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1 **11.1102 Contribution limit adjustment.** Beginning on January 1, 2021,
2 and on January 1 every 5 years thereafter, the board shall modify the dollar amounts
3 under s. 11.1101 (1) to (3), rounded to the nearest multiple of \$25, to adjust for the
4 change in the consumer price index, all items. U.S. city average, published by the
5 federal Department of Labor for the preceding 5-year period ending on December 31.

6 **11.1103 Applicable periods. (1)** For an individual who is a candidate for an
7 office that the individual holds, the limits under s. 11.1101 (1) to (3) apply during the
8 term of that office.

9 **(2)** For an individual who is a candidate for an office that the individual does
10 not hold, the limits under s. 11.1101 (1) to (3) apply during the period beginning on
11 the date on which the individual becomes a candidate under s. 11.1101(1) (a) and
12 ending on July 1 for a candidate at a spring primary or spring election, January 1
13 for a candidate at a partisan primary or general election, and 60 days after a special
14 election for a candidate at a special election.

15 **11.1104 Exceptions.** Except as provided in subs. (3) (b) and (4) (b), the
16 following contributions may be made in unlimited amounts:

17 **(1)** Contributions to a political action committee.

18 **(2)** Contributions transferred between political action committees.

19 **(3) (a)** Except as provided in par. (b), contributions to a legislative campaign
20 committee.

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

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

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

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

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

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

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

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

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

17 (11) Contributions to a recall committee.

18 (12) Contributions to a referendum committee.

19 **11.1105 Valuation.** (1) Except as provided in s. 11.1111, for purposes of
20 complying with a contribution limit under this section, the value of a contribution of
21 any tangible or intangible item, other than money, is the item's fair market value at
22 the time that the individual or committee made the contribution.

23 (2) Except as provided in s. 11.1111, for purposes of complying with a
24 contribution limit under this section, the value of a contribution of a service is the

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1 fair market value of the service at the time that the individual or committee made
2 the contribution.

3 **11.1106 Conduit contributions.** (1) For purposes of this chapter, a
4 contribution released by a conduit to a committee is to be reported by the committee
5 as a contribution from the individual who made the contribution and not as a
6 contribution from the conduit.

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

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

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12 **11.1107 Limitation on cash contributions.** Every contribution of money
13 exceeding \$100 shall be made by negotiable instrument or evidenced by an itemized
14 credit card receipt bearing on the face the name of the remitter. No committee
15 required to report under this chapter may accept a contribution made in violation of
16 this section. The committee shall promptly return the contribution, or donate it to
17 the common school fund or to a charitable organization in the event that the donor
18 cannot be identified.

19 **11.1108 Anonymous contributions.** No committee may accept an
20 anonymous contribution exceeding \$10. If an anonymous contribution exceeds \$10,
21 the committee shall donate the contribution to the common school fund or to a
22 charitable organization and report the donation as required under this chapter.

23 **11.1109 In-kind contributions.** Before making a contribution, as defined
24 under s. 11.0101 (8) (a) 2., to a committee, the prospective contributor shall notify the

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1 administrator or treasurer of the committee and obtain that individuals oral or
2 written consent to the contribution.

3 **11.1110 Return of contributions.** (1) A committee required to report under
4 this chapter may return a contribution at any time before or after it has been
5 deposited.

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

8 (b) A committee that accepts a contribution contrary to law, reports that
9 contribution, and returns that contribution within 15 days after the filing date for
10 the reporting period in which the contribution is received does not violate the
11 contribution or source limits under this subchapter.

12 **11.1111 Valuation of opinion poll results.** (1) In this section:

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

14 1. The period beginning on December 1 and ending on the date of the spring
15 election.

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

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

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

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

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

24 (2) If a committee receives opinion poll or voter survey results during the first
25 15 days after the initial recipient receives the results, and the committee received the

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1 results during an election period, the committee shall report the results as a
2 contribution. The committee shall report the contribution's value as 100 percent of
3 the cost incurred by the initial recipient to commission the poll or survey, except that
4 if more than one committee receives the results, the committees shall report the
5 contribution's value as 100 percent of the amount allocated to the committee under
6 sub. (5).

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

14 (4) If the committee receives the opinion poll or voter survey results more than
15 60 days after the initial recipient received the results the committee is not required
16 to report the results as a contribution.

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

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

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

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

6 1. Divide the number of question results received by each recipient by the total
7 number of question results received by all recipients.

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

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

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

20 **11.1112 Corporations, cooperatives, and tribes.** No foreign or domestic
21 corporation, no association organized under ch. 185 or 193, no labor organization,
22 and no federally recognized American Indian Tribe may make a contribution to a
23 committee, other than an independent expenditure committee or referendum
24 committee, but may make a contribution to a segregated fund as provided under s.
25 11.1104 (6).

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companies. (1) A contribution made to a committee by a sole proprietorship is considered a contribution made by the individual who is the sole proprietor and subject to the limits under this subchapter.

(2) A contribution made to a committee by a partnership is considered a contribution made by each of the contributing partners and subject to the limits under this subchapter. A partnership that makes a contribution to a committee shall provide to the committee the names of the contributing partners and the amount of the individual contribution made by each partner. For purposes of determining the individual contribution amounts made by each partner, the partnership shall attribute the individual contributions according to each partner's share of the partnership's profits, unless the partners agree to apportion the contribution in a different manner.

(3) LIMITED LIABILITY COMPANIES. (a) A contribution made to a committee by a limited liability company treated as a partnership by the federal internal revenue service pursuant to 26 CFR 301.7701-3 is considered a contribution made by each of the contributing members and subject to the limits under this subchapter. A limited liability company that makes a contribution under this paragraph shall affirm to the candidate committee that it is treated as a partnership for federal tax purposes and eligible to make the contribution. The company shall provide to the committee the names of the contributing members and the amount of the individual contribution made by each member. For purposes of determining the individual contribution amounts made by each member, the company shall attribute the individual contributions according to each member's share of the company's profits, unless the members agree to apportion the contribution in a different manner.

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

8 **11.1114 Two candidate committees.** (1) If a candidate establishes a 2nd
9 candidate committee under s. 11.0202 (2) to pursue a state or local office for which
10 the contribution limit under this subchapter is higher than the contribution limit for
11 the office that the candidate originally sought, the 2nd candidate committee may
12 accept contributions up to the higher limit, but shall take into account the amount
13 of any contributions transferred from the first candidate committee to the 2nd
14 candidate committee to determine whether the 2nd candidate committee has
15 reached or exceeded the higher limits.

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

22 (3) Upon termination of a 2nd candidate committee, the 2nd candidate
23 committee may transfer any of its remaining funds to the first candidate committee
24 in amounts not to exceed the contribution limits applicable to the persons who
25 contributed to the first candidate committee.

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SUBCHAPTER XII

PROHIBITED PRACTICES

11.1201 False reports and statements. No person may prepare or submit a false report or statement to a filing officer under this chapter.

11.1202 Earmarking. (1) The treasurer of a candidate committee may agree with a prospective contributor that a contribution is received to be used for a specific purpose not prohibited by law. That purpose may not include a disbursement to a committee to support or oppose another candidate.

(2) When a contribution is made to a committee other than a candidate committee, the contributor may not direct the committee to make a disbursement to a committee to support or oppose another candidate.

(3) Except for transfers of membership-related moneys between committees of the same political party, no committee may transfer to another committee the earmarked contributions of others. Transfers of membership-related moneys between political parties shall be treated in the same manner as other transfers.

11.1203 Coordination. No person may make a disbursement for express advocacy that is coordinated with a candidate, candidate committee, candidate's agent, legislative campaign committee, or political party. For purposes of this section, a disbursement for express advocacy is coordinated with a candidate, candidate committee, candidate's agent, legislative campaign committee, or political party if the candidate, candidate committee, candidate's agent, legislative campaign committee, or political party exercises control over; or engages in substantial discussions or negotiations with the person making the disbursement regarding any of the following:

(1) The communication's content.

ex
a.

In violation of the contribution limits under § 11.1101 or the source restrictions under § 11.1117

Insert 96-17

16

18

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Insert 97-4

1 ^{b20e} (2) The communication's timing.

2 ^{630e} (3) The location, form, or intended audience of the communication.

3 ^{d40e} (4) The number or frequency of communications.

4 **11.1204 Unlawful political contributions.** (1) Subject to sub. (2), no person
5 may, directly or indirectly, make any contribution other than from funds or property
6 belonging to the person. No person may, directly or indirectly, give funds or property
7 to another person for the purpose of making a contribution in other than the person's
8 own name.

9 (2) A conduit releasing a contribution of money in the manner prescribed in s.
10 ⁰⁷⁰⁴ 11.0604 does not violate sub. (1).

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

13 **11.1205 Use of government materials by candidates.** (1) (a) Except as
14 provided in sub. (2), no person elected to state or local office who becomes a candidate
15 for national, state, or local office may use public funds for the cost of materials or
16 distribution for 50 or more pieces of substantially identical material distributed
17 after:

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

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

23 3. In the case of a candidate who is nominated at a caucus, the date of the
24 caucus.

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

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

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

9 (a) Answers to communications of constituents.

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

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

15 (d) Communications not exceeding 500 pieces by members of the legislature
16 relating solely to the subject matter of a special session or extraordinary session,
17 made during the period between the date that the session is called or scheduled and
18 14 days after adjournment of the session.

19 **11.1206 Travel by public officers.** (1) No person may use any vehicle or
20 aircraft owned by the state or by any local governmental unit for any trip which is
21 exclusively for the purposes of campaigning to support or oppose any candidate for
22 national, state, or local office, unless use of the vehicle or aircraft is required for
23 purposes of security protection provided by the state or local governmental unit.

24 (2) No person may use any vehicle or aircraft owned by the state or by any local
25 governmental unit for purposes that include campaigning to support or oppose any

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

13 **11.1207 Political solicitation involving public officials and employees**
14 **restricted.** (1) (a) Except as provided in par. (b) and (c), no person may solicit or
15 receive from any state officer or employee or from any officer or employee of the
16 University of Wisconsin Hospitals and Clinics Authority any contribution or service.

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

21 (c) Paragraph (a) does not apply to communications about a referendum.

22 (3) No person may solicit or receive from any officer or employee of a political
23 subdivision of this state any contribution or service during established hours of
24 employment or while the officer or employee is engaged in his or her official duties.

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1 (4) Every person who has charge or control in a building, office, or room
2 occupied for any purpose by this state, by any political subdivision thereof, or by the
3 University of Wisconsin Hospitals and Clinics Authority shall prohibit the entry of
4 any person into that building, office, or room for the purpose of making or receiving
5 a contribution.

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

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

14 **11.1208 Unlawful political disbursements and obligations.** (1) No
15 person may intentionally receive or accept anything of value, or any promise or
16 pledge thereof, constituting a disbursement made or obligation incurred contrary to
17 law.

18 (3) (a) Except as provided in pars. (b) and (c), a committee may not make a
19 disbursement or incur an obligation for the committee's or an individual's strictly
20 personal use.

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

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

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1 official, or agent, or any dependent of the candidate, official, or agent, while that
2 person is being investigated for, or while the person is charged with or convicted of
3 a criminal violation of this chapter or ch. 12.

4 (2) No person may use a contribution received from a contributor to a candidate
5 committee fund for a purpose for which a defense fund is authorized under sub. (1)
6 unless the person obtains the contributor's authorization. Notwithstanding s.
7 11.1008 (3) (a), any contributor may authorize the transfer of all or part of a
8 contribution from a campaign fund to a defense fund.

9 **11.1302 Donations to charitable organizations or school fund.** Any
10 committee may make a donation to a charitable organization or the common school
11 fund from the committee's depository account. No later than 5 days after a committee
12 makes a donation to a charitable organization or the common school fund from the
13 committee's depository account, the committee shall notify the committee's filing
14 officer in writing of the name of the donee and the date of the donation, and shall
15 provide an explanation for not retaining the amount donated in the committee's
16 depository account.

17 **11.1303 Attribution of political contributions, disbursements and**
18 **communications.** (1) No disbursement may be made anonymously and no
19 contribution or disbursement may be made in a fictitious name or by one person or
20 organization in the name of another.

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

24 (b) Every communication described under par. (a) the cost of which is paid for
25 or reimbursed by a committee, or for which a committee assumes responsibility,

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1 whether by accepting a contribution or making a disbursement, shall identify its
2 source by the words “Paid for by” followed by the name of the committee making the
3 payment or reimbursement or assuming responsibility for the communication and
4 may include the name of the treasurer or other authorized agent of the committee.

5 (c) Every communication described under par. (a) that is directly paid for or
6 reimbursed by an individual, including a candidate who is serving as his or her own
7 candidate committee treasurer, or for which an individual assumes responsibility,
8 whether by accepting a contribution or making a disbursement, shall identify its
9 source by the words “Paid for by” followed by the name of the candidate or other
10 individual making the payment or reimbursement or assuming responsibility for the
11 communication.

12 (d) In addition to the requirements of pars. (a) to (c), a person required to submit
13 an affirmation under oath, as provided under s. 11.0505 (1) (b) 6. or s. 11.1101 (1) (b)
14 6, shall also include the words “Not authorized by any candidate or candidate’s agent
15 or committee” in every communication supporting or opposing any clearly identified
16 candidate.

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

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

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

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

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

12 **11.1304 Duties of the government accountability board.** The board shall:

13 (1) Prescribe forms for making the reports, statements, and notices required
14 by this chapter. The board shall make the forms available free of charge on the
15 board's Internet site and shall distribute or arrange for the distribution of all forms
16 for use by other filing officers.

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

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

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

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

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

5 (6) (a) Except as provided in par. (b), require each committee for whom the
6 board serves as filing officer under s. 11.0102 (1) to file each campaign finance report
7 that is required to be filed under this chapter in an electronic format. The board shall
8 permit an authorized individual to provide at the time of filing an electronic
9 signature, as defined in s. 137.11 (8), that is subject to a security procedure, as
10 defined in s. 137.11 (13). A committee that files a report under this subsection in an
11 electronic format may file with the board that portion of the report signed by an
12 authorized individual rather than submit the electronic signature of that individual.
13 The board shall provide complete instructions to any committee that files a report
14 under this subsection.

15 (b) Permit a committee that accepts contributions in a total amount or value
16 of \$1,000 or less during a campaign period to opt out of the requirement to file a
17 campaign finance report in an electronic format as specified in par. (a). In this
18 paragraph, the campaign period of a candidate committee begins and ends as
19 provided under s. 11.1103, and the campaign period of any other committee begins
20 on January 1 of each odd-numbered year and ends on December 31 of the following
21 year.

22 (7) Compile and maintain on an electronic system a current list of all reports
23 and statements received by or required of and pertaining to each committee
24 registered under this chapter.

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1 (8) Maintain a duplicate record of any statement received by a political action
2 committee under s. 11.0505 or by a person under subchapter VII together with the
3 record of each candidate to whom it relates.

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

7 (10) Immediately send to any committee or conduit which is delinquent in
8 filing, or which has filed otherwise than in the proper form, a notice that the
9 committee or conduit has failed to comply with this chapter. Whenever a candidate
10 committee has appointed an individual other than the candidate as campaign
11 treasurer, the board shall send the notice to both the candidate and the treasurer of
12 the candidate committee.

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

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

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

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

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

5 **(13)** Upon the request of any person, permit copying of any report or statement
6 described under sub. (12) by hand or by duplicating machine at cost.

7 **(14)** Include in its biennial report under s. 15.04 (1) (d) compilations of any of
8 the following in its discretion:

9 (a) Total reported contributions, disbursements, and incurred obligations for
10 all committees registered and reporting under this chapter during the biennium.

11 (b) Total amounts contributed during the biennium, reported by contribution
12 amounts as determined by the board, to each type of committee registered and
13 reporting under this chapter.

14 (c) Total amounts expended during the biennium, reported by disbursement
15 amounts as determined by the board, by each type of committee registered and
16 reporting under this chapter.

17 (d) Total amounts expended for influencing nominations and elections
18 whenever separate information is reported.

19 (e) Aggregate amounts contributed by any contributors shown to have
20 contributed more than \$100.

21 **(15)** Prepare and publish from time to time special reports comparing the
22 various totals and categories of contributions and disbursements made with respect
23 to preceding elections.

24 **(16)** Make available a list of delinquents for public inspection.

25 **(17)** Promulgate rules to administer this chapter.

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SUBCHAPTER XIV

PENALTIES

1
2
3 **11.1400 Civil penalties.** (1) Any person who violates this chapter may be
4 required to forfeit not more than \$500 for each violation.

5 (2) In addition to the penalty under sub. (1), any person who is delinquent in
6 filing a report required by this chapter may be required to forfeit not more than \$50
7 or one percent of the annual salary of the office for which the candidate is being
8 supported or opposed, whichever is greater, for each day of delinquency.

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

12 (4) Notwithstanding sub. (1), any person who violates s. 11.0102 (3) or 11.1208
13 shall forfeit \$10 for each person who is solicited, but not more than \$1,000 for each
14 report from which persons are solicited, in violation of s. 11.0102 (3) or 11.1208.

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


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


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

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

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

11 **11.1401 Criminal penalties; prosecution.** (1) (a) Whoever intentionally
12 violates s. 11.1204 or any registration or reporting requirement under this chapter
13 is guilty of a Class I felony. 

14 (b) Whoever intentionally violates subch.  or s. 11.1201, 11.1208, or 11.1305
15 is guilty of a Class I felony if the intentional violation does not involve a specific figure
16 or if the intentional violation concerns a figure which exceeds \$100 in amount or
17 value.

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

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

23 (2) Except as otherwise provided in ss. 5.05 (2m) (c) 15. and 16. and (i), 5.08,
24 and 5.081, and only after the board has determined probable cause, all prosecutions
25 under this section shall be conducted by the district attorney for the county where

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1 the defendant resides or, if the defendant is a nonresident, by the district attorney
2 for the county where the violation is alleged to have occurred. For purposes of this
3 subsection, a person other than an individual resides within a county if the person's
4 principal place of operation is located within that county.

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

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

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

21 12.07 (4) No person may, directly or indirectly, cause any person to make a
22 contribution or provide any service or other thing of value to or for the benefit of a
23 ~~candidate, political party or registrant~~ committee registered under s. 11.05 chapter
24 11, with the purpose of influencing the election or nomination of a candidate to
25 national, state or local office or the passage or defeat of a referendum by means of the

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1 denial or the threat of denial of any employment, position, work or promotion, or any
2 compensation or other benefit of such employment, position or work, or by means of
3 discharge, demotion or disciplinary action or the threat to impose a discharge,
4 demotion or disciplinary action. This subsection does not apply to employment by
5 a ~~candidate, political party or other registrant~~ committee registered under s. 11.05
6 chapter 11 in connection with a campaign or political party activities.

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

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

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

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

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

2 12.60 (4) Prosecutions under this chapter shall be conducted in accordance
3 with s. ~~11.61~~ 11.1401 (2).

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

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

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

7 13.62 (5j) “Candidate committee” has the meaning given in s. 11.0101 (2).

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

9 13.62 (5r) “Communications media” ~~has the meaning given under s. 11.01 (5)~~
10 means newspapers, periodicals, commercial billboards and radio and television
11 stations, including community antenna television stations.

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

13 13.62 (5u) “Contribution” has the meaning given in s. 11.0101 (8).

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

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

16 13.625 (1) (b) (intro.) ~~Furnish Give~~ to any agency official or legislative employee
17 of the state or to any elective state official or candidate for an elective state office, or
18 to the ~~official’s, employee’s or candidate’s personal campaign~~ candidate committee of
19 the official, employee, or candidate:

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

21 13.625 (1) (b) 3. Food, meals, beverages, money or any other thing of pecuniary
22 value, except that a lobbyist may make a ~~campaign~~ contribution to a partisan elective
23 state official or candidate for national, state or local office or to the ~~official’s or~~
24 ~~candidate’s personal campaign~~ candidate committee of the official or candidate; but

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1 a lobbyist may make a contribution to which ~~par. (e)~~ sub. (1m) applies only as
2 authorized in ~~par. (e)~~ sub. (1m).

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

5 13.625 (1m) (a) (intro.) Except as ~~permitted~~ provided in ~~this subsection,~~
6 ~~personally make par. (b), a lobbyist may not do any of the following:~~

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

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

12 3. Make a personal contribution to the ~~official's or candidate's personal~~
13 ~~campaign~~ candidate committee of a partisan elective state official or candidate for
14 partisan state elective office.

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

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

23 13.625 (1m) (b) 1. A ~~campaign~~ contribution to a candidate for legislative office
24 may be made during that period only if the legislature has concluded its final
25 floorperiod, and is not in special or extraordinary session.

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

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

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

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

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

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

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

20 13.625 (6r) Subsections (1) (b) ~~and (e)~~, (1m), and (3) do not apply to the
21 furnishing of anything of pecuniary value by a lobbyist or principal to an employee
22 of that lobbyist or principal who is a legislative official or an agency official solely
23 because of membership on a state commission, board, council, committee or similar
24 body if the thing of pecuniary value is not in excess of that customarily provided by
25 the employer to similarly situated employees and if the legislative official or agency

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1 official receives no compensation for his or her services other than a per diem or
2 reimbursement for actual and necessary expenses incurred in the performance of his
3 or her duties, nor to the receipt of anything of pecuniary value by that legislative
4 official or agency official under those circumstances.

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

6 13.69 (6) Any candidate for an elective state office, elective state official, agency
7 official, or legislative employee of the state who, or any ~~personal campaign candidate~~
8 committee which, violates s. 13.625 (3) may be required to forfeit not more than
9 \$1,000.

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

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

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

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

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

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

2 15.60 (5) No member, for one year immediately prior to the date of nomination
3 may have been, or while serving on the board may become, a member of a political
4 party, an officer or member of a committee in any partisan political club or
5 organization, or an officer or employee of a registrant committee registered under s.
6 ~~11.05~~ ch. 11.

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

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

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

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

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

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

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

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

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

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1 19.45 (13) No state public official or candidate for state public office may,
2 directly or by means of an agent, give, or offer or promise to give, or withhold, or offer
3 or promise to withhold, his or her vote or influence, or promise to take or refrain from
4 taking official action with respect to any proposed or pending matter in consideration
5 of, or upon condition that, any other person make or refrain from making a political
6 contribution, or provide or refrain from providing any service or other thing of value,
7 to or for the benefit of a candidate, a political party, any person who is subject to a
8 registration requirement committee registered under s. ~~11.05~~ ch. 11, or any person
9 making a communication that contains a reference to a clearly identified state public
10 official holding an elective office or to a candidate for state public office.

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

12 19.579 (1) Except as provided in sub. (2), any person who violates this
13 subchapter may be required to forfeit not more than \$500 for each violation of s.
14 19.43, 19.44, or 19.56 (2) or not more than \$5,000 for each violation of any other
15 provision of this subchapter. If the court determines that the accused has realized
16 economic gain as a result of the violation, the court may, in addition, order the
17 accused to forfeit the amount gained as a result of the violation. In addition, if the
18 court determines that a state public official has violated s. 19.45 (13), the court may
19 order the official to forfeit an amount equal to the amount or value of any political
20 contribution, service, or other thing of value that was wrongfully obtained. If the
21 court determines that a state public official has violated s. 19.45 (13) and no political
22 contribution, service, or other thing of value was obtained, the court may order the
23 official to forfeit an amount equal to the maximum contribution authorized under s.
24 ~~11.26~~ 11.1101 (1) for the office held or sought by the official, whichever amount is
25 greater. The attorney general, when so requested by the board, shall institute

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1 proceedings to recover any forfeiture incurred under this section which is not paid
2 by the person against whom it is assessed.

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

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

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

15 19.59 (7) (b) Any person who violates sub. (1) may be required to forfeit not
16 more than \$1,000 for each violation, and, if the court determines that a local public
17 official has violated sub. (1) (br) and no political contribution, service or other thing
18 of value was obtained, the court may, in addition, order the accused to forfeit an
19 amount equal to the maximum contribution authorized under s. ~~11.26~~ 11.1101 (1) for
20 the office held or sought by the official, whichever amount is greater.

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

22 20.511 (1) (a) *General program operations; general purpose revenue.*
23 Biennially, the amounts in the schedule for general program operations of the board,
24 including the printing of forms, materials, manuals, and election laws under ss. 7.08

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1 (1) (b), (3), and (4) and ~~11.21~~ 11.1306 (3) and (14), and the training of election officials
2 under s. 5.05 (7).

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

4 20.511 (1) (i) *Elections administration; program revenue.* The amounts in the
5 schedule for the administration of chs. 5 to 12. All moneys received from fees imposed
6 under s. ~~11.055 (1)~~ 11.0102 (2) shall be credited to this appropriation account.

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

8 20.511 (1) (j) *Electronic filing software.* All moneys received from registrants
9 who purchase software to be utilized for electronic filing of campaign finance reports
10 under s. ~~11.21 (16)~~ 11.1306 (6), for the purpose of providing that software.

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

12 20.855 (6) (h) *Vehicle and aircraft receipts.* The amounts in the schedule for
13 the purpose of subsidizing the cost of operation, maintenance, and depreciation of the
14 vehicles and aircraft. All moneys received by state agencies under ss. ~~11.37~~ 11.1206
15 and 20.916 (7) for political and other personal uses of state-owned vehicles and
16 aircraft shall be credited to this appropriation. The department of administration
17 may transfer moneys from this appropriation to the proper appropriation of any state
18 agency from which state vehicle and aircraft costs are financed.

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

20 36.11 (1) (cm) The board shall promulgate rules under ch. 227 prescribing the
21 times, places, and manner in which political literature may be distributed and
22 political campaigning may be conducted in state-owned residence halls. No such
23 rule may authorize any activity prohibited under s. ~~11.36 (3)~~ or 11.1207 (4) or (5).

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

25 111.365 (3) (a) The application of s. ~~11.36~~ 11.1207.

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

2 120.06 **(6)** (b) 5. If a candidate has not filed a registration statement under s.
3 ~~11.05~~ 11.0202 (1) (a) by the time he or she files a declaration of candidacy, the
4 candidate shall file the statement with the declaration. A candidate shall file an
5 amended declaration under oath with the school district clerk in the event of a
6 change in any information provided in the declaration as provided in s. 8.21.

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

8 185.03 **(10)** (e) The cooperative dedicates any funds remaining unclaimed after
9 the date specified in par. (b) to educational purposes, limited to providing
10 scholarships or loans to students, or to charitable purposes, as the board determines,
11 within one year after the date the funds are declared forfeited under par. (a). ~~In this~~
12 ~~paragraph, educational purposes does not include political purposes as defined in s.~~
13 ~~11.01 (16).~~

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

15 202.12 **(5)** (a) 2. A candidate for national, state, or local office or a political party
16 or other committee or group required to file financial information with the federal
17 elections commission or a filing officer under s. ~~11.02~~ 11.0102 (1).

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

19 341.14 **(6r)** (fm) 1. b. The group or organization is not a political committee, as
20 defined in s. 11.01 (4), or a political group, as defined in s. 11.01 (10) 11.0101 (6).

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

22 346.94 **(16)** (b) 2. The operator of a vehicle of a public utility, ~~as defined in s.~~
23 ~~11.40 (1) (a).~~ In this paragraph, public utility means any corporation, company,
24 individual, or association which furnishes products or services to the public, and
25 which is regulated under ch. 195 or 196, including railroads, telecommunications or

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1 telegraph companies and any company furnishing or producing heat, light, power or
2 water.

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

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

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

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

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

16 **630.05 Political contributions.** (intro.) Section ~~11.38~~ 11.0909 applies to:

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

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

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1 municipal court shall serve as the judge for the joint court until the end of the term
2 or until a special election is held under s. 8.50 (4) (fm). Each municipality shall adopt
3 an ordinance or bylaw under sub. (1) prior to entering into the agreement. The
4 contracting municipalities need not be contiguous and need not all be in the same
5 county. Upon entering into or discontinuing such an agreement, the contracting
6 municipalities shall each transmit a certified copy of the ordinance or bylaw effecting
7 or discontinuing the agreement to the appropriate filing officer under s. 11.02 (3e)
8 11.0102 (1)(c) and to the director of state courts. When a municipal judge is elected
9 under this subsection, candidates shall be nominated by filing nomination papers
10 under s. 8.10 (6) (bm), and shall register with the filing officer specified in s. 11.02
11 (3e).

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

13 758.13 (3) (g) 1. a. “Candidate” has the meaning given in s. ~~11.01~~ 11.0101 (1).

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

15 758.13 (3) (g) 1. b. “Contribution” has the meaning given in s. ~~11.01 (6)~~ 11.0101
16 (8).

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

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

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

24 946.11 (2) (b) 1. The regular employee or pensioner is not compensated
25 specifically for services performed for a purpose related to the election or nomination

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1 for election of an individual to state or local office, the recall from or retention in office
2 of an individual holding a state or local office, or for the purpose of payment of
3 expenses incurred as a result of a recount at an election.

4 2. The regular employee or pensioner is not compensated in excess of that
5 provided to other regular employees or pensioners of like status.

SECTION 74. Nonstatutory provisions.

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

SECTION 75. Effective date.

14 (1) This act takes effect on the first day of the first full reporting period
15 following publication.

16 (END)

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1 (a) Each conduit shall make full reports, upon a form prescribed by the board
2 and certified by the administrator as required under s. 11.0103 (3) (c), providing the
3 following information covering the period since the last date covered on the previous
4 report:

5 1. An itemized statement giving the date, full name, and street address of each
6 committee to whom contributions were released during the reporting period,
7 together with the sum total of all contributions released to that committee during the
8 reporting period.

9 2. Whether, during the reporting period, and contribution was redirected to a
10 sponsor as permitted under s. 11.0705.

INSERT 96-19

11 if any of the following apply:

12 1. (a) The disbursement is made at the request or suggestion of the candidate or
13 candidate's agent.

14 2. (b) The candidate exercises control over the disbursement.

15 3. (c) The candidate engages in substantial discussions or negotiations with the
16 person making the disbursement

INSERT 97-4

17 (b) If a disbursement for express advocacy is not in violation of the coordination
18 prohibitions under sub. (1), all of the following apply:

19 1. The person making the disbursement shall report the disbursement if the
20 person is a committee subject to the reporting requirements under this chapter.

21 2. The candidate committee shall report the disbursement as a contribution.

Kreye, Joseph

From: Bemis, Zach
Sent: Wednesday, October 07, 2015 8:22 AM
To: Kreye, Joseph; Kuczenski, Tracy
Cc: Foltz, Adam
Subject: one last thing

Thanks again for all your hard work yesterday.

The only major concern that remains is the uncertainty about the enforcement/reporting provisions related to coordination. It appears the draft stay silent on that point, and we want to give more direction. We want to make sure that coordination that does not exceed the contribution limits, or violate any source prohibitions, is reported as a contribution and disbursement accordingly. I took a stab at this last night, but you guys know best on the way to accomplish this goal...

No person may make a disbursement for express advocacy that is coordinated with a candidate, candidate's agent, candidate committee, *candidate's* legislative campaign committee, or political party, in violation the of source restrictions and contribution limits established in subchapter XX.

For purposes of this section, a disbursement for express advocacy is coordinated if:

1. The disbursement is made at the request or suggestion of the candidate or candidate's agent, OR
2. The candidate exercises control over the disbursement; OR
3. The candidate engages in substantial discussions or negotiations with the person making the disbursement regarding:
 - a. The communication's content.
 - b. The communication's timing.
 - c. The location, form, or intended audience of the communication.
 - d. The number or frequency of communications.

If the coordination is not in violation of the source restrictions on contribution limits established under this subchapter, a disbursement for express advocacy that is coordinated with a candidate, candidate's agent, candidate committee, candidate's legislative campaign committee, or political party shall be reported as a contribution by the candidate and a disbursement by the person making the expenditure, if the person making the expenditure is required to report disbursements under this chapter

Kuczenski, Tracy

From: Bemis, Zach
Sent: Wednesday, October 07, 2015 8:22 AM
To: Kreye, Joseph; Kuczenski, Tracy
Cc: Foltz, Adam
Subject: one last thing

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*candidate associated with
of the same party as*

Kuczenski, Tracy

From: Kuczenski, Tracy
Sent: Wednesday, October 07, 2015 8:52 AM
To: Bemis, Zach; Kreye, Joseph
Cc: Foltz, Adam
Subject: RE: one last thing

Thanks Zach; we'll incorporate this material.

Tracy K. Kuczenski
Senior Legislative Attorney
Wisconsin Legislative Reference Bureau
tracy.kuczenski@legis.wisconsin.gov
(608) 266-9867

From: Bemis, Zach
Sent: Wednesday, October 07, 2015 8:22 AM
To: Kreye, Joseph <Joseph.Kreye@legis.wisconsin.gov>; Kuczenski, Tracy <Tracy.Kuczenski@legis.wisconsin.gov>
Cc: Foltz, Adam <Adam.Foltz@legis.wisconsin.gov>
Subject: one last thing

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