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2015 BILL

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

Wisconsin
Analysis by the Legislative Reference Bureau

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This bill restructures chapter 11 of the statutes, the campaign finance law. The bill also makes the following substantive changes:

REGISTRATION

The bill requires the following entities to register with the Government Accountability Board or a local filing officer before making or accepting a contribution, making a disbursement, or incurring an obligation:

1. Candidate committees.
2. Political parties.
3. Legislative campaign committees.
4. Political action committees.
5. Independent expenditure committees.
6. Conduits.
7. Referendum committees.
8. Recall committees.

or in the case of a conduit an administrator

Each entity that is required to register must appoint a treasurer to comply with the registration and reporting requirements under the bill. A candidate may serve as the treasurer of his or her candidate committee, but the candidate may only accept contributions and make disbursements through his or her committee.

The bill defines a "political action committee" as an entity that has express advocacy as its major purpose, as specified in the committee's organizational documents or as indicated by the committee to the board. A political action committee also makes or accepts contributions or makes disbursements with regard

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* to a state or local office to support or oppose a candidate, candidate committee, legislative campaign committee, political party, or recall committee.

* Under the bill "express advocacy" means communication that contains terms such as the following or their functional equivalents with reference to a clearly identified candidate and that unambiguously relates to the campaign of that candidate:

1. "Vote for".
2. "Elect".
3. "Support".
4. "Cast your ballot for".
5. "Smith for ... (an elective office)".
6. "Vote against".
7. "Defeat".
8. "Reject".
9. "Cast your ballot against".

* The bill defines "independent expenditure committee" as any person, other than an individual, or any permanent or temporary combination of persons unrelated by marriage, formed for the major purpose of making independent expenditures. The bill defines "independent expenditure" as an expenditure for express advocacy that is not made in coordination with a candidate, candidate committee, candidate's agent, legislative campaign committee, or political party committee.

REPORTING

All committees required to register under the bill must file periodic reports with the board. The committees report all contributions, disbursements, and obligations received, made, and incurred by the committee. A conduit reports all contributions released to support or oppose a candidate or committee. Committees and conduits, generally, submit the following reports:

- * 1. A preprimary report. Conduits are not required to submit these reports.
- * 2. A preelection report. Conduits are not required to submit these reports.
3. With regard to a spring primary or spring election, an annual report filed on the 15th day of January, April, July, and October.
4. With regard to other primaries and elections, or for those holding office not up for election, in an odd-numbered year, a report on filed on the 15th day of January, April, July, and October and, in the even numbered year, a report filed on the 15th day of January, April, and July and on the 4th Tuesday in September. fourth

* Under the bill, if a political action committee, an independent expenditure committee, or a person who is not otherwise subject to reporting spends \$5,000 or more in the aggregate on express advocacy during the period beginning 60 days prior to an election and ending on the day of the election, the committee or person must submit a report to the board no later than 48 hours after making the expenditures. The report must provide all of the following

1. The dates on which the committee or person made the expenditures.
2. The names and addresses of the persons who received the expenditures.
3. The purpose for making the expenditures.

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4. The amount spent for each act of express advocacy.
 5. The name of the candidate affected by the expenditures.
 6. An affirmation, made under oath, that the person will comply with the prohibition on coordination, as provided under the bill.
 7. The name and address of the designated agent of the committee or person.
- A person which is not a committee required to register under the bill does not have to register simply because that person reports expenditures for express advocacy made during the 60-day period prior to the election.

CONTRIBUTIONS

The bill doubles the contribution limits under current law applicable to candidates for state or local office. Under the bill, every five years, beginning in 2021, the board will adjust the contribution limits to reflect the percentage change in the consumer price index during the preceding five-year period.

The bill allows the following contributions to be made in unlimited amounts:

1. Contributions to a political action committee.
2. Contributions transferred between political action committees.
3. Contributions to a legislative campaign committee, except that a political action committee may contribute no more than \$12,000 in any calendar year to a legislative campaign committee.
4. Contributions to a political party, except that a political action committee may contribute no more than \$12,000 in any calendar year to a political party.
5. Contributions made by a political party or legislative campaign committee to a candidate committee.
6. Contributions paid to a segregated fund established and administered by a political party or legislative campaign committee for purposes other than making contributions to a candidate committee.
7. Contributions that a candidate makes to his or her candidate committee from the candidate's personal funds.
8. Contributions transferred between the candidates for governor and lieutenant governor of the same political party.
9. Contributions used to pay legal fees and other expenses incurred as a result of a recount.
10. Contributions used to pay legal fees and other expenses incurred in connection with a recall.
11. Contributions to a recall committee.
12. Contributions to a referendum committee.

The bill prohibits corporations, cooperatives, labor organizations, and tribes from contributing to committees, other than independent expenditure committees and referendum committees. The bill also allows corporations, cooperatives, labor organizations, and tribes to contribute to a segregated fund established and administered by a political party or legislative campaign committee for purposes other than making contributions to a candidate committee.

COORDINATION

The bill prohibits a person from making an expenditure for express advocacy that is coordinated with a candidate, candidate committee, candidate's agent,

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and that exceeds the contribution limit or violates the source restrictions established in the bill

legislative campaign committee, or political party. An expenditure for express advocacy is coordinated with such individuals or entities if the individual or entity exercises control over or engages in substantial discussions with the person making the expenditure regarding the content, timing, form, or frequency of the express advocacy.

a coordinated expenditure must be reported by the candidate committee as a contribution

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

1 SECTION 1. 5.02 (13) of the statutes is amended to read:

2 5.02 (13) "Political party" or "party" means a state committee registered under
3 s. 11.05 organized exclusively for political purposes under whose name candidates
4 appear on a ballot at any election, and all county, congressional, legislative, local and
5 other affiliated committees authorized to operate under the same name. For
6 purposes of ch. 11, the term does not include a legislative campaign committee or a
7 committee filing an oath under s. 11.06 (7) has the meaning given in s. 11.0101 (26).

8 SECTION 2. 5.05 (2) of the statutes is amended to read:

9 5.05 (2) AUDITING. In addition to the facial examination of reports and
10 statements required under s. 11.21 (13) 11.1406 (6) (a), the board shall conduct an
11 audit of reports and statements which are required to be filed with it to determine
12 whether violations of ch. 11 have occurred. The board may examine records relating
13 to matters required to be treated in such reports and statements. The board shall
14 make official note in the file of a candidate, committee, group or individual under ch.
15 11, as defined in s. 11.0101 (6), of any error or other discrepancy which the board
16 discovers and shall inform the person submitting the report or statement. The board
17 may not audit reports, statements, or records beyond the 3-year period for which a
18 committee must retain records under ch. 11.

19 SECTION 3. 5.05 (2m) (d) 2. of the statutes is amended to read:

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legislative campaign committee, or political party. An expenditure for express advocacy is coordinated with such individuals or entities if the individual or entity exercises control over or engages in substantial discussions with the person making the expenditure regarding the content, timing, form, or frequency of the express advocacy.

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5 other affiliated committees authorized to operate under the same name. For
6 purposes of ch. 11, the term does not include a legislative campaign committee or a
7 committee filing an oath under s. 11.06 (7) has the meaning given in s. 11.0101 (26).

8 SECTION 2. 5.05 (2) of the statutes is amended to read:

11.1304(9)

9 5.05 (2) AUDITING. In addition to the facial examination of reports and
10 statements required under s. 11.21 (13) 11.1406 (6) (a), the board shall conduct an
11 audit of reports and statements which are required to be filed with it to determine
12 whether violations of ch. 11 have occurred. The board may examine records relating
13 to matters required to be treated in such reports and statements. The board shall
14 make official note in the file of a candidate, committee, group or individual under ch.
15 11, as defined in s. 11.0101 (6), of any error or other discrepancy which the board
16 discovers and shall inform the person submitting the report or statement. The board
17 may not audit reports, statements, or records beyond the 3-year period for which a
18 committee must retain records under ch. 11.

19 SECTION 3. 5.05 (2m) (d) 2. of the statutes is amended to read:

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1 5.05 (2m) (d) 2. No employee of the board, while so employed, may become a
2 candidate, as defined in s. ~~11.01 (1)~~ 11.0101 (1), for a state or partisan local office.
3 No individual who is retained by the board to serve as a special investigator or as
4 special counsel may, while so retained, become a candidate, as defined in s. ~~11.01 (1)~~
5 11.0101 (1), for any state or local office. A filing officer shall decline to accept
6 nomination papers or a declaration of candidacy from any individual who does not
7 qualify to become a candidate under this paragraph.

8 **SECTION 4.** 5.05 (2m) (e) of the statutes is amended to read:

9 5.05 (2m) (e) No individual who serves as an employee of the board and no
10 individual who is retained by the board to serve as a special investigator or a special
11 counsel may, while so employed or retained, make a contribution, ~~as defined in s.~~
12 ~~11.01 (6)~~, to a candidate for state or local office. No individual who serves as an
13 employee of the board and no individual who is retained by the board to serve as a
14 special investigator or as special counsel, for 12 months prior to becoming so
15 employed or retained, may have made a contribution, ~~as defined in s. 11.01 (6)~~, to a
16 candidate for a partisan state or local office. In this paragraph, contribution has the
17 meaning given in s. 11.0101 (8).

18 **SECTION 5.** 5.05 (5e) of the statutes is amended to read:

19 5.05 (5e) BIENNIAL REPORT. The board shall include in its biennial report under
20 s. 15.04 (1) (d) the names and duties of all individuals employed by the board and a
21 summary of its determinations and advisory opinions issued under sub. (6a). Except
22 as authorized or required under sub. (5s) (f) 2., the board shall make sufficient
23 alterations in the summaries to prevent disclosing the identities of individuals or
24 organizations involved in the decisions or opinions. The board may also include in
25 its biennial report any information compiled under s. ~~11.21 (7)~~ 11.1106 (14). The

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1 board shall make such further reports on the matters within its jurisdiction and such
2 recommendations for further legislation as it deems desirable.

3 **SECTION 6.** 6.87 (3) (b) of the statutes is amended to read:

4 6.87 (3) (b) No elector may direct that a ballot be sent to the address of a
5 ~~candidate, political party or other registrant~~ committee registered with the board
6 under s. ~~11.05~~ chapter 11 unless the elector permanently or temporarily resides at
7 that address. Upon receipt of reliable information that an address given by an elector
8 is not eligible to receive ballots under this subsection, the municipal clerk shall
9 refrain from mailing or transmitting ballots to that address. Whenever possible, the
10 municipal clerk shall notify an elector if his or her ballot cannot be mailed or
11 transmitted to the address directed by the elector.

12 **SECTION 7.** 7.23 (1) (d) of the statutes is amended to read:

13 7.23 (1) (d) ~~Except as provided in s. 11.21 (11) (a), financial~~ Financial reports
14 may be destroyed 6 years after the date of receipt. Financial registration statements
15 may be destroyed 6 years after termination of registration.

16 **SECTION 8.** 7.40 of the statutes is amended to read:

17 **7.40 Sample ballots.** Any ~~individual, committee or candidate~~ may, at their
18 its own expense, and subject to limitations upon contributions and disbursements
19 under ch. 11, ~~may~~ print a supply of sample ballots, provided ~~they bear on their~~ each
20 sample ballot includes on its face the information required by s. ~~11.30~~ 11.1303 (2) and
21 ~~they contain~~ all the names shown on the official ballot. In this section, committee
22 has the meaning given in s. 11.0101 (6).

23 **SECTION 9.** 7.50 (2) (em) of the statutes is amended to read:

24 7.50 (2) (em) Except as otherwise provided in this paragraph, write-in votes
25 shall only be counted if no candidates have been certified to appear on the ballot. If

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1 candidates ~~have a candidate~~ has been certified to appear on the ballot, write-in votes
2 may only be counted for ~~candidates who file a candidate that files a registration~~
3 ~~statements~~ statement under s. ~~11.05 (2g)~~ 11.0202 (1) (a) no later than noon on the
4 Friday immediately preceding the election. If a candidate certified to appear on the
5 ballot dies or withdraws before the election, all write-in votes shall be counted.
6 When write-in votes are counted, every vote shall be counted for the candidate for
7 whom it was intended, if the elector's intent can be ascertained from the ballot itself.

8 **SECTION 10.** 8.05 (1) (j) 2. of the statutes is amended to read:

9 8.05 (1) (j) 2. Upon receipt of the notice, each candidate shall file a declaration
10 of candidacy in the manner prescribed by s. 8.21 with the municipal clerk making the
11 notification no later than 5 p.m. on the 5th day after the notification is mailed or
12 personally delivered to the candidate by the municipal clerk, except as authorized
13 in this paragraph. If an incumbent whose name is certified as a nominee fails to file
14 a declaration of candidacy within the time prescribed by this paragraph, each
15 certified candidate for the office held by the incumbent, other than the incumbent,
16 may file a declaration of candidacy no later than 72 hours after the latest time
17 prescribed in this paragraph. If the candidate has not filed a registration statement
18 under s. ~~11.05~~ 11.0202 (1) (a) at the time of the notification, the candidate shall file
19 the statement with the declaration.

20 **SECTION 11.** 8.10 (5) of the statutes is amended to read:

21 8.10 (5) Nomination papers shall be accompanied by a declaration of candidacy
22 under s. 8.21. If a candidate has not filed a registration statement under s. ~~11.05~~
23 11.0202 (1) (a) at the time he or she files nomination papers, the candidate shall file
24 the statement with the papers. A candidate for state office or municipal judge shall
25 also file a statement of economic interests with the board under s. 19.43 (4) no later

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1 than 4:30 p.m. on the 3rd day following the last day for filing nomination papers
2 under sub. (2) (a), or no later than 4:30 p.m. on the next business day after the last
3 day whenever that candidate is granted an extension of time for filing nomination
4 papers under sub. (2) (a).

5 **SECTION 12.** 8.15 (4) (b) of the statutes is amended to read:

6 8.15 (4) (b) Nomination papers shall be accompanied by a declaration of
7 candidacy under s. 8.21. If a candidate for state or local office has not filed a
8 registration statement under s. ~~11.05~~ 11.0202 (1) (a) at the time he or she files
9 nomination papers, the candidate shall file the statement with the papers. A
10 candidate for state office shall also file a statement of economic interests with the
11 board under s. 19.43 (4) no later than 4:30 p.m. on the 3rd day following the last day
12 for filing nomination papers under sub. (1), or no later than 4:30 p.m. on the next
13 business day after the last day whenever that candidate is granted an extension of
14 time for filing nomination papers under sub. (1).

15 **SECTION 13.** 8.16 (2) (c) of the statutes is amended to read:

16 8.16 (2) (c) If the person is a candidate for state or local office, the person files
17 a registration statement under s. ~~11.05~~ 11.0202 (1) (a).

18 **SECTION 14.** 8.20 (6) of the statutes is amended to read:

19 8.20 (6) Nomination papers shall be accompanied by a declaration of candidacy
20 under s. 8.21. If a candidate for state or local office has not filed a registration
21 statement under s. ~~11.05~~ 11.0202 (1) (a) at the time he or she files nomination papers,
22 the candidate shall file the statement with the papers. A candidate for state office
23 shall also file a statement of economic interests with the board under s. 19.43 (4) no
24 later than 4:30 p.m. on the 3rd day following the last day for filing nomination papers
25 under sub. (8) (a), or no later than 4:30 p.m. on the next business day after the last

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1 day whenever that candidate is granted an extension of time for filing nomination
2 papers under sub. (8) (a).

3 **SECTION 15.** 8.30 (2) of the statutes is amended to read:

4 8.30 (2) If no registration statement has been filed by or on behalf of a candidate
5 for state or local office in accordance with s. ~~11.05 (2g) or (2r)~~ 11.0202 (1) (a) by the
6 applicable deadline for filing nomination papers by such candidate, or the deadline
7 for filing a declaration of candidacy for an office for which nomination papers are not
8 filed, the name of the candidate may not appear on the ballot. This subsection may
9 not be construed to exempt a candidate from applicable penalties if he or she files a
10 registration statement later than the time prescribed in ~~ss. 11.01 (1) and 11.05 (2g)~~
11 s. 11.0202 (1) (a).

12 **SECTION 16.** 8.35 (2) (a) of the statutes is amended to read:

13 8.35 (2) (a) If a vacancy occurs after nomination due to the death of a candidate
14 of a recognized political party for a partisan office, the vacancy may be filled by the
15 chairperson of the committee of the proper political party under s. 7.38, or the
16 ~~personal-campaign~~ candidate committee, if any, in the case of independent
17 candidates. Similar vacancies in nominations of candidates for nonpartisan local
18 offices may be filled by ~~the candidate's personal-campaign~~ a candidate committee or,
19 ~~if the candidate had~~ there is none, by the body which governs the local governmental
20 unit in which the deceased person was a candidate for office. The chairperson, chief
21 officer of the candidate committee, or clerk of the body making an appointment shall
22 file a certificate of appointment with the official or agency with whom declarations
23 of candidacy for the office are filed. For purposes of this paragraph, the official or
24 agency need not recognize members of a ~~personal-campaign~~ candidate committee

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1 whose names were not filed under s. ~~11.05~~ 11.0202 (1) (a) prior to the death of the
2 candidate.

3 **SECTION 17.** 8.35 (2) (c) of the statutes is amended to read:

4 8.35 (2) (c) The official or agency with whom a proper certificate is filed under
5 par. (b) shall promptly notify the candidate who is nominated and transmit to the
6 candidate a declaration of candidacy form and, in the case of a candidate for state or
7 local office, a ~~financial~~ registration statement form under s. ~~11.05~~ 11.0203 (1). No
8 later than 5 p.m. on the 3rd day after notification of nomination is mailed or
9 personally delivered to the new nominee by the official or agency, the nominee shall
10 file a declaration of candidacy and, in the case of a candidate for state or local office,
11 a registration statement under s. ~~11.05~~ 11.0203 (1). No later than 4:30 p.m. on the
12 3rd day after notification of nomination is mailed or personally delivered to a new
13 nominee for state office or municipal judge by the official or agency, the nominee shall
14 file a statement of economic interests under s. 19.43 (4). If the nominee fails to file
15 the declaration of candidacy, the official or agency may refuse to place the candidate's
16 name on the ballot. If the nominee fails to file the registration statement or
17 statement of economic interests, the official or agency may not place the candidate's
18 name on the ballot.

19 **SECTION 18.** 8.35 (4) (c) of the statutes is amended to read:

20 8.35 (4) (c) ~~The transfer~~ treasurer of the former candidate's committee shall be
21 reported to the appropriate filing officer in a special report submitted by the former
22 candidate's campaign treasurer submit to the appropriate filing officer a special
23 report detailing the disposition of funds under par. (a) 1. If the former candidate is
24 deceased and was serving as the treasurer of his or her own campaign treasurer
25 committee, the former candidate's petitioner or personal representative shall file the

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1 report. The report shall include a complete statement of all contributions,
2 disbursements, and incurred obligations, pursuant to s. ~~11.06 (1)~~ 11.0204 (1),
3 covering the period from the day after the last date covered on the former candidate's
4 most recent report to the date of disposition.

5 **SECTION 19.** 8.35 (4) (d) of the statutes is amended to read:

6 8.35 (4) (d) The newly appointed candidate shall file his or her report at the
7 next appropriate interval under s. ~~11.20 (2) or (4)~~ 11.0204 after his or her
8 appointment. The appointed candidate shall include any transferred funds in his or
9 her first report.

10 **SECTION 20.** 8.35 (4) (e) of the statutes is amended to read:

11 8.35 (4) (e) Any person who violates this subsection may be punished as
12 provided under s. ~~11.60~~ 11.1400 or ~~11.61~~ 11.1401.

13 **SECTION 21.** 8.50 (3) (a) of the statutes is amended to read:

14 8.50 (3) (a) Nomination papers may be circulated no sooner than the day the
15 order for the special election is filed and shall be filed not later than 5 p.m. 28 days
16 before the day that the special primary will or would be held, if required, except when
17 a special election is held concurrently with the spring election or general election, the
18 deadline for filing nomination papers shall be specified in the order and the date shall
19 be no earlier than the date provided in s. 8.10 (2) (a) or 8.15 (1), respectively, and no
20 later than 35 days prior to the date of the spring primary or no later than June 1
21 preceding the partisan primary. Nomination papers may be filed in the manner
22 specified in s. 8.10, 8.15, or 8.20. Each candidate shall file a declaration of candidacy
23 in the manner provided in s. 8.21 no later than the latest time provided in the order
24 for filing nomination papers. If a candidate for state or local office has not filed a
25 registration statement under s. ~~11.05~~ 11.0202 (1) (a) at the time he or she files

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1 nomination papers, the candidate shall file the statement with the papers. A
2 candidate for state office shall also file a statement of economic interests with the
3 board no later than the end of the 3rd day following the last day for filing nomination
4 papers specified in the order.

5 **SECTION 22.** 9.01 (5) (bm) of the statutes is amended to read:

6 9.01 (5) (bm) Upon the completion of its proceedings, a board of canvassers
7 shall deliver to the board one copy of the minutes of the proceedings kept under par.
8 (a). In addition, in the case of a recount of an election for state or national office, for
9 each candidate whose name appears on the ballot for that office under the name of
10 a political party, the board of canvassers shall deliver one copy of the minutes to the
11 chief officer, if any, who is named in any registration statement filed under s. ~~11.05~~
12 ~~(1) 11.0302~~ by the state committee of that political party, and in the case of a recount
13 of an election for county office, for each candidate whose name appears on the ballot
14 for that office under the name of a political party, the board of canvassers shall
15 deliver one copy of the minutes to the chief officer, if any, who is named in any
16 registration statement filed under s. ~~11.05 (1) 11.0302~~ by the county committee of
17 that political party.

18 **SECTION 23.** 9.10 (2) (d) of the statutes is amended to read:

19 9.10 (2) (d) No petition may be offered for filing for the recall of an officer unless
20 the petitioner first files a registration statement under s. 11.05 (1) or (2) 11.1002 with
21 the filing officer with whom the petition is filed. The petitioner shall append to the
22 registration a statement indicating his or her intent to circulate a recall petition, the
23 name of the officer for whom recall is sought and, in the case of a petition for the recall
24 of a city, village, town, town sanitary district, or school district officer, a statement
25 of a reason for the recall which is related to the official responsibilities of the official

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1 for whom removal is sought. No petitioner may circulate a petition for the recall of
2 an officer prior to completing registration. The last date that a petition for the recall
3 of an officer may be offered for filing is 5 p.m. on the 60th day commencing after
4 registration. After the recall petition has been offered for filing, no name may be
5 added or removed. No signature may be counted unless the date of the signature is
6 within the period provided in this paragraph.

7 **SECTION 24.** Chapter 11 of the statutes is repealed and recreated to read:

8 **CHAPTER 11**

9 **CAMPAIGN FINANCING**

10 **SUBCHAPTER I**

11 **GENERAL PROVISIONS**

12 **11.0100 Construction.** This chapter shall be construed to impose the least
13 possible restraint on persons whose activities do not directly affect the elective
14 process, consistent with the right of the public to have a full, complete, and readily
15 understandable accounting of those activities expressly advocating for or against
16 candidates for office or for or against referendums. Nothing in this chapter may be
17 construed to regulate issue discussion, debate, or advocacy ; grassroots outreach or
18 lobbying; nonpartisan voter registration or turnout efforts; or the rights of the media.

19 **11.0101 Definitions.** In this chapter:

20 (1) “Candidate” means an individual about whom any of the following applies:

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

23 1. Files nomination papers with the appropriate filing officer.

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1 2. Is nominated as a candidate for state or local office by a caucus under s. 8.05
2 (1) or by a political party and the nomination is certified to the appropriate filing
3 officer.

4 3. Receives a contribution, makes a disbursement, or gives consent for another
5 person to receive a contribution or make a disbursement in order to bring about the
6 individual's nomination or election to a state or local office.

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

9 (c) The individual holds a state or local office.

10 **(2)** "Candidate committee" means a committee authorized by a candidate or a
11 candidate's agent to accept contributions or make disbursements in support of a
12 candidate's campaign.

13 **(3)** "Charitable organization" means any organization described in section 170
14 (c) (2) of the Internal Revenue Code.

15 **(4)** "Candidate's agent" means an individual who has control over the
16 day-to-day operation of the candidate committee, but does not include an employee
17 of a political party or a legislative campaign committee that is not also an employee
18 of the candidate.

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

21 (a) The candidate's name appears or is stated.

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

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

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1 (6) “Committee” means a candidate committee, legislative campaign
2 committee, political action committee, independent expenditure committee, political
3 party, recall committee, and referendum committee.

4 (7) “Conduit” means a person other than an individual that receives a
5 contribution of money, deposits the contribution in an account held by the person,
6 and releases the contribution to a candidate committee, legislative campaign
7 committee, political party, or political action committee at the direction of the
8 contributor.

9 (8) (a) Except as provided in par. (b), “contribution” means any of the following:

- 10 1. A gift, subscription, loan, advance, or transfer of money to a committee.
11 2. With the committee’s consent under s. 11.1109, a transfer of tangible
12 personal property or services to a committee, valued as provided under s. 11.1105.
13 3. A transfer of funds between committees.
14 4. The purchase of a ticket for a fundraising event for a committee regardless
15 of whether the ticket is used to attend the event.

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

- 17 1. Services that an individual provides to a committee, if the individual is not
18 specifically compensated for providing the services to the committee.
19 2. Any unreimbursed travel expenses that an individual incurs to volunteer his
20 or her personal services to a committee.
21 3. The costs of preparing and transmitting personal correspondence.
22 4. Interest earned on an interest-bearing account.
23 5. Rebates or awards earned in connection with the use of a debit or credit card.
24 6. A loan from a commercial lending institution that the institution makes in
25 its ordinary course of business.

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

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

7 9. Any written news story, commentary, or editorial distributed through the
8 facilities of any broadcasting station, newspaper, magazine, or other regularly
9 published publication, unless a committee owns the facilities.

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

16 (10) (a) “Disbursement” means any of the following:

- 17 1. An expenditure by a committee from the committee’s depository account.
- 18 2. The transfer of tangible personal property or services by a committee.
- 19 3. A transfer of funds between committees.

20 (b) “Disbursement” does not include any written news story, commentary, or
21 editorial distributed through the facilities of any broadcasting station, newspaper,
22 magazine, or other regularly published publication, unless a committee owns the
23 facilities.

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1 (11) “Express advocacy” means communication that contains terms such as the
2 following or their functional equivalents with reference to a clearly identified
3 candidate and that unambiguously relates to the campaign of that candidate:

4 (a) “Vote for”.

5 (b) “Elect”.

6 (c) “Support”.

7 (d) “Cast your ballot for”.

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

9 (f) “Vote against”.

10 (g) “Defeat”.

11 (h) “Reject”.

12 (i) “Cast your ballot against”.

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

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

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

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

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1 and judicial officers, and county officers other than supervisors and county
2 executives.

3 (16) “Independent expenditure” means an expenditure for express advocacy by
4 a person, if the expenditure is not made in coordination with a candidate, candidate
5 committee, candidate’s agent, legislative campaign committee, or political party
6 committee, as prohibited under s. 11.1203.

7 (17) “Independent expenditure committee” means any person, other than an
8 individual, or any permanent or temporary combination of 2 or more persons
9 unrelated by marriage, formed for the major purpose of making independent
10 expenditures.

11 (18) “Intentionally” has the meaning given in s. 939.23 (3).

12 (19) “Legislative campaign committee” means a committee organized in either
13 house of the legislature to support a candidate of a political party for legislative office.

14 (20) “Major purpose” means a person’s major purpose as specified in the
15 person’s organizational documents or as indicated by the person to the board. In this
16 subsection, “person” does not include an individual.

17 (21) “National political party committee” means a national committee as
18 defined in 2 USC 431 (14).

19 (22) “Negotiable instrument” includes an electronic transfer of funds.

20 (23) “Obligation” means any express agreement to make a disbursement,
21 including all of the following:

22 (a) A loan or loan guarantee.

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

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

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

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

5 1. Has express advocacy as its major purpose.

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

8 3. Makes or accepts contributions or makes disbursements with regard to a
9 state or local office and to support or oppose any of the following:

10 a. A candidate.

11 b. A candidate committee.

12 c. A legislative campaign committee.

13 d. A political party.

14 e. A political action committee.

15 f. A recall committee.

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

18 **(26)** (a) “Political party” means all of the following:

19 1. A state committee under whose name candidates appear on a ballot at any
20 election and all county, legislative, local, and other affiliated committees authorized
21 to operate under the same name.

22 2. A committee described under subd. 1. that makes and accepts contributions
23 and makes disbursements to support or oppose a candidate for state or local office
24 or to support or oppose a referendum held in this state.

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

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1 (27) “Recall committee” means a committee formed for the purpose of
2 supporting or opposing the recall of any of the following:

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

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

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

11 (29) “Special election” means any election, other than those described in subs.
12 (15), (24), (30), (32), and (33) to fill vacancies or to conduct a referendum.

13 (30) “Special primary” means the primary held 4 weeks before the special
14 election, except as follows:

15 (a) If the special election is held on the same day as the general election, the
16 special primary shall be held on the same day as the general primary.

17 (b) If the special election is held concurrently with the spring election, the
18 primary shall be held concurrently with the spring primary.

19 (31) “Treasurer” means the individual who registers a committee or conduit
20 with a filing officer and who makes reports on behalf of the committee or conduit.

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

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1 **(33)** “Spring primary” means the nonpartisan primary held on the 3rd Tuesday
2 in February to nominate nonpartisan candidates to be voted for at the spring
3 election.

4 **11.0102 Determination of filing officer and duty to file; fees.** (1) Each
5 committee and conduit required to register and report under this chapter shall have
6 and shall file each registration statement and report required under this chapter
7 with one filing officer as follows:

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

9 1. A candidate committee of a candidate for state office, as defined in s. 5.02
10 (23).

11 2. A conduit.

12 3. A legislative campaign committee.

13 4. A political action committee.

14 5. A political party.

15 6. A recall committee as defined in s. 11.0101 (25) (a). 

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

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

20 (c) A candidate committee for a candidate for municipal judge elected under s.
21 755.01 (4) shall file with the county clerk or board of election commissioners of the
22 county having the largest portion of the population in the jurisdiction served by the
23 judge.

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

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27

1 (e) A recall committee as defined in s. 11.0101 (25) (b) shall file with the filing
2 officer for candidates for that office.

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

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

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

13 (b) Except as provided in s. 11.0104 (1), a committee that is subject to par. (a)
14 shall pay the fee specified in par. (a) together with the report filed by that committee
15 on the 15th day of the month of January in each year. If a committee that is subject
16 to par. (a) registers under this chapter or changes status so that par. (a) becomes
17 applicable to the committee during a calendar year, the committee shall pay the fee
18 for that year with the filing of the committee's registration statement or at any time
19 before the change in status becomes effective.

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

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

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

24 (a) Obtain the forms and manuals prescribed by the board under s. 11.1106(1)
25 and (3) and election laws provided by the board under s. 7.08 (4).

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

3 (c) Make all of the following available, without charge, to any committee
4 required to file reports or statements with the officer:

5 1. Forms prescribed by the board for the making of reports and statements. The
6 filing officer shall notify the committee that all forms are available on the board's
7 Internet site. Whenever a filing officer sends a form or notice of the filing
8 requirements under this chapter to the treasurer of a candidate committee, the filing
9 officer shall also send a notice to the candidate.

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

11 (d) The filing officer shall provide copies of manuals and election laws to
12 persons other than a committee under par. (c) at cost.

13 (e) Notify the board, in writing, of any facts within the filing officer's knowledge
14 or evidence in the officer's possession, including errors or discrepancies in reports or
15 statements and delinquencies in filing which may be grounds for civil action or
16 criminal prosecution. The board may transmit a copy of the notification submitted
17 under this paragraph to the district attorney.

18 (f) Make available a list of delinquents for public inspection.

19 (g) Compile and maintain on an electronic system a current list of all reports
20 and statements received by or required of and pertaining to each committee
21 registered under this chapter.

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

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1 (i) Upon the request of any person, permit copying of any report or statement
2 described under par. (g) at cost.

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

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

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

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

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

22 (b) Unless it is returned or donated within 15 days of receipt under par. (a), a
23 contribution must be reported as received on the date received.

24 **(3) CONTENTS OF REPORT; FILING DATES; CERTIFICATION; SHORT FORM; CONTENTS.** (a)
25 A committee shall begin each report filed under this chapter with the first

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1 contribution received, disbursement made, or obligation incurred during the
2 reporting period, and shall include all contributions received, disbursements made,
3 and obligations incurred as of the end of:

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

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

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

10 (b) Each committee shall ensure that each report is filed with the appropriate
11 filing officer on the dates designated in this chapter. In the event that any report is
12 required to be filed under this chapter on a nonbusiness day, a committee may file
13 the report on the next business day thereafter.

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

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

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

21 **(4) PREPRIMARY AND PREELECTION REPORTS; INACTIVITY.** (a) A contribution,
22 disbursement, or obligation to support or oppose a candidate at a primary that is
23 accepted, made, or incurred during the period covered by the preprimary report is
24 considered to be accepted, made, or incurred to support or oppose that candidate at
25 the primary, regardless of whether the candidate is opposed at the primary.

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

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

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

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

21 **11.0104 Reporting exemptions: limited activity.** (1) (a) Except as
22 provided in par. (b), any committee ~~which~~ ^{or conduit} does not anticipate accepting
23 contributions, making disbursements, or incurring obligations ^{and any conduit which} in an aggregate ^{does}
24 amount exceeding \$2,000 in a calendar year ^{not} may file an amended registration ^{anticipate}
25 statement with the appropriate filing officer ^{accepting} indicating that fact. The committee ^{or}

releasing
contributions,
if
in an aggregate
amount exceeding

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① /shall certify the amended registration in the manner required under s. 11.0103 (3)
 2 (c) and shall include the information required to be reported by that committee on
 3 its continuing reports. *conduit*

4 (b) In no case may a candidate committee file an amended registration under
 5 this section covering any period ending sooner than the date of the election in which
 6 the candidate committee is participating. *or conduit*

⑦ (2) Upon receipt of a properly executed amended registration by a committee
 8 the appropriate filing officer shall suspend the requirement imposed upon that
 9 committee *or conduit* by this chapter to file continuing reports. An indication of limited activity
 10 under this section is effective only for the calendar year in which it is granted, unless
 ⑪ the committee *or conduit* alters its status before the end of such year or files a termination
 12 report under s. 11.0105.

13 (3) An indication of limited activity made under sub. (1) may be revoked. If
 ⑭ revoked, the committee *or conduit* shall comply with the reporting requirements applicable to
 ⑮ the committee *or conduit* under this chapter as of the date of revocation, or the date that
 16 aggregate contributions, disbursements, or obligations for the calendar year exceed
 17 \$2,000. If the revocation is not timely, the committee *or conduit* violates s. 11.1002. *e 1201*

⑱ (4) A committee *or conduit* that files an amended registration statement under sub. (1)
 19 is not required to file a termination report under s. 11.0105.

⑳ (5) If a committee *or conduit* files an amended registration statement under sub. (1) and
 21 within 60 days thereafter receives and accepts an unanticipated contribution, the
 ㉒ committee *or conduit* shall do one of the following within 60 days after receipt of the
 23 unanticipated contribution:

24 (a) File an amended registration statement. An amended registration
 25 statement supersedes the previous registration statement. The individual who

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1 certifies to the accuracy of the registration statement shall also certify that the
2 amended registration statement is filed on account of the receipt of unanticipated
3 contributions and the failure to file a correct registration statement was not
4 intentional.

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

7 **11.0105 Reporting exemptions: dissolution of committee or conduit**
8 **and termination reports. (1)** (a) Except as provided in par. (b) and s. 11.0104 (4),
9 whenever any committee or conduit dissolves or determines that obligations will no
10 longer be incurred, contributions will no longer be received or, in the case of a conduit,
11 accepted and released, and disbursements will no longer be made during a calendar
12 year, and the committee has no outstanding incurred obligations, the committee or
13 conduit shall file with the appropriate filing officer a termination report that
14 indicates a cash balance of zero at the end of the reporting period. The committee
15 or conduit shall certify the termination report in the manner required under s.
16 11.0103 (3) (c) and the committee shall include the information required to be
17 reported by that committee on its continuing reports.

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

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

23 (3) The committee shall include in the termination report filed under this
24 section the manner in which residual funds were disposed. Residual funds may be
25 used for any purpose not prohibited by law, returned to the donors in an amount not

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1 exceeding the original contribution, or donated to a charitable organization or the
2 common school fund.

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

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

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

13 **11.0106 Disbursements; form.** Every disbursement which is made by a
14 committee registered under this chapter from the committee's depository account
15 shall be made by negotiable instrument.

16 **11.0107 Nonapplicability.** Federal account committees, federal candidate
17 committees, and national political party committees are not required to register or
18 report under this chapter.

SUBCHAPTER II

CANDIDATE COMMITTEES

19
20
21 **11.0201 Registration; treasurer and depositories.** (1) Each candidate
22 shall either appoint a treasurer of his or her candidate committee to comply with the
23 registration and reporting requirements under this subchapter or serve as the
24 treasurer and comply with the registration and reporting requirements under this

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1 subchapter. If the candidate appoints a treasurer, the candidate and the candidate's
2 treasurer shall cosign the registration statement of the candidate's committee.

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

5 (b) Notwithstanding par. (a), any candidate who serves as his or her own
6 treasurer and who is authorized to file and files an amended registration statement
7 under s. 11.0104 may designate a single personal account as his or her candidate
8 committee depository account, and may intermingle personal and other funds with
9 campaign funds. If a candidate establishes a separate candidate committee
10 depository account, the candidate shall transfer all campaign funds in the personal
11 account to the new depository account. Disbursements made from a personal
12 account under this paragraph need not be identified in accordance with s. 11.0106.

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

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

19 **11.0202 Registration; timing; candidate committee required.** (1) TIME
20 OF REGISTRATION. (a) Each candidate, through his or her candidate committee, shall
21 file a registration statement with the appropriate filing officer giving the
22 information required under s. 11.0203 as soon as practicable after the individual
23 qualifies as a candidate under s. 11.0101 (1).

24 (b) A candidate who receives no contributions, makes no disbursements, and
25 incurs no obligations shall file the registration statement as provided in this

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1 subsection, but need not designate a campaign depository account until the first
2 contribution is received, disbursement is made, or obligation is incurred.

3 (2) CANDIDATE COMMITTEE REQUIRED. (a) Except as provided in par. (b), no
4 candidate may accept contributions, make disbursements, or incur obligations
5 except through a candidate committee registered under this subchapter.

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

8 1. Accepting a contribution, making a disbursement, or incurring an obligation
9 in the amount required to rent a postal box, or in the minimum amount required by
10 a bank or trust company to open a checking account, prior to the time of registration,
11 if the disbursement is properly reported on the first report submitted under s.
12 11.0204 after the date that the candidate committee is registered, whenever a
13 reporting requirement applies to the candidate committee.

14 2. Accepting a contribution, making a disbursement, or incurring an obligation
15 required for the production of nomination papers.

16 (c) Except as provided in par. (d), no candidate may establish more than one
17 candidate committee.

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

21 **11.0203 Registration; required information. (1) REQUIRED INFORMATION.**

22 The candidate committee shall include all of the following, where applicable, on the
23 registration statement:

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

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

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

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

13 (2) **CERTIFICATION.** The individual responsible for filing or amending a
14 candidate committee's registration statement and any form or report required of the
15 committee under this chapter shall certify that all information contained in the
16 statement, form, or report is true, correct, and complete.

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

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

24 **11.0204 Reporting.** (1) **CONTRIBUTIONS AND DISBURSEMENTS.** (a) Each
25 candidate, through his or her candidate committee, shall make full reports, upon a

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1 form prescribed by the board and certified as required under s. 11.0103 (3) (c), of all
2 contributions, disbursements, and obligations received, made, and incurred by the
3 candidate committee. The candidate committee shall include in each report the
4 following information, covering the period since the last date covered on the previous
5 report:

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

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

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

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

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

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

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

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

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

6 c. The date and amount of the loan.

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

8 e. The original amount guaranteed by each guarantor.

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

11 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 any other committees, other income,
20 and loans.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

19 **11.0205 Transfers between candidates for governor and lieutenant**
20 **governor.** The candidate committee for governor and the candidate committee for
21 lieutenant governor of the same political party may receive contributions and make
22 disbursements for both candidates from either candidate committee's depository
23 account.

24 **11.0206 Soliciting funds on behalf of certain organizations.**
25 Notwithstanding s. 19.45 (2), a candidate may solicit anything of value for use by an

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1 organization, as defined in s. 19.42 (11), with which he or she is associated, as defined
2 in s. 19.42 (2).

3 **11.0207 Continuing compliance.** An individual does not cease to be a
4 candidate for purposes of compliance with this chapter or ch. 12 after the date of an
5 election and no candidate or candidate committee is released from any requirement
6 or liability otherwise imposed under this chapter or ch. 12 simply because the
7 election date has passed.

8 SUBCHAPTER III

9 POLITICAL PARTIES

10 **11.0301 Registration; treasurer and depositories.** (1) Each political party
11 required to register under this chapter shall designate a treasurer to comply with the
12 registration and reporting requirements under this subchapter.

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

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

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

20 **11.0302 Registration; timing.** Every political party that accepts, makes, or
21 incurs contributions, disbursements, or obligations to support or oppose a candidate
22 in a calendar year shall, upon its inception and prior to accepting, making, or
23 incurring any such contribution, disbursement, or obligation file a registration
24 statement giving the information required by s. 11.0303.