. 11.0102 (3) or 11.1008.

9 (5) Notwithstanding sub. (1), any person who is subject to a requirement to pay
10 a filing fee under s. 11.0102 and who fails to pay that fee within the time prescribed
11 in that section shall forfeit \$500 plus treble the amount of the fee payable by that
12 person.

13 (6) Except as otherwise provided in ss. 5.05 (2m) (c) 15. and 16. and (h), 5.08,
14 and 5.081, actions under this section may be brought by the board or, upon the board's
15 determination of probable cause, by the district attorney for the county where the
16 defendant resides or, if the defendant is a nonresident, by the district attorney for the
17 county where the violation is alleged to have occurred. For purposes of this
18 subsection, a person other than an individual resides within a county if the person's
19 principal place of operation is located within that county.

20 (7) Any elector may file a verified petition with the board requesting that civil
21 action under this chapter be brought against any person or committee. The petition
22 shall allege such facts as are within the knowledge of the petitioner to show probable
23 cause that a violation of this chapter has occurred.

1 (8) When a candidate committee treasurer or candidate's agent incurs an
2 obligation or makes a disbursement, that action by the treasurer or agent is imputed
3 to the candidate for purposes of civil liability under this subchapter.

4 (9) In civil actions under this chapter the acts of every member of a candidate
5 committee are presumed to be with the candidate's knowledge or approval until
6 clearly proven otherwise.

7 **11.1201 Criminal penalties; prosecution.** (1) (a) Whoever intentionally
8 violates s. 11.1004 or any registration or reporting requirement under this chapter
9 is guilty of a Class I felony.

10 (b) Whoever intentionally violates subch. IX or s. 11.1001, 11.1008, or 11.1104
11 is guilty of a Class I felony if the intentional violation does not involve a specific figure
12 or if the intentional violation concerns a figure which exceeds \$100 in amount or
13 value.

14 (c) Whoever intentionally violates any of the following may be fined not more
15 than \$1,000 or imprisoned not more than 6 months or both:

- 16 1. Any provision of this chapter other than those provided in par. (a).
- 17 2. Any provision under par. (b) if the violation concerns a specific amount or
18 value not exceeding \$100.

19 (2) Except as otherwise provided in ss. 5.05 (2m) (c) 15. and 16. and (i), 5.08,
20 and 5.081, and only after the board has determined probable cause, all prosecutions
21 under this section shall be conducted by the district attorney for the county where
22 the defendant resides or, if the defendant is a nonresident, by the district attorney
23 for the county where the violation is alleged to have occurred. For purposes of this
24 subsection, a person other than a individual resides within a county if the person's
25 principal place of operation is located within that county.

1 **(3)** (a) If a successful candidate for public office, other than a candidate for the
2 legislature, is adjudged guilty in a criminal action of any violation of this chapter
3 under sub. (1) (a) or (b), or of any violation of ch. 12 under s. 12.60 (1) (a) committed
4 during his or her candidacy, the court shall after entering judgment enter a
5 supplemental judgment declaring a forfeiture of the candidate's right to office. The
6 supplemental judgment shall be transmitted to the officer or agency authorized to
7 issue the certificate of nomination or election to the office for which the person
8 convicted is a candidate. If the candidate's term has not yet begun, the candidate
9 shall not take office. If the candidate's term has begun, the office shall become
10 vacant. The office shall then be filled in the manner provided by law.

11 (b) If a successful candidate for the legislature is adjudged guilty in a criminal
12 action of any violation of this chapter under sub. (1) (a) or (b), or of any violation of
13 ch. 12 under s. 12.60 (1) (a) committed during his or her candidacy, the court shall
14 after entering judgment certify its findings to the presiding officer of the house of the
15 legislature to which the candidate was elected.

16 **SECTION 25.** 12.07 (4) of the statutes is amended to read:

17 12.07 (4) No person may, directly or indirectly, cause any person to make a
18 contribution or provide any service or other thing of value to or for the benefit of a
19 ~~candidate, political party or registrant~~ committee registered under s. ~~11.05~~ chapter
20 11, with the purpose of influencing the election or nomination of a candidate to
21 national, state or local office or the passage or defeat of a referendum by means of the
22 denial or the threat of denial of any employment, position, work or promotion, or any
23 compensation or other benefit of such employment, position or work, or by means of
24 discharge, demotion or disciplinary action or the threat to impose a discharge,
25 demotion or disciplinary action. This subsection does not apply to employment by

1 a candidate, ~~political party or other registrant~~ committee registered under s. ~~11.05~~
2 chapter 11 in connection with a campaign or political party activities.

3 **SECTION 26.** 12.08 of the statutes is amended to read:

4 **12.08 Denial of government benefits.** No person may, directly or indirectly,
5 cause any person to make a contribution or provide any service or other thing of value
6 to or for the benefit of a ~~candidate, political party or registrant~~ committee registered
7 under s. ~~11.05~~ chapter 11, with the purpose of influencing the election or nomination
8 of a candidate to national, state, or local office or the passage or defeat of a
9 referendum by means of the denial or threat of denial of any payment or other benefit
10 of a program established or funded in whole or in part by this state or any local
11 governmental unit of this state, or a program which has applied for funding by this
12 state or any local governmental unit of this state.

13 **SECTION 27.** 12.13 (3) (h) of the statutes is amended to read:

14 12.13 (3) (h) Deface, destroy or remove any legally placed election campaign
15 advertising poster with intent to disrupt the campaign advertising efforts of any
16 ~~candidate, or of any committee, group or individual~~ committee registered under ch.
17 11, or alter the information printed thereon so as to change the meaning thereof to
18 the disadvantage of the candidate or cause espoused. Nothing in this paragraph
19 restricts the right of any owner or occupant of any real property, or the owner or
20 operator of any motor vehicle, to remove campaign advertising posters from such
21 property or vehicle.

22 **SECTION 28.** 12.60 (4) of the statutes is amended to read:

23 12.60 (4) Prosecutions under this chapter shall be conducted in accordance
24 with s. ~~11.61~~ 11.1201 (2).

25 **SECTION 29.** 13.62 (5g) of the statutes is amended to read:

1 13.62 (5g) “Candidate” has the meaning given under s. ~~11.01 (1)~~ 11.0101 (1).

2 **SECTION 30.** 13.62 (5j) of the statutes is created to read:

3 13.62 (5j) “Candidate committee” has the meaning given in s. 11.0101 (2).

4 **SECTION 31.** 13.62 (5r) of the statutes is amended to read:

5 13.62 (5r) “Communications media” has the meaning given under s. ~~11.01 (5)~~
6 means newspapers, periodicals, commercial billboards and radio and television
7 stations, including community antenna television stations.

8 **SECTION 32.** 13.62 (5u) of the statutes is created to read:

9 13.62 (5u) “Contribution” has the meaning given in s. 11.0101 (8).

10 **SECTION 33.** 13.62 (11t) of the statutes is repealed.

11 **SECTION 34.** 13.625 (1) (b) (intro.) of the statutes is amended to read:

12 13.625 (1) (b) (intro.) ~~Furnish~~ Give to any agency official or legislative employee
13 of the state or to any elective state official or candidate for an elective state office, or
14 to the ~~official’s, employee’s or candidate’s personal campaign~~ candidate committee of
15 the official, employee, or candidate:

16 **SECTION 35.** 13.625 (1) (b) 3. of the statutes is amended to read:

17 13.625 (1) (b) 3. Food, meals, beverages, money or any other thing of pecuniary
18 value, except that a lobbyist may make a ~~campaign~~ contribution to a partisan elective
19 state official or candidate for national, state or local office or to the ~~official’s or~~
20 ~~candidate’s personal campaign~~ candidate committee of the official or candidate; but
21 a lobbyist may make a contribution to which ~~par. (e)~~ sub. (1m) applies only as
22 authorized in ~~par. (e)~~ sub. (1m).

23 **SECTION 36.** 13.625 (1) (c) (intro.) of the statutes is renumbered 13.625 (1m) (a)
24 (intro.) and amended to read:

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

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

6 2. ~~Make a personal contribution to a candidate for a partisan elective state~~
7 ~~office to be filled at the general election or a special election; or,~~

8 3. ~~Make a personal contribution to the official's or candidate's personal~~
9 ~~campaign candidate committee of a partisan elective state official or candidate for~~
10 ~~partisan state elective office.~~

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

****NOTE: This section addresses the "window for contributions" question.

17 **SECTION 37.** 13.625 (1) (c) 1. of the statutes is renumbered 13.625 (1m) (b) 1.
18 and amended to read:

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

22 **SECTION 38.** 13.625 (1) (c) 2. of the statutes is renumbered 13.625 (1m) (b) 2.
23 and amended to read:

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

4 **SECTION 39.** 13.625 (2) of the statutes is amended to read:

5 13.625 **(2)** No principal may engage in the practices prohibited under sub- ~~subs.~~
6 (1) (b) and ~~(e)~~ **(1m)**. This subsection does not apply to the furnishing of
7 transportation, lodging, food, meals, beverages, or any other thing of pecuniary value
8 which is also made available to the general public.

9 **SECTION 40.** 13.625 (3) of the statutes is amended to read:

10 13.625 **(3)** No candidate for an elective state office, elective state official, agency
11 official, or legislative employee of the state may solicit or accept anything of
12 pecuniary value from a lobbyist or principal, except as permitted under subs. (1) (b)
13 3. ~~and (e)~~, **(1m)**, (2), (4), (5), (6), (7), (8) and (9). No ~~personal campaign candidate~~
14 committee of a candidate for state office may accept anything of pecuniary value from
15 a lobbyist or principal, except as permitted for such a candidate under subs. (1) (b)
16 3. ~~and (e)~~, **(1m)**, (2), and (6).

17 **SECTION 41.** 13.625 (6r) of the statutes is amended to read:

18 13.625 **(6r)** Subsections (1) (b) ~~and (e)~~, **(1m)**, and (3) do not apply to the
19 furnishing of anything of pecuniary value by a lobbyist or principal to an employee
20 of that lobbyist or principal who is a legislative official or an agency official solely
21 because of membership on a state commission, board, council, committee or similar
22 body if the thing of pecuniary value is not in excess of that customarily provided by
23 the employer to similarly situated employees and if the legislative official or agency
24 official receives no compensation for his or her services other than a per diem or
25 reimbursement for actual and necessary expenses incurred in the performance of his

1 or her duties, nor to the receipt of anything of pecuniary value by that legislative
2 official or agency official under those circumstances.

3 **SECTION 42.** 13.69 (6) of the statutes is amended to read:

4 13.69 (6) Any candidate for an elective state office, elective state official, agency
5 official, or legislative employee of the state who, or any personal campaign candidate
6 committee which, violates s. 13.625 (3) may be required to forfeit not more than
7 \$1,000.

8 **SECTION 43.** 13.695 (4) of the statutes is amended to read:

9 13.695 (4) No officer or employee of an agency who is identified in a statement
10 filed under this section may engage in the prohibited practices set forth in s. 13.625
11 (1) (a) or (d), or use state funds to engage in the practices set forth in s. 13.625 (1) (b)
12 or to make ~~campaign contributions as defined in s. 11.01 (6)~~ a contribution. This
13 subsection does not prohibit an agency official who is identified in a statement filed
14 under this section from authorizing salaries and other payments authorized by law
15 to be paid to state officers, employees, consultants, or contractors, or candidates for
16 state office, or from authorizing property or services of the agency to be provided for
17 official purposes or other purposes authorized by law, whenever that action is taken
18 in the normal course of affairs.

19 **SECTION 44.** 13.75 (intro.) of the statutes is renumbered 13.75 (1g) (intro.).

20 **SECTION 45.** 13.75 (1r) of the statutes is created to read:

21 13.75 (1r) The board may accept payment under this section by credit card,
22 debit card, or other electronic payment mechanism, and may charge a surcharge to
23 recover the actual cost associated with the acceptance of that electronic payment.

24 **SECTION 46.** 15.60 (5) of the statutes is amended to read:

1 15.60 (5) No member, for one year immediately prior to the date of nomination
2 may have been, or while serving on the board may become, a member of a political
3 party, an officer or member of a committee in any partisan political club or
4 organization, or an officer or employee of a registrant committee registered under s.
5 11.05 ch. 11.

6 **SECTION 47.** 15.60 (6) of the statutes is amended to read:

7 15.60 (6) No member, while serving on the board, may become a candidate, as
8 defined in s. ~~11.01(1)~~ 11.0101 (1), for state office or local office, as defined in s. 5.02.

9 **SECTION 48.** 15.60 (7) of the statutes is amended to read:

10 15.60 (7) No member, while serving on the board, may make a contribution, as
11 defined in s. ~~11.01(6)~~ 11.0101 (8), to a candidate, as defined in s. ~~11.01(1)~~ 11.0101
12 (1), for state office or local office, as defined in s. 5.02. No individual who serves as
13 a member of the board, for 12 months prior to beginning that service, may have made
14 a contribution, as defined in s. ~~11.01(6)~~ 11.0101 (8), to a candidate for a partisan state
15 or local office, as defined in s. 5.02.

16 **SECTION 49.** 15.79 (2) (b) of the statutes is amended to read:

17 15.79 (2) (b) Directly or indirectly solicit or receive any contribution, as defined
18 in s. ~~11.01(6)~~, for any political purpose, as defined in s. ~~11.01(16)~~ 11.0101 (8), from
19 any person within or outside of the state.

20 **SECTION 50.** 19.42 (3m) of the statutes is amended to read:

21 19.42 (3m) “Candidate,” except as otherwise provided, has the meaning given
22 in s. ~~11.01(1)~~ 11.0101 (1).

23 **SECTION 51.** 19.45 (13) of the statutes is amended to read:

24 19.45 (13) No state public official or candidate for state public office may,
25 directly or by means of an agent, give, or offer or promise to give, or withhold, or offer

1 or promise to withhold, his or her vote or influence, or promise to take or refrain from
2 taking official action with respect to any proposed or pending matter in consideration
3 of, or upon condition that, any other person make or refrain from making a political
4 contribution, or provide or refrain from providing any service or other thing of value,
5 to or for the benefit of a candidate, a political party, any person who is subject to a
6 ~~registration requirement~~ committee registered under ~~s. 11.05~~ ch. 11, or any person
7 making a communication that contains a reference to a clearly identified state public
8 official holding an elective office or to a candidate for state public office.

9 **SECTION 52.** 19.579 (1) of the statutes is amended to read:

10 19.579 (1) Except as provided in sub. (2), any person who violates this
11 subchapter may be required to forfeit not more than \$500 for each violation of s.
12 19.43, 19.44, or 19.56 (2) or not more than \$5,000 for each violation of any other
13 provision of this subchapter. If the court determines that the accused has realized
14 economic gain as a result of the violation, the court may, in addition, order the
15 accused to forfeit the amount gained as a result of the violation. In addition, if the
16 court determines that a state public official has violated s. 19.45 (13), the court may
17 order the official to forfeit an amount equal to the amount or value of any political
18 contribution, service, or other thing of value that was wrongfully obtained. If the
19 court determines that a state public official has violated s. 19.45 (13) and no political
20 contribution, service, or other thing of value was obtained, the court may order the
21 official to forfeit an amount equal to the maximum contribution authorized under s.
22 ~~11.26~~ 11.0901 (1) for the office held or sought by the official, whichever amount is
23 greater. The attorney general, when so requested by the board, shall institute
24 proceedings to recover any forfeiture incurred under this section which is not paid
25 by the person against whom it is assessed.

1 **SECTION 53.** 19.59 (1) (br) of the statutes is amended to read:

2 19.59 (1) (br) No local public official or candidate for local public office may,
3 directly or by means of an agent, give, or offer or promise to give, or withhold, or offer
4 or promise to withhold, his or her vote or influence, or promise to take or refrain from
5 taking official action with respect to any proposed or pending matter in consideration
6 of, or upon condition that, any other person make or refrain from making a political
7 contribution, or provide or refrain from providing any service or other thing of value,
8 to or for the benefit of a candidate, a political party, any person who is subject to a
9 registration requirement committee registered under s. ~~11.05~~ ch. 11, or any person
10 making a communication that contains a reference to a clearly identified local public
11 official holding an elective office or to a candidate for local public office.

12 **SECTION 54.** 19.59 (7) (b) of the statutes is amended to read:

13 19.59 (7) (b) Any person who violates sub. (1) may be required to forfeit not
14 more than \$1,000 for each violation, and, if the court determines that a local public
15 official has violated sub. (1) (br) and no political contribution, service or other thing
16 of value was obtained, the court may, in addition, order the accused to forfeit an
17 amount equal to the maximum contribution authorized under s. ~~11.26~~ 11.0901 (1) for
18 the office held or sought by the official, whichever amount is greater.

19 **SECTION 55.** 20.511 (1) (a) of the statutes is amended to read:

20 20.511 (1) (a) *General program operations; general purpose revenue.*
21 Biennially, the amounts in the schedule for general program operations of the board,
22 including the printing of forms, materials, manuals, and election laws under ss. 7.08
23 (1) (b), (3), and (4) and ~~11.21~~ 11.1106 (3) and (14), and the training of election officials
24 under s. 5.05 (7).

25 **SECTION 56.** 20.511 (1) (i) of the statutes is amended to read:

1 20.511 (1) (i) *Elections administration; program revenue.* The amounts in the
2 schedule for the administration of chs. 5 to 12. All moneys received from fees imposed
3 under s. ~~11.055 (1)~~ 11.0102 (2) shall be credited to this appropriation account.

4 **SECTION 57.** 20.511 (1) (j) of the statutes is amended to read:

5 20.511 (1) (j) *Electronic filing software.* All moneys received from registrants
6 who purchase software to be utilized for electronic filing of campaign finance reports
7 under s. ~~11.21 (16)~~ 11.1106 (6), for the purpose of providing that software.

8 **SECTION 58.** 20.855 (6) (h) of the statutes is amended to read:

9 20.855 (6) (h) *Vehicle and aircraft receipts.* The amounts in the schedule for
10 the purpose of subsidizing the cost of operation, maintenance, and depreciation of the
11 vehicles and aircraft. All moneys received by state agencies under ss. ~~11.37~~ 11.1006
12 and 20.916 (7) for political and other personal uses of state-owned vehicles and
13 aircraft shall be credited to this appropriation. The department of administration
14 may transfer moneys from this appropriation to the proper appropriation of any state
15 agency from which state vehicle and aircraft costs are financed.

16 **SECTION 59.** 36.11 (1) (cm) of the statutes is amended to read:

17 36.11 (1) (cm) The board shall promulgate rules under ch. 227 prescribing the
18 times, places, and manner in which political literature may be distributed and
19 political campaigning may be conducted in state-owned residence halls. No such
20 rule may authorize any activity prohibited under s. ~~11.36 (3)~~ or 11.1007 (4) or (5).

21 **SECTION 60.** 111.365 (3) (a) of the statutes is amended to read:

22 111.365 (3) (a) The application of s. ~~11.36~~ 11.1017.

23 **SECTION 61.** 120.06 (6) (b) 5. of the statutes is amended to read:

24 120.06 (6) (b) 5. If a candidate has not filed a registration statement under s.
25 ~~11.05~~ 11.0202 (1) (a) by the time he or she files a declaration of candidacy, the

1 candidate shall file the statement with the declaration. A candidate shall file an
2 amended declaration under oath with the school district clerk in the event of a
3 change in any information provided in the declaration as provided in s. 8.21.

4 **SECTION 62.** 185.03 (10) (e) of the statutes is amended to read:

5 185.03 (10) (e) The cooperative dedicates any funds remaining unclaimed after
6 the date specified in par. (b) to educational purposes, limited to providing
7 scholarships or loans to students, or to charitable purposes, as the board determines,
8 within one year after the date the funds are declared forfeited under par. (a). ~~In this~~
9 ~~paragraph, educational purposes does not include political purposes as defined in s.~~
10 ~~11.01 (16).~~

11 **SECTION 63.** 202.12 (5) (a) 2. of the statutes is amended to read:

12 202.12 (5) (a) 2. A candidate for national, state, or local office or a political party
13 or other committee or group required to file financial information with the federal
14 elections commission or a filing officer under s. ~~11.02~~ 11.0102 (1).

15 **SECTION 64.** 341.14 (6r) (fm) 1. b. of the statutes is amended to read:

16 341.14 (6r) (fm) 1. b. The group or organization is not a ~~political committee, as~~
17 ~~defined in s. 11.01 (4), or a political group, as defined in s. 11.01 (10)~~ 11.0101 (6).

18 **SECTION 65.** 346.94 (16) (b) 2. of the statutes is amended to read:

19 346.94 (16) (b) 2. The operator of a vehicle of a public utility, ~~as defined in s.~~
20 11.40 (1) (a). In this paragraph, public utility means any corporation, company,
21 individual, or association which furnishes products or services to the public, and
22 which is regulated under ch. 195 or 196, including railroads, telecommunications or
23 telegraph companies and any company furnishing or producing heat, light, power or
24 water.

25 **SECTION 66.** 349.135 (2) (b) of the statutes is amended to read:

1 349.135 (2) (b) The operator of a vehicle of a public utility, as defined in s. 11.40
2 (1) (a). In this paragraph, public utility means any corporation, company, individual
3 or association which furnishes products or services to the public, and which is
4 regulated under ch. 195 or 196, including railroads, telecommunications or
5 telegraph companies and any company furnishing or producing heat, light, power or
6 water.

7 **SECTION 67.** 563.907 (3) (b) of the statutes is amended to read:

8 563.907 (3) (b) A political party, as defined in s. 5.02 (13), except a state
9 committee political party registered under s. ~~11.05~~ and organized exclusively for
10 political purposes subch. III of ch. 11 under whose name candidates appear on a
11 ballot at any election.

12 **SECTION 68.** 630.05 (intro.) of the statutes is amended to read:

13 **630.05 Political contributions.** (intro.) Section ~~11.38~~ 11.0909 applies to:

14 **SECTION 69.** 755.01 (4) of the statutes is amended to read:

15 755.01 (4) Two or more cities, towns or villages of this state may enter into an
16 agreement under s. 66.0301 for the joint exercise of the power granted under sub. (1),
17 except that for purposes of this subsection, any agreement under s. 66.0301 shall be
18 effected by the enactment of identical ordinances by each affected city, town or
19 village. Electors of each municipality entering into the agreement shall be eligible
20 to vote for the judge of the municipal court so established. If a municipality enters
21 into an agreement with a municipality that already has a municipal court, the
22 municipalities may provide by ordinance or resolution that the judge for the existing
23 municipal court shall serve as the judge for the joint court until the end of the term
24 or until a special election is held under s. 8.50 (4) (fm). Each municipality shall adopt
25 an ordinance or bylaw under sub. (1) prior to entering into the agreement. The

1 contracting municipalities need not be contiguous and need not all be in the same
2 county. Upon entering into or discontinuing such an agreement, the contracting
3 municipalities shall each transmit a certified copy of the ordinance or bylaw effecting
4 or discontinuing the agreement to the appropriate filing officer under s. ~~11.02 (3e)~~
5 11.0102 (1) (c) and to the director of state courts. When a municipal judge is elected
6 under this subsection, candidates shall be nominated by filing nomination papers
7 under s. 8.10 (6) (bm), and shall register with the filing officer specified in s. ~~11.02~~
8 ~~(3e)~~.

9 **SECTION 70.** 758.13 (3) (g) 1. a. of the statutes is amended to read:

10 758.13 (3) (g) 1. a. “Candidate” has the meaning given in s. ~~11.01~~ 11.0101 (1).

11 **SECTION 71.** 758.13 (3) (g) 1. b. of the statutes is amended to read:

12 758.13 (3) (g) 1. b. “Contribution” has the meaning given in s. ~~11.01 (6)~~ 11.0101
13 (8).

14 **SECTION 72.** 946.11 (2) (b) of the statutes is renumbered 946.11 (2) (b) (intro.)
15 and amended to read:

16 946.11 (2) (b) (intro.) “Privilege” ~~has the meaning designated under s. 11.40;~~
17 means anything of value not available to the general public, but does not include
18 compensation or fringe benefits provided as a result of employment by a public utility
19 to a regular employee or pensioner when the following conditions are satisfied:

20 **SECTION 73.** 946.11 (2) (b) 1. and 2. of the statutes are created to read:

21 946.11 (2) (b) 1. The regular employee or pensioner is not compensated
22 specifically for services performed for a purpose related to the election or nomination
23 for election of an individual to state or local office, the recall from or retention in office
24 of an individual holding a state or local office, or for the purpose of payment of
25 expenses incurred as a result of a recount at an election.

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SUBCHAPTER VI

3

INDEPENDENT EXPENDITURE COMMITTEES

4

11.0601 Registration; treasurer and depositories. (1) Each independent

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expenditure committee required to register under this chapter shall designate a

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treasurer to comply with the registration and reporting requirements under this

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subchapter.

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(2) The treasurer shall ensure that all funds received are deposited in the

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~~political action~~ ^{l.l.} committee depository account.

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(3) No disbursement may be made or obligation incurred by or on behalf of a

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~~political action~~ ^{l.l.} committee without the authorization of the treasurer or a designated agent.

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(4) The treasurer shall maintain the records of the independent expenditure

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committee in an organized and legible manner for not less than 3 years after the date

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of the election in which the independent expenditure committee participates.

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(5) No person may register more than one independent expenditure committee

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under this subchapter, except that a person may register both a independent

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expenditure committee under this subchapter and a political action committee under

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subchapter V.

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11.0602 Registration; timing. (1) Every independent expenditure

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committee that accepts, makes, or incurs contributions, disbursements, or

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obligations to support or oppose a candidate in a calendar year in an aggregate

1 amount in excess of \$5,000 shall file a registration statement giving the information
2 required by s. 11.0603.

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

9 **11.0603 Registration; required information. (1) REQUIRED INFORMATION.**

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

12 (a) The name and mailing address of the independent expenditure 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 independent
19 expenditure committee and of any other institution where funds of the committee are
20 kept.

21 (d) Verification that the independent expenditure committee's major purpose
22 is to make independent expenditures.

23 (e) Verification that all contributions received, disbursements made, and
24 obligations incurred by the independent expenditure committee will be received,
25 made, and incurred for the purpose under par. (d).

1 2. Funds to be used to make independent expenditures and for administrative
2 and other expenses of the independent expenditure committee.

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

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

12 (b) The administrator or treasurer of an independent expenditure committee
13 may report a change in the committee's registration statement.

14 **11.0604 Reporting.** **(1) CONTRIBUTIONS AND DISBURSEMENTS.** (a) Each
15 independent expenditure committee shall make full reports, upon a form prescribed
16 by the board and certified as required under s. 11.0103 (3) (c), of all contributions,
17 disbursements, and obligations received, made, and incurred by the committee. The
18 independent expenditure committee shall include in each report the following
19 information, covering the period since the last date covered on the previous report:

20 1. An itemized statement giving the date, full name, and street address of each
21 person who has made a contribution to the independent expenditure committee,
22 together with 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 independent expenditure committee has made a
25 contribution, together 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 independent expenditure
3 committee for the calendar year are in excess of \$200.

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

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

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

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

- 16 a. The full name and mailing address of the lender.
17 b. A statement of whether the lender is a commercial lending institution.
18 c. The date and amount of the loan.
19 d. The full name and mailing address of each guarantor, if any.
20 e. The original amount guaranteed by each guarantor.
21 f. The balance of the amount guaranteed by each guarantor at the end of the
22 reporting period.

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 independent expenditure committee shall begin each report filed under
11 this chapter with the first contribution received, disbursement made, or obligation
12 incurred during the reporting period.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

24 **11.0605 Reporting; specific express advocacy. (1) DISBURSEMENTS.** (a) An
25 independent expenditure committee spending \$5,000 or more in the aggregate on

1 express advocacy shall submit statements to the board under par. (b) if the express
2 advocacy is made during the period beginning on the day that is 60 days prior to the
3 day of the primary or election involving the candidate identified under par. (b) 5. and
4 ending on the day of the primary or election involving that candidate.

5 (b) An independent expenditure committee required to report under this
6 section shall submit statements to the board providing all of the following
7 information:

- 8 1. The dates on which the committee made the disbursements.
- 9 2. The name and address of the persons who received the disbursements.
- 10 3. The purpose for making the disbursements.
- 11 4. The amount spent for each act of express advocacy.
- 12 5. The name of any candidate affected by the disbursement, the office that the
13 candidate seeks, and whether the express advocacy supports or opposes that
14 candidate.
- 15 6. An affirmation, made under oath, that the independent expenditure
16 committee will comply with the prohibition on coordination under s. 11.1003 with
17 respect to any candidate or agent or candidate committee who is supported or
18 opposed by the express advocacy.
- 19 7. The name and mailing and street address of the independent expenditure
20 committee's designated agent in this state.

21 (2) EXCEPTION. (a) An independent expenditure committee that is required to
22 report under this section is not required to submit the information described under
23 sub. (1) (b) regarding disbursements made before reaching the \$5,000 threshold
24 under sub. (1) (a). For purposes of this section, a disbursement for express advocacy

1 is the amount spent directly on developing, producing, and disseminating the
2 express advocacy.

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

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

7 2. A communication made exclusively between an organization and its
8 members.

9 (3) **TIMING.** An independent expenditure committee that is required to report
10 under this section shall submit the report to the board no later than 48 hours after
11 making the disbursements.

12 (d) **An independent expenditure committee may not make a**
13 **contribution to a committee, other than a referendum committee or an**
14 **other independent expenditure committee.**

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SECTION 1. Nonstatutory provisions.

(1) RULE AND OPINION REVIEW. The government accountability board shall review all of the administrative rules currently in force promulgated by the board and any advisory opinions issued by the board. Beginning on the effective date of this subsection, any administrative rule that the board finds to be inconsistent with this act may not be enforced and any advisory opinion that the board finds to be inconsistent with this act ~~are~~ invalid.

CS