

ASSEMBLY BILL 387

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

3 (a) Answers to communications of constituents.

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

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

9 (d) Communications not exceeding 500 pieces by members of the legislature
10 relating solely to the subject matter of a special session or extraordinary session,
11 made during the period between the date that the session is called or scheduled and
12 14 days after adjournment of the session.

13 **11.1206 Travel by public officers.** (1) No person may use any vehicle or
14 aircraft owned by the state or by any local governmental unit for any trip which is
15 exclusively for the purposes of campaigning to support or oppose any candidate for
16 national, state, or local office, unless use of the vehicle or aircraft is required for
17 purposes of security protection provided by the state or local governmental unit.

18 (2) No person may use any vehicle or aircraft owned by the state or by any local
19 governmental unit for purposes that include campaigning to support or oppose any
20 candidate for national, state, or local office, unless the person pays to the state or
21 local governmental unit a fee which is comparable to the commercial market rate for
22 the use of a similar vehicle or aircraft and for any services provided by the state or
23 local governmental unit to operate the vehicle or aircraft. If a trip is made in part
24 for a public purpose and in part for the purpose of campaigning, the person shall pay
25 for the portion of the trip attributable to campaigning, but in no case less than 50

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1 percent of the cost of the trip. The portion of the trip attributable to campaigning
2 shall be determined by dividing the number of appearances made for campaign
3 purposes by the total number of appearances. Fees payable to the state shall be
4 prescribed by the secretary of administration and shall be deposited in the account
5 under s. 20.855 (6) (h). Fees payable to a local governmental unit shall be prescribed
6 by the governing body of the governmental unit.

11.1207 Political solicitation involving public officials and employees

7
8 **restricted.** (1) (a) Except as provided in par. (b) and (c), no person may solicit or
9 receive from any state officer or employee or from any officer or employee of the
10 University of Wisconsin Hospitals and Clinics Authority any contribution or service <sup>Insert
100-10</sup>

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

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

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

19 (3) (4) Every person who has charge or control in a building, office, or room
20 occupied for any purpose by this state, by any political subdivision thereof, or by the
21 University of Wisconsin Hospitals and Clinics Authority shall prohibit the entry of
22 any person into that building, office, or room for the purpose of making or receiving
23 a contribution.

24 (4) (5) No person may enter or remain in any building, office, or room occupied for
25 any purpose by the state, by any political subdivision thereof or by the University of

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1 Wisconsin Hospitals and Clinics Authority or send or direct a letter or other notice
2 thereto for the purpose of requesting or collecting a contribution.

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

7 **11.1208 Unlawful political disbursements and obligations.** (1) No
8 person may intentionally receive or accept anything of value, or any promise or
9 pledge thereof, constituting a disbursement made or obligation incurred contrary to
10 law.

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

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

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

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

20 3. For the purpose of making a donation to a charitable organization or the
21 common school fund.

22 4. For payment of the expenses of nonpartisan campaigns to increase voter
23 registration or participation.

24 (c) A candidate committee may accept contributions and make disbursements
25 from a campaign depository account for payment of inaugural expenses of an

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1 individual who is elected to state or local office. Inaugural expenses paid from
2 contributions made to the campaign depository account are reportable under s.
3 11.0204 (1) as disbursements and are subject to the limits under s. 11.1101.

4 (4) No contributions to or disbursements from a committee's depository
5 account may be invested for the purpose of producing income unless the investment
6 is in direct obligations of the United States and of agencies and corporations wholly
7 owned by the United States, commercial paper maturing within one year from the
8 date of investment, preferred shares of a corporation, or securities of an investment
9 company registered under the federal investment company act of 1940 (15 USC 80a)
10 and registered for public offer and sale in this state of the type commonly referred
11 to as a "money market fund".

SUBCHAPTER XIII

ADMINISTRATION

14 **11.1301 Defense fund authorized.** (1) Any candidate or public official who
15 is being investigated for, charged with, or convicted of a criminal violation of this
16 chapter or ch. 12, or whose agent is so investigated, charged, or convicted, may
17 establish a defense fund for disbursements supporting or defending the candidate,
18 official, or agent, or any dependent of the candidate, official, or agent, while that
19 person is being investigated for, or while the person is charged with or convicted of
20 a criminal violation of this chapter or ch. 12.

21 (2) No person may use a contribution received from a contributor to a candidate
22 committee fund for a purpose for which a defense fund is authorized under sub. (1)
23 unless the person obtains the contributor's authorization. Notwithstanding s.
24 11.1202 (3), any contributor may authorize the transfer of all or part of a contribution
25 from a campaign fund to a defense fund.

1 **11.1302 Donations to charitable organizations or school fund.** Any
2 committee may make a donation to a charitable organization or the common school
3 fund from the committee's depository account. No later than 5 days after a committee
4 makes a donation to a charitable organization or the common school fund from the
5 committee's depository account, the committee shall notify the committee's filing
6 officer in writing of the name of the donee and the date of the donation, and shall
7 provide an explanation for not retaining the amount donated in the committee's
8 depository account.

9 **11.1303 Attribution of political contributions, disbursements and**
10 **communications.** (1) No disbursement may be made anonymously and no
11 contribution or disbursement may be made in a fictitious name or by one person or
12 organization in the name of another.

13 (2) (a) Every printed advertisement, billboard, handbill, sample ballot,
14 television or radio advertisement, or other communication^{containing express advocacy} which is paid for by any
15 contribution or disbursement shall clearly identify its source.

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

22 (c) Every communication described under par. (a) that is directly paid for or
23 reimbursed by an individual, including a candidate who is serving as his or her own
24 candidate committee treasurer, or for which an individual assumes responsibility,
25 whether by accepting a contribution or making a disbursement, shall identify its

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1 source by the words "Paid for by" followed by the name of the candidate or other
2 individual making the payment or reimbursement or assuming responsibility for the
3 communication.

4 (d) In addition to the requirements of pars. (a) to (c), a person required to submit
5 an affirmation under oath, as provided under s. 11.0505 (1) (b) 6., 11.0605 (1) (b) 6.,
6 or 11.1001 (1) (b) 6. shall also include the words "Not authorized by any candidate
7 or candidate's agent or committee" in every communication supporting or opposing
8 any clearly identified candidate. *containing express advocacy*

9 (e) Communications under this section by a candidate committee may identify
10 the name of the candidate committee *described in para (a) to (c) and made* ~~except as provided in par. (b) 2. and~~ except that
11 no abbreviation may be used to identify the committee.

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

16 (f) This subsection does not apply to communications *containing express advocacy* printed on small items
17 on which the information required by this subsection cannot be conveniently printed.

18 The board may, by rule, specify small items *to which this subsection shall not apply.*
or other communications

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

21 (3) Whenever any person receives payment from another person, in cash or
22 in-kind, for the direct or indirect cost of conducting a poll concerning support or
23 opposition to a candidate, political party, or referendum, the person conducting the
24 poll shall, upon request of any person who is polled, disclose the name and address

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1 of the person making payment for the poll and, in the case of a committee, the name
2 of the treasurer of the committee making payment.

3 **11.1304 Duties of the government accountability board.** The board shall:

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

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

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

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

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

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

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

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

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

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

15 (8) Maintain a duplicate record of any statement ^{submitted} received by a political action
16 committee under s. 11.0505 or by a person under subchapter VII together with the
17 record of each candidate to whom it relates. Insert 106-16

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

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

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1 treasurer, the board shall send the notice to both the candidate and the treasurer of
2 the candidate committee.

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

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

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

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

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

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

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

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

ASSEMBLY BILL 387**SECTION 24**

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

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

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

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

11 (15) Prepare and publish from time to time special reports comparing the
12 various totals and categories of contributions and disbursements made with respect
13 to preceding elections.

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

15 (17) Promulgate rules to administer this chapter.

16 **SUBCHAPTER XIV**

17 **PENALTIES**

18 **11.1400 Civil penalties.** (1) Any person who violates this chapter may be
19 required to forfeit not more than \$500 for each violation.

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

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

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

7 (4) (5) Notwithstanding sub. (1), any person who is subject to a requirement to pay
8 a filing fee under s. 11.0102 and who fails to pay that fee within the time prescribed
9 in that section shall forfeit \$500 plus treble the amount of the fee payable by that
10 person.

11 (5) (6) Except as otherwise provided in ss. 5.05 (2m) (c) 15. and 16. and (h), 5.08,
12 and 5.081, actions under this section may be brought by the board or, upon the board's
13 determination of probable cause, by the district attorney for the county where the
14 defendant resides or, if the defendant is a nonresident, by the district attorney for the
15 county where the violation is alleged to have occurred. For purposes of this
16 subsection, a person other than an individual resides within a county if the person's
17 principal place of operation is located within that county.

18 (6) (7) Any elector may file a verified petition with the board requesting that civil
19 action under this chapter be brought against any person or committee. The petition
20 shall allege such facts as are within the knowledge of the petitioner to show probable
21 cause that a violation of this chapter has occurred.

22 (7) (8) When a candidate committee treasurer or candidate's agent incurs an
23 obligation or makes a disbursement, that action by the treasurer or agent is imputed
24 to the candidate for purposes of civil liability under this subchapter.

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① ^② ^③ ^④ ^⑤ ^⑥ ^⑦ ^⑧ ^⑨ In civil actions under this chapter the acts of every member of a candidate
2 committee are presumed to be with the candidate's knowledge or approval until
3 clearly proven otherwise.

4 **11.1401 Criminal penalties; prosecution.** (1) (a) Whoever intentionally
5 violates s. 11.1204 or any registration or reporting requirement under this chapter
6 is guilty of a Class I felony.

7 (b) Whoever intentionally violates subch. XI or s. 11.1201, 11.1208, or 11.1303
8 is guilty of a Class I felony if the intentional violation does not involve a specific figure
9 or if the intentional violation concerns a figure which exceeds \$100 in amount or
10 value.

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

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

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

23 (3) (a) If a successful candidate for public office, other than a candidate for the
24 legislature, is adjudged guilty in a criminal action of any violation of this chapter
25 under sub. (1) (a) or (b), or of any violation of ch. 12 under s. 12.60 (1) (a) committed

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1 during his or her candidacy, the court shall after entering judgment enter a
2 supplemental judgment declaring a forfeiture of the candidate's right to office. The
3 supplemental judgment shall be transmitted to the officer or agency authorized to
4 issue the certificate of nomination or election to the office for which the person
5 convicted is a candidate. If the candidate's term has not yet begun, the candidate
6 shall not take office. If the candidate's term has begun, the office shall become
7 vacant. The office shall then be filled in the manner provided by law.

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

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

14 12.07 (4) No person may, directly or indirectly, cause any person to make a
15 contribution or provide any service or other thing of value to or for the benefit of a
16 ~~candidate, political party or registrant~~ committee registered under s. ~~11.05~~ chapter
17 11, with the purpose of influencing the election or nomination of a candidate to
18 national, state or local office or the passage or defeat of a referendum by means of the
19 denial or the threat of denial of any employment, position, work or promotion, or any
20 compensation or other benefit of such employment, position or work, or by means of
21 discharge, demotion or disciplinary action or the threat to impose a discharge,
22 demotion or disciplinary action. This subsection does not apply to employment by
23 a ~~candidate, political party or other registrant~~ committee registered under s. ~~11.05~~
24 chapter 11 in connection with a campaign or political party activities.

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

ASSEMBLY BILL 387**SECTION 26**

1 **12.08 Denial of government benefits.** No person may, directly or indirectly,
2 cause any person to make a contribution or provide any service or other thing of value
3 to or for the benefit of a ~~candidate, political party or registrant~~ committee registered
4 under s. ~~11.05~~ chapter 11, with the purpose of influencing the election or nomination
5 of a candidate to national, state, or local office or the passage or defeat of a
6 referendum by means of the denial or threat of denial of any payment or other benefit
7 of a program established or funded in whole or in part by this state or any local
8 governmental unit of this state, or a program which has applied for funding by this
9 state or any local governmental unit of this state.

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

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

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

20 12.60 (4) Prosecutions under this chapter shall be conducted in accordance
21 with s. ~~11.61~~ 11.1401 (2).

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

23 13.62 (5g) “Candidate” has the meaning given under s. ~~11.01 (1)~~ 11.0101 (1).

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

25 13.62 (5j) “Candidate committee” has the meaning given in s. 11.0101 (2).

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

2 13.62 (5r) "Communications media" ~~has the meaning given under s. 11.01 (5)~~
3 means newspapers, periodicals, commercial billboards and radio and television
4 stations, including community antenna television stations.

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

6 13.62 (5u) "Contribution" has the meaning given in s. 11.0101 (8).

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

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

9 13.625 (1) (b) (intro.) ~~Furnish~~ Give to any agency official or legislative employee
10 of the state or to any elective state official or candidate for an elective state office, or
11 to the ~~official's, employee's or candidate's personal campaign~~ candidate committee of
12 the official, employee, or candidate:

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

14 13.625 (1) (b) 3. Food, meals, beverages, money or any other thing of pecuniary
15 value, except that a lobbyist may ^{deliver a contribution or} ~~make a campaign~~ ^{personal} contribution to a partisan elective
16 state official or candidate for national, state or local office or to the ~~official's or~~
17 ~~candidate's personal campaign~~ candidate committee of the official or candidate; but
18 a lobbyist may make a ^{personal} contribution to which ~~par. (e)~~ sub. (1m) applies only as
19 authorized in ~~par. (e)~~ sub. (1m).

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

22 13.625 (1m) (a) (intro.) Except as permitted provided in this subsection,
23 ~~personally make~~ par. (b), a lobbyist may not do any of the following:

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

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

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

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

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

17 13.625 (1m) (b) 1. A ~~campaign~~ contribution to a candidate for legislative office
18 may be made during that period only if the legislature has concluded its final
19 floorperiod, and is not in special or extraordinary session.

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

22 13.625 (1m) (b) 2. A ~~campaign~~ contribution by a lobbyist to the lobbyist's
23 ~~campaign candidate committee~~ for partisan elective state office may be made at any
24 time.

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

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

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

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

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

14 13.625 (6r) Subsections (1) (b) ~~and (e), (1m)~~, and (3) do not apply to the
15 furnishing of anything of pecuniary value by a lobbyist or principal to an employee
16 of that lobbyist or principal who is a legislative official or an agency official solely
17 because of membership on a state commission, board, council, committee or similar
18 body if the thing of pecuniary value is not in excess of that customarily provided by
19 the employer to similarly situated employees and if the legislative official or agency
20 official receives no compensation for his or her services other than a per diem or
21 reimbursement for actual and necessary expenses incurred in the performance of his
22 or her duties, nor to the receipt of anything of pecuniary value by that legislative
23 official or agency official under those circumstances.

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

ASSEMBLY BILL 387**SECTION 42**

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

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

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

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

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

18 13.75 (1r) The board may accept payment under this section by credit card,
19 debit card, or other electronic payment mechanism, and may charge a surcharge to
20 recover the actual cost associated with the acceptance of that electronic payment.

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

22 15.60 (5) No member, for one year immediately prior to the date of nomination
23 may have been, or while serving on the board may become, a member of a political
24 party, an officer or member of a committee in any partisan political club or

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1 organization, or an officer or employee of a ~~registrant~~ committee registered under s.
2 ~~11.05~~ ch. 11.

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

4 15.60 (6) No member, while serving on the board, may become a candidate, as
5 defined in s. ~~11.01(1)~~ 11.0101 (1), for state office or local office, as defined in s. 5.02.

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

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

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

14 15.79 (2) (b) Directly or indirectly solicit or receive any contribution, as defined
15 in s. ~~11.01(6)~~, ~~for any political purpose, as defined in s. 11.01(16)~~ 11.0101 (8), from
16 any person within or outside of the state.

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

18 19.42 (3m) “Candidate,” except as otherwise provided, has the meaning given
19 in s. ~~11.01(1)~~ 11.0101 (1).

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

21 19.45 (13) No state public official or candidate for state public office may,
22 directly or by means of an agent, give, or offer or promise to give, or withhold, or offer
23 or promise to withhold, his or her vote or influence, or promise to take or refrain from
24 taking official action with respect to any proposed or pending matter in consideration
25 of, or upon condition that, any other person make or refrain from making a political

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1 contribution, or provide or refrain from providing any service or other thing of value,
2 to or for the benefit of a candidate, a political party, any person who is subject to a
3 ~~registration requirement~~ committee registered under ~~s. 11.05~~ ch. 11, or any person
4 making a communication that contains a reference to a clearly identified state public
5 official holding an elective office or to a candidate for state public office.

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

7 19.579 (1) Except as provided in sub. (2), any person who violates this
8 subchapter may be required to forfeit not more than \$500 for each violation of s.
9 19.43, 19.44, or 19.56 (2) or not more than \$5,000 for each violation of any other
10 provision of this subchapter. If the court determines that the accused has realized
11 economic gain as a result of the violation, the court may, in addition, order the
12 accused to forfeit the amount gained as a result of the violation. In addition, if the
13 court determines that a state public official has violated s. 19.45 (13), the court may
14 order the official to forfeit an amount equal to the amount or value of any political
15 contribution, service, or other thing of value that was wrongfully obtained. If the
16 court determines that a state public official has violated s. 19.45 (13) and no political
17 contribution, service, or other thing of value was obtained, the court may order the
18 official to forfeit an amount equal to the maximum contribution authorized under s.
19 ~~11.26~~ 11.1101 (1) for the office held or sought by the official, whichever amount is
20 greater. The attorney general, when so requested by the board, shall institute
21 proceedings to recover any forfeiture incurred under this section which is not paid
22 by the person against whom it is assessed.

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

24 19.59 (1) (br) No local public official or candidate for local public office may,
25 directly or by means of an agent, give, or offer or promise to give, or withhold, or offer

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

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

10 19.59 (7) (b) Any person who violates sub. (1) may be required to forfeit not
11 more than \$1,000 for each violation, and, if the court determines that a local public
12 official has violated sub. (1) (br) and no political contribution, service or other thing
13 of value was obtained, the court may, in addition, order the accused to forfeit an
14 amount equal to the maximum contribution authorized under s. ~~11.26-11.1101~~ (1) for
15 the office held or sought by the official, whichever amount is greater.

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

17 20.511 (1) (a) *General program operations; general purpose revenue.*
18 Biennially, the amounts in the schedule for general program operations of the board,
19 including the printing of forms, materials, manuals, and election laws under ss. 7.08
20 (1) (b), (3), and (4) and ~~11.21~~ 11.1304 (3) and (14), and the training of election officials
21 under s. 5.05 (7).

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

23 20.511 (1) (i) *Elections administration; program revenue.* The amounts in the
24 schedule for the administration of chs. 5 to 12. All moneys received from fees imposed
25 under s. ~~11.055-1~~ 11.0102 (2) shall be credited to this appropriation account.

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

2 20.511 (1) (j) *Electronic filing software.* All moneys received from registrants
3 who purchase software to be utilized for electronic filing of campaign finance reports
4 under s. ~~11.21(16)~~ 11.1304 (6), for the purpose of providing that software.

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

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

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

14 36.11 (1) (cm) The board shall promulgate rules under ch. 227 prescribing the
15 times, places, and manner in which political literature may be distributed and
16 political campaigning may be conducted in state-owned residence halls. No such
17 rule may authorize any activity prohibited under s. ~~11.36(3)~~ or 11.1207 ^Y ~~(4)~~ or (5).

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

19 111.365 (3) (a) The application of s. ~~11.36~~ 11.1207.

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

21 120.06 (6) (b) 5. If a candidate has not filed a registration statement under s.
22 ~~11.05~~ 11.0202 (1) (a) by the time he or she files a declaration of candidacy, the
23 candidate shall file the statement with the declaration. A candidate shall file an
24 amended declaration under oath with the school district clerk in the event of a
25 change in any information provided in the declaration as provided in s. 8.21.

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

2 185.03 (10) (e) The cooperative dedicates any funds remaining unclaimed after
3 the date specified in par. (b) to educational purposes, limited to providing
4 scholarships or loans to students, or to charitable purposes, as the board determines,
5 within one year after the date the funds are declared forfeited under par. (a). ~~In this~~
6 ~~paragraph, educational purposes does not include political purposes as defined in s.~~
7 ~~11.01 (16).~~

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

9 202.12 (5) (a) 2. A candidate for national, state, or local office or a political party
10 or other committee or group required to file financial information with the federal
11 elections commission or a filing officer under s. ~~11.02~~ 11.0102 (1).

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

13 341.14 (6r) (fm) 1. b. The group or organization is not a political committee, as
14 ~~defined in s. 11.01 (4), or a political group, as defined in s. 11.01 (10)~~ 11.0101 (6).

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

16 346.94 (16) (b) 2. The operator of a vehicle of a public utility, ~~as defined in s.~~
17 ~~11.40 (1) (a).~~ In this paragraph, public utility means any corporation, company,
18 individual, or association which furnishes products or services to the public, and
19 which is regulated under ch. 195 or 196, including railroads, telecommunications or
20 telegraph companies and any company furnishing or producing heat, light, power or
21 water.

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

23 349.135 (2) (b) The operator of a vehicle of a public utility, ~~as defined in s. 11.40~~
24 ~~(1) (a).~~ In this paragraph, public utility means any corporation, company, individual
25 or association which furnishes products or services to the public, and which is

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1 regulated under ch. 195 or 196, including railroads, telecommunications or
2 telegraph companies and any company furnishing or producing heat, light, power or
3 water.

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

5 563.907 (3) (b) A political party, as defined in s. 5.02 (13), except a state
6 committee political party registered under s. 11.05 and ~~organized exclusively for~~
7 ~~political purposes~~ subch. III of ch. 11 under whose name candidates appear on a
8 ballot at any election.

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

10 **630.05 Political contributions.** (intro.) Section ~~11.38~~ 11.1112 applies to:

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

12 755.01 (4) Two or more cities, towns or villages of this state may enter into an
13 agreement under s. 66.0301 for the joint exercise of the power granted under sub. (1),
14 except that for purposes of this subsection, any agreement under s. 66.0301 shall be
15 effected by the enactment of identical ordinances by each affected city, town or
16 village. Electors of each municipality entering into the agreement shall be eligible
17 to vote for the judge of the municipal court so established. If a municipality enters
18 into an agreement with a municipality that already has a municipal court, the
19 municipalities may provide by ordinance or resolution that the judge for the existing
20 municipal court shall serve as the judge for the joint court until the end of the term
21 or until a special election is held under s. 8.50 (4) (fm). Each municipality shall adopt
22 an ordinance or bylaw under sub. (1) prior to entering into the agreement. The
23 contracting municipalities need not be contiguous and need not all be in the same
24 county. Upon entering into or discontinuing such an agreement, the contracting
25 municipalities shall each transmit a certified copy of the ordinance or bylaw effecting

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1 or discontinuing the agreement to the appropriate filing officer under s. ~~11.02 (3e)~~
2 11.0102 (1) (c) and to the director of state courts. When a municipal judge is elected
3 under this subsection, candidates shall be nominated by filing nomination papers
4 under s. 8.10 (6) (bm), and shall register with the filing officer specified in s. ~~11.02~~
5 ~~(3e)~~.

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

7 758.13 (3) (g) 1. a. “Candidate” has the meaning given in s. ~~11.01~~ 11.0101 (1).

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

9 758.13 (3) (g) 1. b. “Contribution” has the meaning given in s. ~~11.01 (6)~~ 11.0101
10 (8).

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

13 946.11 (2) (b) (intro.) “Privilege” ~~has the meaning designated under s. 11.40;~~
14 means anything of value not available to the general public, but does not include
15 compensation or fringe benefits provided as a result of employment by a public utility
16 to a regular employee or pensioner when the following conditions are satisfied:

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

18 946.11 (2) (b) 1. The regular employee or pensioner is not compensated
19 specifically for services performed for a purpose related to the election or nomination
20 for election of an individual to state or local office, the recall from or retention in office
21 of an individual holding a state or local office, or for the purpose of payment of
22 expenses incurred as a result of a recount at an election.

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

25 **SECTION 74. Nonstatutory provisions.**

