



State of Wisconsin
2015 - 2016 LEGISLATURE

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**SENATE AMENDMENT 3,
TO ASSEMBLY BILL 387**

November 6, 2015 – Offered by Senators ERPENBACH, MILLER, RISSER, SHILLING, LASSA, HANSEN, WIRCH, CARPENTER, L. TAYLOR, C. LARSON, RINGHAND, BEWLEY, HARRIS DODD and VINEHOUT.

1 At the locations indicated, amend the engrossed bill as follows:

2 **1.** Page 21, line 13: after that line insert:

3 “(19d) “Mass communication” means a message that is disseminated by means
4 of one or more communications media, a mass electronic communication, a mass
5 distribution, or a mass telephoning, but not including any of the following:

6 (a) A bona fide poll conducted for the purpose of objectively identifying or
7 collecting data concerning the attitudes or preferences of electors.

8 (b) A communication made exclusively between an organization and its
9 members. In this paragraph, a member of an organization means a shareholder,
10 employee, or officer of the organization, or an individual who has affirmatively
11 manifested an interest in joining, supporting, or aiding the organization.

12 (19h) “Mass distribution” means the distribution of 500 or more pieces of
13 substantially identical material.

1 **(19p)** “Mass electronic communication” means the transmission of 500 or more
2 pieces of substantially identical material by means of electronic mail or facsimile
3 transmission.

4 **(19t)** “Mass telephoning” means the making of 500 or more telephone calls
5 conveying a substantially identical message.”.

6 **2.** Page 30, line 13: after that line insert:

7 **“11.01035 Reporting of certain mass communications. (1)** A committee
8 registered under this chapter that makes a mass communication during the period
9 beginning on the 60th day preceding an election and ending on the date of that
10 election that includes a reference to a clearly identified candidate whose name is
11 certified under s. 7.08 (2) (a) or 8.50 (1) (d) to appear on the ballot at that election shall
12 report the following information with respect to any disbursement made or
13 obligation incurred for the purpose of making the mass communication:

14 (a) An itemized statement of every disbursement, together with the name and
15 address of the person to whom the disbursement was made, and the date and specific
16 purpose for which the disbursement was made.

17 (b) An itemized statement of every obligation, together with the name of the
18 person or business with whom the obligation was incurred, and the date and the
19 specific purpose for which each such obligation was incurred.

20 (c) A statement of totals during the reporting period of disbursements made.

21 (d) A statement of the balance of obligations incurred as of the end of the
22 reporting period.

23 (e) A statement of cumulative totals for the calendar year of disbursements
24 made and obligations incurred.

1 (2) If any committee makes or incurs an obligation to make a disbursement of
2 more than \$500 cumulatively for the purpose of making a mass communication that
3 includes a reference to a clearly identified candidate and that is made less than 60
4 days before a primary or other election without cooperation or consultation with any
5 candidate or agent or authorized committee of any candidate who is supported or
6 opposed, and not in concert with or at the request or suggestion of any such
7 candidate, agent, or committee, the committee shall, within 24 hours after making
8 the disbursement or incurring the obligation, inform the appropriate filing officer of
9 the information required under sub. (1) in such manner as the board may prescribe.
10 The committee shall also include the information in the next report of the committee
11 under this chapter. For purposes of this subsection, disbursements and obligations
12 cumulate beginning with the day after the last date covered on the committee's
13 immediately preceding report and ending with the day before the election. If a
14 committee has not filed a previous report, disbursements and obligations cumulate
15 beginning on the date of the committee's registration. A disbursement that was
16 previously reported in a report under this subsection as obligated to be made shall
17 not be included in the cumulative total. Upon receipt of a report under this
18 subsection, the filing officer shall, within 24 hours of receipt, transmit a copy of the
19 report to all candidates for any office in support of or opposition to one of whom a
20 disbursement identified in the report is made or obligated to be made.”.

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(END)