

ASSEMBLY BILL 388**SECTION 109**

1 county clerk shall deposit fees received by him or her with the county treasurer. The
2 municipal clerk shall deposit fees received by him or her with the municipal
3 treasurer.

4 **SECTION 110.** 9.01 (1) (ar) 3. of the statutes is amended to read:

5 9.01 (1) (ar) 3. Whenever a clerk receives a valid petition and any payment
6 under par. (ag) 3., the clerk shall thereupon notify the proper board of canvassers.
7 Whenever the ~~board~~ commission receives a valid petition and any payment under
8 par. (ag) 3., the ~~board~~ commission shall promptly by certified mail or other
9 expeditious means order the proper county boards of canvassers to commence the
10 recount. County boards of canvassers shall convene no later than 9 a.m. on the
11 second day after receipt of an order and may adjourn for not more than one day at
12 a time until the recount is completed in the county, except that the ~~board~~ commission
13 may permit extension of the time for adjournment. Returns from a recount ordered
14 by the ~~board~~ commission shall be transmitted to the office of the ~~board~~ commission
15 as soon as possible, but in no case later than 13 days from the date of the order of the
16 ~~board~~ commission directing the recount. The commission chairperson ~~of the board~~
17 or the chairperson's designee may not make a determination in any election if a
18 recount is pending before any county board of canvassers in that election. The
19 commission chairperson ~~of the board~~ or the chairperson's designee need not recount
20 actual ballots, but shall verify the returns of the county boards of canvassers in
21 making his or her determinations.

22 **SECTION 111.** 9.01 (5) (a) of the statutes is amended to read:

23 9.01 (5) (a) The board of canvassers or the commission chairperson ~~of the board~~
24 or the chairperson's designee shall keep complete minutes of all proceedings before
25 the board of canvassers or the chairperson or designee. The minutes shall include

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1 a record of objections and offers of evidence. If the board of canvassers or the
2 commission chairperson or the chairperson's designee receives exhibits from any
3 party, the board of canvassers or the chairperson or designee shall number and
4 preserve the exhibits. The board of canvassers or the chairperson or chairperson's
5 designee shall make specific findings of fact with respect to any irregularity raised
6 in the petition or discovered during the recount. Any member of the board of
7 canvassers or the chairperson or chairperson's designee may administer oaths,
8 certify official acts, and issue subpoenas for purposes of this section. Witness fees
9 shall be paid by the county. In the case of proceedings before the commission
10 chairperson of the board or chairperson's designee, witness fees shall be paid by the
11 ~~board~~ commission.

12 **SECTION 112.** 9.01 (5) (bm) of the statutes is amended to read:

13 9.01 (5) (bm) Upon the completion of its proceedings, a board of canvassers
14 shall deliver to the ~~board~~ commission one copy of the minutes of the proceedings kept
15 under par. (a). In addition, in the case of a recount of an election for state or national
16 office, for each candidate whose name appears on the ballot for that office under the
17 name of a political party, the board of canvassers shall deliver one copy of the minutes
18 to the chief officer, if any, who is named in any registration statement filed under s.
19 11.05 (1) by the state committee of that political party, and in the case of a recount
20 of an election for county office, for each candidate whose name appears on the ballot
21 for that office under the name of a political party, the board of canvassers shall
22 deliver one copy of the minutes to the chief officer, if any, who is named in any
23 registration statement filed under s. 11.05 (1) by the county committee of that
24 political party.

25 **SECTION 113.** 9.01 (5) (c) of the statutes is amended to read:

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1 9.01 (5) (c) If the recount is made by a municipal or county board of canvassers
2 and the result is required to be reported to a county board of canvassers or to the
3 commission chairperson ~~of the board~~ or the chairperson's designee, the board of
4 canvassers making the initial recount shall immediately certify the results to the
5 county board of canvassers or to the commission chairperson ~~of the board~~ or designee.
6 If a county board of canvassers receives such results, it shall then convene not later
7 than 9 a.m. on the next business day following receipt to examine the returns and
8 determine the results. If the commission chairperson ~~of the board~~ or the
9 chairperson's designee receives such results, the chairperson or designee shall
10 publicly examine the returns and determine the results not later than 9 a.m. on the
11 3rd business day following receipt, but if that day is earlier than the latest day
12 permitted for that election under s. 7.70 (3) (a), the commission chairperson ~~of the~~
13 ~~board~~ or designee may examine the returns and determine the results not later than
14 the day specified in s. 7.70 (3) (a).

15 **SECTION 114.** 9.01 (6) (a) of the statutes is amended to read:

16 9.01 (6) (a) Within 5 business days after completion of the recount
17 determination by the board of canvassers in all counties concerned, or within 5
18 business days after completion of the recount determination by the commission
19 chairperson ~~of the board~~ or the chairperson's designee whenever a determination is
20 made by the chairperson or designee, any candidate, or any elector when for a
21 referendum, aggrieved by the recount may appeal to circuit court. The appeal shall
22 commence by serving a written notice of appeal on the other candidates and persons
23 who filed a written notice of appearance before each board of canvassers whose
24 decision is appealed, or in the case of a statewide recount, before the commission
25 chairperson ~~of the board~~ or the chairperson's designee. The appellant shall also serve

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1 notice on the ~~board~~ commission if the commission chairperson of ~~the board~~ or the
2 chairperson's designee is responsible for determining the election. The appellant
3 shall serve the notice by certified mail or in person. The appellant shall file the notice
4 with the clerk of circuit court together with an undertaking and surety in the amount
5 approved by the court, conditioned upon the payment of all costs taxed against the
6 appellant.

7 **SECTION 115.** 9.01 (7) (a) of the statutes is amended to read:

8 9.01 (7) (a) The court with whom an appeal is filed shall forthwith issue an
9 order directing each affected county ~~or~~, municipal clerk, or board, and the
10 commission, to transmit immediately all ballots, papers and records affecting the
11 appeal to the clerk of court or to impound and secure such ballots, papers and records,
12 or both. The order shall be served upon each affected county ~~or~~, municipal clerk, or
13 board, the commission, and all other candidates and persons who filed a written
14 notice of appearance before any board of canvassers involved in the recount.

15 **SECTION 116.** 9.01 (8) (a) of the statutes is amended to read:

16 9.01 (8) (a) Unless the court finds a ground for setting aside or modifying the
17 determination of the board of canvassers or the commission chairperson of ~~the board~~
18 or chairperson's designee, it shall affirm the determination.

19 **SECTION 117.** 9.01 (8) (c) of the statutes is amended to read:

20 9.01 (8) (c) The court may not receive evidence not offered to the board of
21 canvassers or the commission chairperson or the chairperson's designee except for
22 evidence that was unavailable to a party exercising due diligence at the time of the
23 recount or newly discovered evidence that could not with due diligence have been
24 obtained during the recount, and except that the court may receive evidence not
25 offered at an earlier time because a party was not represented by counsel in all or part

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1 of a recount proceeding. A party who fails to object or fails to offer evidence of a defect
2 or irregularity during the recount waives the right to object or offer evidence before
3 the court except in the case of evidence that was unavailable to a party exercising due
4 diligence at the time of the recount or newly discovered evidence that could not with
5 due diligence have been obtained during the recount or evidence received by the
6 court due to unavailability of counsel during the recount.

7 **SECTION 118.** 9.01 (8) (d) of the statutes is amended to read:

8 9.01 (8) (d) The court shall set aside or modify the determination of the board
9 of canvassers or the commission chairperson of the board or the chairperson's
10 designee if it finds that the board of canvassers or the chairperson or chairperson's
11 designee has erroneously interpreted a provision of law and a correct interpretation
12 compels a particular action. If the determination depends on any fact found by the
13 board of canvassers or the commission chairperson or the chairperson's designee, the
14 court may not substitute its judgment for that of the board of canvassers or the
15 chairperson or designee as to the weight of the evidence on any disputed finding of
16 fact. The court shall set aside the determination if it finds that the determination
17 depends on any finding of fact that is not supported by substantial evidence.

18 **SECTION 119.** 9.01 (10) of the statutes is amended to read:

19 9.01 (10) STANDARD FORMS AND METHODS. ~~The government accountability board~~
20 commission shall prescribe standard forms and procedures for the making of
21 recounts under this section. The procedures prescribed by the ~~government~~
22 ~~accountability board~~ commission shall require the boards of canvassers in recounts
23 involving more than one board of canvassers to consult with the ~~government~~
24 ~~accountability board~~ commission staff prior to beginning any recount in order to
25 ensure that uniform procedures are used, to the extent practicable, in such recounts.

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1 **SECTION 120.** 10.06 (1) (title) of the statutes is amended to read:

2 10.06 (1) (title) ~~GOVERNMENT ACCOUNTABILITY BOARD~~ ELECTIONS COMMISSION.

3 **SECTION 121.** 11.01 (4m) of the statutes is created to read:

4 11.01 (4m) “Commission” means the ethics commission.

5 **SECTION 122.** 11.09 of the statutes is amended to read:

6 **11.09 Duplicate reports required in certain cases. (3)** Each registrant
7 whose filing officer is the ~~board~~ commission, who or which makes disbursements in
8 connection with elections for offices which serve or referenda which affect only one
9 county or portion thereof, except a candidate, personal campaign committee,
10 political party committee or other committee making disbursements in support of or
11 in opposition to a candidate for state senator, representative to the assembly, court
12 of appeals judge or circuit judge, shall file a duplicate original of each financial report
13 filed with the ~~board~~ commission with the county clerk or board of election
14 commissioners of the county in which the elections in which the registrant
15 participates are held. Such reports shall be filed no later than the dates specified
16 under s. 11.20 (2) and (4) for the filing of each report with the ~~board~~ commission.

17 (4) In every case where a duplicate report is filed by the ~~board~~ commission or
18 by any person under sub. (3), the ~~board~~ commission shall transmit a certified
19 duplicate copy of the registration statement to each county clerk or board of election
20 commissioners with whom a duplicate report is filed.

21 **SECTION 123.** 11.21 (title) of the statutes is amended to read:

22 11.21 (title) **Duties of the ~~government accountability board~~ ethics**
23 **commission.**

24 **SECTION 124.** 11.21 (7) (intro.) of the statutes is amended to read:

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1 11.21 (7) (intro.) Include in its ~~biennial~~ annual report under s. ~~15.04 (1) (d)~~
2 ~~19.47 (5)~~ compilations of any of the following in its discretion:

3 **SECTION 125.** 11.30 (2) (fm) of the statutes is amended to read:

4 11.30 (2) (fm) This subsection does not apply to communications printed on
5 pins, buttons, pens, balloons, nail files and similar small items on which the
6 information required by this subsection cannot be conveniently printed. The ~~board~~
7 ~~may~~ commission shall, by rule, specify small items not mentioned in this paragraph
8 to which this subsection shall not apply.

9 **SECTION 126.** 11.60 (4) of the statutes is amended to read:

10 11.60 (4) Except as otherwise provided in ss. ~~5.05 (2m) (e) 15. and 16. and (h),~~
11 ~~5.08, and 5.081~~ 19.49 (2) (b) 13. and 14. and (g) and 19.554, actions under this section
12 may be brought by the ~~board~~ commission or by the district attorney for the county
13 where the defendant resides or, if the defendant is a nonresident, by the district
14 attorney for the county where the violation is alleged to have occurred. For purposes
15 of this subsection, a person other than a ~~natural person~~ an individual resides within
16 a county if the person's principal place of operation is located within that county.

17 **SECTION 127.** 11.61 (2) of the statutes is amended to read:

18 11.61 (2) Except as otherwise provided in ss. ~~5.05 (2m) (e) 15. and 16. and (i),~~
19 ~~5.08, and 5.081~~ 19.49 (2) (b) 13. and 14. and (h), and 19.554, all prosecutions under
20 this section shall be conducted by the district attorney for the county where the
21 defendant resides or, if the defendant is a nonresident, by the district attorney for the
22 county where the violation is alleged to have occurred. For purposes of this
23 subsection, a person other than a ~~natural person~~ an individual resides within a
24 county if the person's principal place of operation is located within that county.

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1 **SECTION 128.** 12.01 of the statutes is renumbered 12.01 (intro.) and amended
2 to read:

3 **12.01 Definitions.** (intro.) The definitions given under s. 11.01 apply to this
4 chapter, except that a “candidate” as follows:

5 **(1) “Candidate”** includes ~~eandidates~~ a candidate for national office.

6 **SECTION 129.** 12.01 (2) of the statutes is created to read:

7 12.01 **(2)** “Commission” means the elections commission.

8 **SECTION 130.** 12.13 (5) (a) of the statutes is amended to read:

9 12.13 **(5)** (a) Except as specifically authorized by law and except as provided
10 in par. (b), no investigator, prosecutor, employee of an investigator or prosecutor, or
11 member or employee of the ~~board~~ commission may disclose information related to an
12 investigation or prosecution under chs. 5 to 10 or 12, ~~subch. III of ch. 13, or subch.~~
13 ~~III of ch. 19~~ or any other law specified in s. 978.05 (1) or (2) or provide access to any
14 record of the investigator, prosecutor, or the ~~board~~ commission that is not subject to
15 access under s. 5.05 (5s) to any person other than an employee or agent of the
16 prosecutor or investigator or a member, employee, or agent of the ~~board~~ commission
17 prior to ~~presentation of~~ presenting the information or record in a court of law.

18 **SECTION 131.** 13.123 (3) (b) 2. of the statutes is amended to read:

19 13.123 **(3)** (b) 2. In making the determination under subd. 1., the chief clerk is
20 bound by the determination of the chairperson of the ~~government accountability~~
21 ~~board~~ elections commission or the chairperson’s designee if such determination has
22 been issued.

23 **SECTION 132.** 13.23 of the statutes is amended to read:

24 **13.23 Election contests; notice.** Any person wishing to contest the election
25 of any senator or member of the assembly shall, within 30 days after the decision of

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1 the board of canvassers, serve a notice in writing on the person whose election the
2 contestant intends to contest, stating briefly that the election will be contested and
3 the cause of such contest, and shall file a copy thereof in the office of the ~~government~~
4 ~~accountability board~~ elections commission at least 10 days before the day fixed by
5 law for the meeting of the legislature. The ~~government-accountability-board~~
6 elections commission shall then send a copy of s. 13.24 to both contestants. If any
7 contestant fails to so file a copy of such notice, the contestant shall not be entitled to
8 any mileage or salary in case payment has been made therefor to the sitting member.

9 **SECTION 133.** 13.62 (4) of the statutes is repealed.

10 **SECTION 134.** 13.62 (5m) of the statutes is created to read:

11 13.62 (5m) “Commission” means the ethics commission.

12 **SECTION 135.** 13.63 (1) (a) of the statutes is amended to read:

13 13.63 (1) (a) An ~~application~~ applicant for a license to act as a lobbyist may be
14 ~~obtained~~ obtain an application from and ~~filed~~ file the application with the board
15 commission. Except as authorized under par. (am), an applicant shall include his or
16 her social security number on the application. The ~~application~~ applicant shall be
17 signed, under the penalty for making false statements under s. 13.69 (6m), ~~by the~~
18 ~~lobbyist~~ sign the application. The applicant shall submit with the application the
19 applicable fee under s. 13.75 (1) or (1m). Upon approval of the application and
20 ~~payment of the applicable license fee under s. 13.75 (1) or (1m) to the board by the~~
21 commission, the board commission shall issue a license ~~which to the applicant~~. A
22 license issued under this paragraph entitles the licensee to practice lobbying on
23 behalf of each registered principal ~~who or which has filed for whom or which~~ an
24 authorization for that lobbyist, as required under s. 13.65 for that lobbyist, has been
25 filed and paid for whom or which the authorization fee under s. 13.75 (4). ~~The has~~

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1 been paid. A license issued under this paragraph shall expire on December 31 of each
2 even-numbered year.

3 **SECTION 136.** 13.685 of the statutes is amended to read:

4 **13.685 Duties of the government ~~accountability board~~ ethics**
5 **commission.** (1) The ~~board~~ commission shall prescribe forms and instructions for
6 preparing and filing license applications under s. 13.63 (1), registration applications
7 under s. 13.64 and the statements required under ss. 13.68 and 13.695.

8 (2) The ~~board~~ commission shall prepare and publish a manual setting forth
9 recommended uniform methods of accounting and reporting for use by persons who
10 are required to provide information under s. 13.68 (4) or to file statements under s.
11 13.68 or 13.695.

12 (3) The ~~board~~ commission shall examine each statement filed under s. 13.68.

13 (4) The ~~board~~ commission shall, by rule, define what constitutes a “topic” for
14 purposes of ss. 13.67 and 13.68 (1) (bn).

15 (7) Beginning with the 3rd Tuesday following the beginning of any regular or
16 special session of the legislature and on every Tuesday thereafter for the duration
17 of such session, the ~~board~~ commission shall, from its records, submit to the chief clerk
18 of each house of the legislature, for distribution to the legislature under s. 13.172 (2),
19 a report of the names of lobbyists licensed under s. 13.63 and the names of officers
20 and employees of agencies filed under s. 13.695 who were not previously reported,
21 the names of the principals or agencies whom they represent and the general areas
22 of legislative and administrative action which are the object of their lobbying activity.
23 Such reports shall be incorporated into the journal of the senate and a copy filed in
24 the office of the chief clerk of the assembly. The ~~board~~ commission shall also notify
25 the chief clerk of each house that a copy of each statement which is required to be filed

1 under ss. 13.68 and 13.695 is available upon request. Such copy shall be open to
2 public inspection but shall not be incorporated in the journal unless the chief clerk
3 so orders. The ~~board~~ commission shall include in its ~~biennial~~ report under s. 15.04
4 (1) (d), a summary of the statements it has received under ss. 13.68 and 13.695. e c c

5 **SECTION 137.** 14.38 (10m) of the statutes is amended to read:

6 14.38 (10m) NOTIFICATION OF CONSTITUTIONAL AMENDMENT. If an amendment to
7 the Wisconsin Constitution is approved that requires the legislature to provide for
8 temporary succession to the powers and duties of public offices for the period of an
9 emergency resulting from a cause other than an enemy action, within 30 days after
10 the ~~government accountability board~~ elections commission records the approval
11 under s. 7.70 (3) (h), notify the legislature that the amendment has been approved.

12 **SECTION 138.** 15.01 (2) of the statutes is amended to read:

13 15.01 (2) "Commission" means a 3-member governing body in charge of a
14 department or independent agency or of a division or other subunit within a
15 department, except for the Wisconsin waterways commission which shall consist of
16 5 members, the elections commission which shall consist of at least 6 members, the
17 ethics commission which shall consist of at least 6 members, and the parole
18 commission which shall consist of 8 members. A Wisconsin group created for
19 participation in a continuing interstate body, or the interstate body itself, shall be
20 known as a "commission", but is not a commission for purposes of s. 15.06. The parole
21 commission created under s. 15.145 (1) shall be known as a "commission", but is not
22 a commission for purposes of s. 15.06.

23 **SECTION 139.** 15.04 (1) (d) of the statutes is amended to read:

24 15.04 (1) (d) *Biennial report.* On or before October 15 of each odd-numbered
25 year, submit to the governor and the chief clerk of each house of the legislature, for

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1 distribution to the legislature under s. 13.172 (2), a report on the performance and
2 operations of the department or independent agency during the preceding biennium,
3 and projecting the goals and objectives of the department or independent agency as
4 developed for the program budget report. The secretary of administration may
5 prescribe the format of the report and may require such other information deemed
6 appropriate. Each department or independent agency shall provide a copy of its
7 biennial report to legislators upon request. Any department or independent agency
8 may issue such additional reports on its findings and recommendations as its
9 operations require. A department or independent agency may, on or before October
10 15, submit an annual report prepared by it, in place of the biennial report required
11 under this paragraph, if the submission of the annual reports is approved by the
12 secretary of administration or is otherwise required by law.

13 **SECTION 140.** 15.06 (1) (d) of the statutes is created to read:

14 15.06 (1) (d) Members of the elections commission shall be appointed and serve
15 terms as provided under s. 15.61.

16 **SECTION 141.** 15.06 (1) (e) of the statutes is created to read:

17 15.06 (1) (e) Members of the ethics commission shall be appointed and serve
18 terms as provided under s. 15.62.

19 **SECTION 142.** 15.06 (2) of the statutes, as affected by 2015 Wisconsin Act 55,
20 is renumbered 15.06 (2) (a) and amended to read:

21 15.06 (2) (a) ~~Each~~ Except as provided in par. (b), each commission may annually
22 elect officers other than a chairperson from among its members as its work requires.
23 Any officer may be reappointed or reelected. At the time of making new nominations
24 to commissions, the governor shall designate a member or nominee of each
25 commission, other than the public service commission, and except as provided in par.

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1 (b), to serve as the commission's chairperson for a 2-year term expiring on March 1
2 of the odd-numbered year except that the labor and industry review commission
3 shall elect one of its members to serve as the commission's chairperson for a 2-year
4 term expiring on March 1 of the odd-numbered year.

5 **SECTION 143.** 15.06 (2) (b) of the statutes is created to read:

6 15.06 (2) (b) 1. The chairperson of the elections commission shall be chosen by
7 affirmative vote of at least two-thirds of the commission members at the
8 commission's first meeting each year.

9 2. The chairperson of the ethics commission shall be chosen by affirmative vote
10 of at least two-thirds of the commission members at the commission's first meeting
11 each year.

12 **SECTION 144.** 15.06 (3) (a) 5. of the statutes is created to read:

13 15.06 (3) (a) 5. Members of the elections commission.

14 **SECTION 145.** 15.06 (3) (a) 6. of the statutes is created to read:

15 15.06 (3) (a) 6. Members of the ethics commission.

16 **SECTION 146.** 15.06 (5) of the statutes is amended to read:

17 15.06 (5) FREQUENCY OF MEETINGS; PLACE. Every commission shall meet on the
18 call of the chairperson or a majority of its members. Every commission shall
19 maintain its offices in Madison, but may meet or hold hearings at such other
20 locations as will best serve the citizens of this state. The elections commission and
21 the ethics commission shall meet in person at least 4 times each year.

22 **SECTION 147.** 15.06 (6) of the statutes is amended to read:

23 15.06 (6) QUORUM. A majority of the membership of a commission constitutes
24 a quorum to do business, except that vacancies shall not prevent a commission from

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1 doing business. This subsection does not apply to the parole commission, elections
2 commission, or ethics commission.

3 **SECTION 148.** 15.06 (10) of the statutes is created to read:

4 15.06 (10) COMPENSATION. Members of the elections commission and members
5 of the ethics commission shall receive for each day they were actually and necessarily
6 engaged in performing their duties a per diem equal to the amount prescribed under
7 s. 753.075 (3) (a) for reserve judges sitting in circuit court.

8 **SECTION 149.** 15.07 (1) (a) 2. of the statutes is repealed.

9 **SECTION 150.** 15.07 (1) (cm) of the statutes is amended to read:

10 15.07 (1) (cm) ~~The term of one member of the government-accountability board~~
11 ~~shall expire on each May 1.~~ The terms of the 3 members of the land and water
12 conservation board appointed under s. 15.135 (4) (b) 2. shall expire on January 1.
13 The term of the member of the land and water conservation board appointed under
14 s. 15.135 (4) (b) 2m. shall expire on May 1 of an even-numbered year. The terms of
15 the appraiser members of the real estate appraisers board and the terms of the
16 auctioneer and auction company representative members of the auctioneer board
17 shall expire on May 1 in an even-numbered year. The terms of the members of the
18 cemetery board shall expire on July 1 in an even-numbered year. The term of the
19 student member of the Board of Regents of the University of Wisconsin System who
20 is at least 24 years old shall expire on May 1 of every even-numbered year.

21 **SECTION 151.** 15.07 (2) (b) of the statutes is repealed.

22 **SECTION 152.** 15.07 (4) of the statutes is amended to read:

23 15.07 (4) QUORUM. A majority of the membership of a board constitutes a
24 quorum to do business and, unless a more restrictive provision is adopted by the
25 board, a majority of a quorum may act in any matter within the jurisdiction of the

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1 board. This subsection does not apply to actions of the government accountability
2 board or the school district boundary appeal board as provided in ss. 5.05 (1e) and
3 s. 117.05 (2) (a).

4 **SECTION 153.** 15.07 (5) (m) of the statutes is repealed.

5 **SECTION 154.** 15.60 (title) of the statutes is repealed.

6 **SECTION 155.** 15.60 (1) of the statutes is renumbered 15.61 (1) (a) (intro.) and
7 amended to read:

8 15.61 (1) (a) (intro.) There is created ~~a government accountability board~~ an
9 elections commission consisting of ~~6 persons~~. ~~Members shall serve for 6 year terms.~~
10 the following members who shall serve for 5-year terms:

11 **SECTION 156.** 15.60 (2) of the statutes is repealed.

12 **SECTION 157.** 15.60 (3) of the statutes is repealed.

13 **SECTION 158.** 15.60 (4) of the statutes is renumbered 15.61 (2) and amended
14 to read:

15 15.61 (2) No member of the commission may hold another office or position that
16 is a state public office or a local public office, as defined in s. 19.42, except the office
17 of circuit judge or court of appeals judge under s. 753.075.

18 **SECTION 159.** 15.60 (5) of the statutes is repealed.

19 **SECTION 160.** 15.60 (6) of the statutes is renumbered 15.61 (3).

20 **SECTION 161.** 15.60 (7) of the statutes is repealed.

21 **SECTION 162.** 15.60 (8) of the statutes is renumbered 15.61 (4) and amended
22 to read:

23 15.61 (4) No member may be a lobbyist, as defined in s. 13.62 (11), ~~or an~~
24 ~~employee of a principal, as defined in s. 13.62 (12), except that a member may serve~~
25 ~~as a circuit judge or court of appeals judge under s. 753.075.~~

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1 **SECTION 163.** 15.603 (title) of the statutes is repealed.

2 **SECTION 164.** 15.603 (1) (title) of the statutes is repealed.

3 **SECTION 165.** 15.603 (1) of the statutes is renumbered 15.62 (1) (b) and
4 amended to read:

5 15.62 (1) (b) ~~There is created in the government accountability board an ethics~~
6 ~~and accountability division.~~ The ethics and accountability division commission shall
7 be under the direction and supervision of an administrator, who shall be appointed
8 by a majority of the members of the board commission, with the advice and consent
9 of the senate, to serve for a 4-year term expiring on July 1 of the odd-numbered year.
10 Until the senate has confirmed an appointment made under this subsection, the
11 ethics commission shall be under the direction and supervision of an interim
12 administrator selected by a majority of the members of the commission. If a vacancy
13 occurs in the administrator position, the commission shall appoint a new
14 administrator, and submit the appointment for senate confirmation, no later than
15 45 days after the date of the vacancy.

16 **SECTION 166.** 15.603 (2) (title) of the statutes is repealed.

17 **SECTION 167.** 15.603 (2) of the statutes is renumbered 15.61 (1) (b) and
18 amended to read:

19 15.61 (1) (b) ~~There is created in the government accountability board an~~
20 ~~elections division.~~ The elections division commission shall be under the direction
21 and supervision of an administrator, who shall be appointed by a majority of the
22 members of the board commission, with the advice and consent of the senate, to serve
23 for a 4-year term expiring on July 1 of the odd-numbered year. Until the senate has
24 confirmed an appointment made under this subsection, the elections commission
25 shall be under the direction and supervision of an interim administrator selected by

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SECTION 167

1 a majority of the members of the commission. If a vacancy occurs in the
2 administrator position, the commission shall appoint a new administrator, and
3 submit the appointment for senate confirmation, no later than 45 days after the date
4 of the vacancy.

5 **SECTION 168.** 15.607 of the statutes is repealed.

6 **SECTION 169.** 15.61 (title) of the statutes is created to read:

7 **15.61 (title) Elections commission; creation.**

8 **SECTION 170.** 15.61 (1) (a) 1. to 6. of the statutes are created to read:

9 15.61 (1) (a) 1. One member appointed by the senate majority leader.

10 2. One member appointed by the senate minority leader.

11 3. One member appointed by the speaker of the assembly.

12 4. One member appointed by the assembly minority leader.

13 5. Two members who formerly served as county or municipal clerks and who

14 are nominated by the governor, with the advice and consent of a majority of the

15 members of the senate confirmed. The legislative leadership of the 2 recognized

16 political parties that received the largest number of votes for president shall prepare

17 a list of not more than 3 individuals such that each recognized ^{major} political party has

18 prepared one list. The governor shall choose one nominee from each list.

19 6. For each political party ^{INS AA1 13.} qualifying for a separate ballot under s. 5.62 (1) (b)

20 or (2) whose candidate for governor received at least 10 percent of the vote in the most

21 recent gubernatorial election, one member, nominated by the governor from a list of

22 3 individuals selected by the chief officer of that political party and with the advice

23 and consent of a majority of the members of the senate confirmed.

24 **SECTION 171.** 15.61 (5) of the statutes is created to read:

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1. Except as provided in subd. 2.)

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1 15.61 (5) (a) ~~If~~ a vacancy occurs for a member appointed under sub. (1) (a) 1.
2 to 4., the individual responsible for making the appointment shall appoint a new
3 member no later than 45 days after the date of the vacancy.

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4 (b) If a vacancy occurs for a member appointed under sub. (1) (a) 5. or 6., a new
5 member shall be selected, nominated, and submitted to the senate for confirmation
6 no later than 45 days after the date of the vacancy.

7 **SECTION 172.** 15.62 of the statutes is created to read:

8 **15.62 Ethics commission; creation.** (1) (a) There is created an ethics
9 commission consisting of the following members who shall serve for 5-year terms:

- 10 1. One member appointed by the senate majority leader.
- 11 2. One member appointed by the senate minority leader.
- 12 3. One member appointed by the speaker of the assembly.
- 13 4. One member appointed by the assembly minority leader.
- 14 5. Two members, nominated by the governor and with the advice and consent

15 of a majority of the members of the senate confirmed. The legislative leadership of
16 the 2 recognized ^{major} political parties that received the largest number of votes for
17 president shall prepare a list of not more than 3 individuals such that each
18 recognized ^{major} political party has prepared one list. The governor shall choose one
19 nominee from each list. *INS AA1 19.*

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20 6. For each political party ^{qualifying} for a separate ballot under s. 5.62 (1) (b)
21 or (2) whose candidate for governor received at least 10 percent of the vote in the most
22 recent gubernatorial election, one member, nominated by the governor from a list of
23 3 individuals selected by the chief officer of that political party and with the advice
24 and consent of a majority of the members of the senate confirmed.

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1 (2) No member of the commission may hold another office or position that is
2 a state public office or a local public office, as defined in s. 19.42, except the office of
3 circuit judge or court of appeals judge under s. 753.075.

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

6 (4) No member may be a lobbyist, as defined in s. 13.62 (11), or an employee
7 of a principal, as defined in s. 13.62 (12), except that a member may serve as a circuit
8 judge or court of appeals judge under s. 753.075.

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9 (5) (a) ^{1. Except as provided in subd. 2.)} If a vacancy occurs for a member appointed under sub. (1) (a) 1. to 4.,
10 the individual responsible for making the appointment shall appoint a new member
11 no later than 45 days after the date of the vacancy.

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12 (b) If a vacancy occurs for a member appointed under sub. (1) (a) 5. or 6., a new
13 member shall be selected, nominated, and submitted to the senate for confirmation
14 no later than 45 days after the date of the vacancy.

15 SECTION 173. 16.753 (2) of the statutes is amended to read:

16 16.753 (2) Except as otherwise expressly provided, each agency shall provide
17 to the ~~government accountability board~~ ethics commission for posting on the
18 Internet a list identifying each solicitation for bids or competitive sealed proposals
19 and each proposed order or contract of the agency for which bids or competitive
20 sealed proposals will not be solicited that involves a major expenditure, together
21 with all information required under sub. (4).

22 SECTION 174. 16.79 (2) of the statutes is amended to read:

23 16.79 (2) The department shall distribute in pamphlet form copies of the
24 constitution and such laws as may be required to meet the public demand, including
25 the election laws. The department shall distribute election manuals, forms, and

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1 supplies specified by the ~~government accountability board~~ elections commission.
2 The laws, manuals, forms, and supplies shall be sold by the department at cost,
3 including distribution cost as determined under s. 35.80. The ~~government~~
4 ~~accountability board~~ elections commission shall inform the department in writing as
5 to which election manuals, forms, and supplies shall be offered for distribution under
6 this subsection.

7 **SECTION 175.** 16.96 (3) (b) of the statutes is amended to read:

8 16.96 (3) (b) Maintain and keep current throughout the decade the maps of
9 congressional and legislative district boundaries received from the legislative
10 reference bureau under s. 13.92 (1) (a) 6. and provide copies thereof to the
11 ~~government accountability board~~ elections commission.

12 **SECTION 176.** 16.973 (6) of the statutes is amended to read:

13 16.973 (6) With the advice of the ~~government accountability board~~ ethics
14 commission, adopt and enforce standards of ethical conduct applicable to its paid
15 consultants which are similar to the standards prescribed in subch. III of ch. 19,
16 except that the department shall not require its paid consultants to file statements
17 of economic interests.

18 **SECTION 177.** 17.17 (1) of the statutes is amended to read:

19 17.17 (1) SENATORS AND MEMBERS OF CONGRESS. In the office of United States
20 senator or member of congress from this state, by the county clerk of the county
21 wherein such officer resided at the time of election, to the ~~government accountability~~
22 ~~board~~ elections commission.

23 **SECTION 178.** 17.17 (4) of the statutes is amended to read:

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1 17.17 (4) JUSTICES AND JUDGES. In the office of justice of the supreme court, court
2 of appeals judge, or judge of a circuit court, by the director of state courts to the
3 governor and the ~~government accountability board~~ elections commission.

4 **SECTION 179.** 19.42 (3) of the statutes is repealed.

5 **SECTION 180.** 19.42 (4p) of the statutes is created to read:

6 19.42 (4p) “Commission” means the ethics commission.

7 **SECTION 181.** 19.42 (10) (a) of the statutes is created to read:

8 19.42 (10) (a) A member ^{or employee} of the elections commission. all

9 **SECTION 182.** 19.43 (4) of the statutes is amended to read:

10 19.43 (4) A candidate for state public office shall file with the ~~board~~ commission
11 a statement of economic interests meeting each of the requirements of s. 19.44 (1) no
12 later than 4:30 p.m. on the 3rd day following the last day for filing nomination papers
13 for the office which the candidate seeks, or no later than 4:30 p.m. on the next
14 business day after the last day whenever that candidate is granted an extension of
15 time for filing nomination papers or a declaration of candidacy under s. 8.05 (1) (j),
16 8.10 (2) (a), 8.15 (1), or 8.20 (8) (a);; no later than 4:30 p.m. on the 5th day after
17 notification of nomination is mailed or personally delivered to the candidate by the
18 municipal clerk in the case of a candidate who is nominated at a caucus;; or no later
19 than 4:30 p.m. on the 3rd day after notification of nomination is mailed or personally
20 delivered to the candidate by the appropriate official or agency in the case of a
21 write-in candidate or candidate who is appointed to fill a vacancy in nomination
22 under s. 8.35 (2) (a). The information contained on the statement shall be current
23 as of December 31 of the year preceding the filing deadline. Before certifying the
24 name of any candidate for state public office under s. 7.08 (2) (a), the ~~government~~
25 ~~accountability board~~ elections commission, municipal clerk, or board of election

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1 commissioners shall ascertain whether that candidate has complied with this
2 subsection. If not, the ~~government accountability board~~ elections commission,
3 municipal clerk, or board of election commissioners may not certify the candidate's
4 name for ballot placement.

5 **SECTION 183.** 19.43 (5) of the statutes is amended to read:

6 19.43 (5) Each member of the investment board and each employee of the
7 investment board who is a state public official shall complete and file with the
8 ~~government accountability board~~ commission a quarterly report of economic
9 transactions no later than the last day of the month following the end of each
10 calendar quarter during any portion of which he or she was a member or employee
11 of the investment board. Such reports of economic transactions shall be in the form
12 prescribed by the ~~government accountability board~~ commission and shall identify
13 the date and nature of any purchase, sale, put, call, option, lease, or creation,
14 dissolution, or modification of any economic interest made during the quarter for
15 which the report is filed and disclosure of which would be required by s. 19.44 if a
16 statement of economic interests were being filed.

17 **SECTION 184.** 19.46 (1) (intro.) of the statutes is amended to read:

18 19.46 (1) (intro.) Except in accordance with the board's commission's advice
19 under s. 5.05 (6a) sub. (2) and except as otherwise provided in sub. (3), no state public
20 official may:

21 **SECTION 185.** 19.46 (2) of the statutes is created to read:

22 19.46 (2) (a) 1. Any individual, either personally or on behalf of an organization
23 or governmental body, may make a request of the commission in writing,
24 electronically, or by telephone for a formal or informal advisory opinion regarding the
25 propriety under ch. 11, subch. III of ch. 13, or this subchapter of any matter to which

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1 the person is or may become a party. Any appointing officer, with the consent of a
2 prospective appointee, may request of the commission a formal or informal advisory
3 opinion regarding the propriety under ch. 11, subch. III of ch. 13, or this subchapter
4 of any matter to which the prospective appointee is or may become a party. The
5 commission shall review a request for an advisory opinion and may issue a formal
6 or informal written or electronic advisory opinion to the person making the request.
7 Except as authorized or required for opinions specified in s. 19.55 (4) (b), the
8 commission's deliberations and actions upon such requests shall be in meetings not
9 open to the public. A member of the commission may, by written request, require the
10 commission to review an advisory opinion.

11 2. To have legal force and effect, each formal and informal advisory opinion
12 issued by the commission must be supported by specific legal authority under a
13 statute or other law, or by specific case or common law authority. Each formal and
14 informal advisory opinion shall include a citation to each statute or other law and
15 each case or common law authority upon which the opinion is based, and shall
16 specifically articulate or explain which parts of the cited authority are relevant to the
17 commission's conclusion and why they are relevant.

18 3. No person acting in good faith upon a formal or informal advisory opinion
19 issued by the commission under this subsection is subject to criminal or civil
20 prosecution for so acting, if the material facts are as stated in the opinion request.

21 4. At each regular meeting of the commission, the commission administrator
22 shall review informal advisory opinions requested of and issued by the administrator
23 and that relate to recurring issues or issues of first impression for which no formal
24 advisory opinion has been issued. The commission may determine to issue a formal
25 advisory opinion adopting or modifying the informal advisory opinion. If the

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1 commission disagrees with a formal or informal advisory opinion that has been
2 issued by or on behalf of the commission, the commission may withdraw the opinion,
3 issue a revised formal or informal advisory opinion, or request an opinion from the
4 attorney general. No person acting after the date of the withdrawal or issuance of
5 the revised advisory opinion is exempted from prosecution under this subsection if
6 the opinion upon which the person's action is based has been withdrawn or revised
7 in relevant degree.

8 5. Except as authorized or required under s. 19.55 (4) (b), no member or
9 employee of the commission may make public the identity of the individual
10 requesting a formal or informal advisory opinion or of individuals or organizations
11 mentioned in the opinion.

12 (b) 1. The commission may authorize the commission administrator or his or
13 her designee to issue an informal written advisory opinion or transmit an informal
14 advisory opinion electronically on behalf of the commission, subject to such
15 limitations as the commission deems appropriate. Every informal advisory opinion
16 shall be consistent with applicable formal advisory opinions issued by the
17 commission, statute or other law, and case law.

18 2. Any individual may request in writing, electronically, or by telephone an
19 informal advisory opinion from the commission under this paragraph. The
20 commission's designee shall provide a written response, a written reference to an
21 applicable statute or law, or a written reference to a formal advisory opinion of the
22 commission to the individual, or shall refer the request to the commission for review
23 and the issuance of a formal advisory opinion.

ASSEMBLY BILL 388**SECTION 185**

1 3. Any person receiving an informal advisory opinion under this paragraph
2 may, at any time, request a formal advisory opinion from the commission on the same
3 matter.

4 (c) 1. Any individual may request in writing, electronically, or by telephone a
5 formal advisory opinion from the commission or the review or modification of a
6 formal advisory opinion issued by the commission under this paragraph. The
7 individual making the request shall include all pertinent facts relevant to the matter.
8 The commission shall review a request for a formal advisory opinion and may issue
9 a formal advisory opinion to the individual making the request. Except as authorized
10 or required for opinions specified in s. 19.55 (4) (b), the commission's deliberations
11 and actions upon such requests shall be in meetings not open to the public.

12 2. Any person requesting a formal advisory opinion under this paragraph may
13 request a public or private hearing before the commission to discuss the opinion. The
14 commission shall grant a request for a public or private hearing under this
15 paragraph.

16 3. Promptly upon issuance of each formal advisory opinion, the commission
17 shall publish the opinion together with the information specified under s. 19.55 (4)
18 (c) on the commission's Internet site.

19 4. If the commission declines to issue a formal advisory opinion, it may refer
20 the matter to the attorney general or to the standing legislative oversight
21 committees.

22 **SECTION 186.** 19.47 (title) of the statutes is created to read:

23 **19.47 (title) Operation.**

24 **SECTION 187.** 19.47 of the statutes is renumbered 19.47 (3) and amended to
25 read:

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1 19.47 (3) STATEMENTS OF ECONOMIC INTERESTS. All members and employees of
2 the board commission shall file statements of economic interests with the board
3 commission.

4 **SECTION 188.** 19.47 (1), (2) and (4) to (10) of the statutes are created to read:

5 19.47 (1) OFFICE. The office of the commission shall be in Madison, but the
6 commission may, after proper public notice and in compliance with subch. V, meet or
7 exercise any of its powers at any other place in the state.

8 (2) ADMINISTRATOR. The commission shall appoint an administrator in the
9 manner provided under s. 15.62 (1) (b). The administrator shall be outside the
10 classified service. The administrator shall appoint such other personnel as he or she
11 requires to carry out the duties of the commission and may designate an employee
12 of the commission to serve as legal counsel of the commission. The administrator
13 shall perform such duties as the commission assigns to him or her in the
14 administration of ch. 11, subch. III of ch. 13, and this subchapter.

15 (4) ACTION. Any action by the commission, except an action relating to
16 procedure of the commission, requires the affirmative vote of at least two-thirds of
17 its members.

18 (5) ANNUAL REPORT. The commission shall submit an annual report under s.
19 15.04 (1) (d) and shall include in its annual report the names and duties of all
20 individuals employed by the commission and a summary of its determinations and
21 advisory opinions issued under s. 19.46 (2). Except as authorized or required under
22 s. 19.55 (4) (b), the commission shall make sufficient alterations in the summaries
23 to prevent disclosing the identities of individuals or organizations involved in the
24 decisions or opinions. The commission shall identify in its report the statutory duties
25 of the administrator of the commission, together with a description of the manner in

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1 which those duties are being fulfilled. Notwithstanding s. 19.55 (3) and s. 19.50, the
2 commission shall also specify in its report the total number of investigations
3 conducted by the commission since the last annual report and a description of the
4 nature of each investigation, including whether the investigation related to
5 campaign finance, ethics, or lobbying. The commission may also include in its
6 annual report any information compiled under s. 11.21 (7). The commission shall
7 make such further reports on the matters within its jurisdiction and such
8 recommendations for legislation as it deems appropriate.

9 (6) OPERATION. The joint committee on legislative organization shall be
10 advisory to the commission on all matters relating to operation of the commission.

11 (7) GUIDANCE FOLLOWING BINDING COURT DECISIONS. Within 2 months following
12 the publication of a decision of a state or federal court that is binding on the
13 commission and this state, the commission shall issue updated guidance or formal
14 advisory opinions, commence the rule-making procedure to revise administrative
15 rules promulgated by the commission, or request an opinion from the attorney
16 general on the applicability of the court decision.

17 (8) STANDING. The commission has standing to commence or intervene in any
18 civil action or proceeding for the purpose of enforcing the laws regulating campaign
19 finance, ethics, or lobbying or ensuring their proper administration.

20 (9) POLICIES AND PROCEDURES. (a) Annually, the commission shall adopt written
21 policies and procedures in order to govern its internal operations and management
22 and shall annually report such policies and procedures to the appropriate standing
23 committees of the legislature under s. 13.172 (3).

24 (b) Notwithstanding par. (a), the commission may reconsider at any time any
25 policy or procedure adopted as provided under par. (a). If, upon reconsideration, the

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1 commission revises a previously reported policy or procedure, the commission shall
2 report the revision to the appropriate standing committees of the legislature under
3 s. 13.172 (3).

4 (c) The commission may reconsider at any time any written directives or
5 written guidance provided to the general public or to any person subject to the
6 provisions of ch. 11, subch. III of ch. 13, and this subchapter with regard to the
7 enforcement and administration of those provisions.

8 (10) EMPLOYEES. All employees of the commission shall be nonpartisan.

9 SECTION 189. 19.48 (intro.) of the statutes is amended to read:

10 **19.48 Duties of the board ethics commission.** (intro.) The board
11 commission shall:

12 SECTION 190. 19.48 (1) of the statutes is amended to read:

13 19.48 (1) Promulgate rules necessary to carry out ~~this subchapter and ch. 11,~~
14 subch. III of ch. 13, and this subchapter. The board commission shall give prompt
15 notice of the contents of its rules to state public officials who will be affected thereby.

16 SECTION 191. 19.48 (2) of the statutes is amended to read:

17 19.48 (2) Prescribe and make available forms for use under ~~this subchapter and~~
18 ch. 11, subch. III of ch. 13, and this subchapter, including the forms specified in s.
19 13.685 (1).

20 SECTION 192. 19.48 (3) of the statutes is amended to read:

21 19.48 (3) Accept and file any information related to the purposes of ~~this~~
22 subchapter and ch. 11, subch. III of ch. 13, and this subchapter which is voluntarily
23 supplied by any person in addition to the information required by this subchapter.

24 SECTION 193. 19.48 (7) of the statutes is amended to read:

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1 19.48 (7) Prepare and publish special reports and technical studies to further
2 the purposes of ~~this subchapter and ch. 11, subch. III of ch. 13, and this subchapter.~~

3 **SECTION 194.** 19.48 (9) of the statutes is amended to read:

4 19.48 (9) Administer programs to explain and interpret ~~this subchapter and~~
5 ch. 11, subch. III of ch. 13, and this subchapter for state public officials, and for
6 elective state officials, candidates for state public office, legislative officials, agency
7 officials, lobbyists, as defined in s. 13.62, local public officials, corporation counsels
8 and attorneys for local governmental units. The programs shall provide advice
9 regarding appropriate ethical and lobbying practices, with special emphasis on
10 public interest lobbying. The ~~board~~ commission may delegate creation and
11 implementation of any such program to a group representing the public interest. The
12 ~~board~~ commission may charge a fee to participants in any such program.

13 **SECTION 195.** 19.49 of the statutes is created to read:

14 **19.49 Administration; enforcement. (1) GENERAL AUTHORITY.** The
15 commission shall have the responsibility for the administration of ch. 11, subch. III
16 of ch. 13, and this subchapter. Pursuant to such responsibility, the commission may:

17 (a) In the discharge of its duties and after providing notice to any party who is
18 the subject of an investigation, subpoena and bring before it any person and require
19 the production of any papers, book, or other records relevant to an investigation.
20 Notwithstanding s. 885.01 (4), the issuance of a subpoena requires action by the
21 commission at a meeting of the commission. A circuit court may by order permit the
22 inspection and copying of the accounts and the depositor's and loan records at any
23 financial institution, as defined in s. 705.01 (3), doing business in the state to obtain
24 evidence of any violation of ch. 11 upon showing by the commission of probable cause
25 to believe there is a violation and that such accounts and records may have a

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1 substantial relation to the violation. In the discharge of its duties, the commission
2 may cause the deposition of witnesses to be taken in the manner prescribed for
3 taking depositions in civil actions in circuit court.

4 (b) Bring civil actions to require a forfeiture for any violation of ch. 11, subch.
5 III of ch. 13, or this subchapter or for a license revocation for any violation of subch.
6 III of ch. 13, or this subchapter for which the offender is subject to a revocation. The
7 commission may compromise and settle any civil action or potential action brought
8 or authorized to be brought by it which, in the opinion of the commission, constitutes
9 a minor violation, a violation caused by excusable neglect, or which for other good
10 cause shown, should not in the public interest be prosecuted under such chapter.
11 Notwithstanding s. 778.06, a civil action or proposed civil action authorized under
12 this paragraph may be settled for such sum as may be agreed between the parties.
13 Any settlement made by the commission shall be in such amount as to deprive the
14 alleged violator of any benefit of his or her wrongdoing and may contain a penal
15 component to serve as a deterrent to future violations. In settling civil actions or
16 proposed civil actions, the commission shall treat comparable situations in a
17 comparable manner and shall assure that any settlement bears a reasonable
18 relationship to the severity of the offense or alleged offense. Except as otherwise
19 provided in sub. (2) (b) 13. and 14. and ss. 19.554 and 19.59 (8), forfeiture and license
20 revocation actions brought by the commission shall be brought in the circuit court
21 for the county where the defendant resides, or if the defendant is a nonresident of this
22 state, in circuit court for the county wherein the violation is alleged to occur. For
23 purposes of this paragraph, a person other than an individual resides within a county
24 if the person's principal place of operation is located within that county. Whenever
25 the commission enters into a settlement agreement with an individual who is

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1 accused of a civil violation of ch. 11, subch. III of ch. 13, or this subchapter or who is
2 investigated by the commission for a possible civil violation of one of those provisions,
3 the commission shall reduce the agreement to writing, together with a statement of
4 the commission's findings and reasons for entering into the agreement and shall
5 retain the agreement and statement in its office for inspection.

6 (c) Sue for injunctive relief, a writ of mandamus or prohibition, or other such
7 legal or equitable relief as may be appropriate to enforce any law regulating
8 campaign financing or ensure its proper administration. No bond is required in such
9 actions. Actions shall be brought in circuit court for the county where a violation
10 occurs or may occur.

11 (1m) (title) COMPLAINTS.

12 (2) ENFORCEMENT. (a) The commission shall investigate violations of laws
13 administered by the commission and may prosecute alleged civil violations of those
14 laws, directly or through its agents under this subsection, pursuant to all statutes
15 granting or assigning that authority or responsibility to the commission.
16 Prosecution of alleged criminal violations investigated by the commission may be
17 brought only as provided in par. (b) 9., 12., 13., and 14. and s. 978.05 (1). For purposes
18 of this subsection, the commission may only initiate an investigation of an alleged
19 violation of ch. 11, subch. III of ch. 13, and this subchapter, other than an offense
20 described under par. (b) 10., based on a sworn complaint filed with the commission,
21 as provided under par. (b). Neither the commission nor any member or employee of
22 the commission, including the commission administrator, may file a sworn complaint
23 for purposes of this subsection.

24 (b) 1. Any person may file a complaint with the commission alleging a violation
25 of ch. 11, subch. III of ch. 13, or this subchapter. No later than 5 days after receiving

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1 a complaint, the commission shall notify each person who or which the complaint
2 alleges committed such a violation. Before voting on whether to take any action
3 regarding the complaint, other than to dismiss, the commission shall give each
4 person receiving a notice under this subdivision an opportunity to demonstrate to the
5 commission, in writing and within 15 days after receiving the notice, that the
6 commission should take no action against the person on the basis of the complaint.
7 The commission may not conduct any investigation or take any other action under
8 this subsection solely on the basis of a complaint by an unidentified complainant.

9 1m. If the commission finds, by a preponderance of the evidence, that a
10 complaint is frivolous, the commission may order the complainant to forfeit not more
11 than the greater of \$500 or the expenses incurred by the commission in investigating
12 the complaint.

13 2. Any person to whom ch. 11, subch. III of ch. 13, or this subchapter may have
14 application may request the commission to make an investigation of his or her own
15 conduct or of allegations made by other persons as to his or her conduct. Such a
16 request shall be made in writing and shall set forth in detail the reasons therefor.

17 3. If the commission reviews a complaint and fails to find that there is a
18 reasonable suspicion that a violation under subd. 1. has occurred or is occurring, the
19 commission shall dismiss the complaint. If the commission believes that there is
20 reasonable suspicion that a violation under subd. 1. has occurred or is occurring, the
21 commission may by resolution authorize the commencement of an investigation. The
22 resolution shall specifically set forth any matter that is authorized to be investigated.
23 To assist in the investigation, the commission may elect to retain a special
24 investigator. If the commission elects to retain a special investigator, the
25 administrator shall submit to the commission the names of 3 qualified individuals

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1 to serve as a special investigator. The commission may retain one or more of the
2 individuals. If the commission retains a special investigator to investigate a
3 complaint against a person who is a resident of this state, the commission shall
4 provide to the district attorney for the county in which the person resides a copy of
5 the complaint and shall notify the district attorney that it has retained a special
6 investigator to investigate the complaint. For purposes of this subdivision, a person
7 other than an individual resides within a county if the person's principal place of
8 operation is located within that county. The commission shall enter into a written
9 contract with any individual who is retained as a special investigator setting forth
10 the terms of the engagement. A special investigator who is retained by the
11 commission may request the commission to issue a subpoena to a specific person or
12 to authorize the special investigator to request the circuit court of the county in which
13 the specific person resides to issue a search warrant. The commission may grant the
14 request by approving a motion to that effect at a meeting of the commission if the
15 commission finds that such action is legally appropriate.

16 4. Each special investigator who is retained by the commission shall make
17 periodic reports to the commission, as directed by the commission, but in no case may
18 the interval for reporting exceed 30 days. If the commission authorizes the
19 administrator to investigate any matter without retaining a special investigator, the
20 administrator shall make periodic reports to the commission, as directed by the
21 commission, but in no case may the reporting interval exceed 30 days. During the
22 pendency of any investigation, the commission shall meet for the purpose of
23 reviewing the progress of the investigation at least once every 90 days. The special
24 investigator or the administrator shall report in person to the commission at that
25 meeting concerning the progress of the investigation. If, after receiving a report, the

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1 commission does not vote to continue an investigation for an additional period not
2 exceeding 90 days, the investigation is terminated at the end of the reporting
3 interval. The commission shall not expend more than \$25,000 to finance the cost of
4 an investigation before receiving a report on the progress of the investigation and a
5 recommendation to commit additional resources. The commission may vote to
6 terminate an investigation at any time. If an investigation is terminated, any
7 complaint from which the investigation arose is deemed to be dismissed by the
8 commission. Unless an investigation is terminated by the commission, at the
9 conclusion of each investigation, the administrator shall present to the commission
10 one of the following:

11 a. A recommendation to make a finding that probable cause exists to believe
12 that one or more violations under subd. 1. have occurred or are occurring, together
13 with a recommended course of action.

14 b. A recommendation for further investigation of the matter together with facts
15 supporting that course of action.

16 c. A recommendation to terminate the investigation due to lack of sufficient
17 evidence to indicate that a violation under subd. 1. has occurred or is occurring.

18 5. a. If the commission finds that there is probable cause to believe that a
19 violation under subd. 1. has occurred or is occurring, the commission may authorize
20 the administrator to file a civil complaint against the alleged violator. In such case,
21 the administrator may request the assistance of special counsel to prosecute any
22 action brought by the commission. If the administrator requests the assistance of
23 special counsel with respect to any matter, the administrator shall submit to the
24 commission the names of 3 qualified individuals to serve as special counsel. The
25 commission may retain one of the individuals to act as special counsel. The staff of

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1 the commission shall provide assistance to the special counsel as may be required by
2 the counsel to carry out his or her responsibilities.

3 b. The commission shall enter into a written contract with any individual who
4 is retained as special counsel setting forth the terms of the engagement. The contract
5 shall set forth the compensation to be paid such counsel by the state. The contract
6 shall be executed on behalf of the state by the commission and the commission shall
7 file the contract in the office of the secretary of state. The compensation shall be
8 charged to the appropriation under s. 20.521 (1) (br).

9 6. No individual who is appointed or retained by the commission to serve as
10 special counsel or as a special investigator is subject to approval under s. 20.930.

11 7. At the conclusion of its investigation, the commission shall, in preliminary
12 written findings of fact and conclusions based thereon, make a determination of
13 whether or not probable cause exists to believe that a violation under subd. 1. has
14 occurred or is occurring. If the commission determines that no probable cause exists,
15 it shall dismiss the complaint. Whenever the commission dismisses a complaint or
16 a complaint is deemed to be dismissed under subd. 4., the commission shall
17 immediately send written notice of the dismissal to the accused and to the party who
18 made the complaint.

19 8. The commission shall inform the accused or his or her counsel of exculpatory
20 evidence in its possession.

21 9. If the commission finds that there is probable cause to believe that a violation
22 under subd. 1. has occurred or is occurring, the commission may, in lieu of civil
23 prosecution of any matter by the commission, refer the matter to the district attorney
24 for the county in which the alleged violator resides, or if the alleged violator is a
25 nonresident, to the district attorney for the county where the matter arises, or if par.

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1 (h) applies, to the attorney general or a special prosecutor. For purposes of this
2 subdivision, a person other than an individual resides within a county if the person's
3 principal place of operation is located within that county.

4 10. The commission shall, by rule, prescribe categories of civil offenses which
5 the commission will agree to compromise and settle without a formal investigation
6 upon payment of specified amounts by the alleged offender. The commission may
7 authorize the administrator to compromise and settle such alleged offenses in the
8 name of the commission if the alleged offenses by an offender, in the aggregate, do
9 not involve payment of more than \$2,500.

10 11. If a special investigator or the administrator, in the course of an
11 investigation authorized by the commission, discovers evidence that a violation
12 under subd. 1. that was not within the scope of the authorized investigation has
13 occurred or is occurring, the special investigator or the administrator may present
14 that evidence to the commission. If the commission finds that there is a reasonable
15 suspicion that a violation under subd. 1. that is not within the scope of the authorized
16 investigation has occurred or is occurring, the commission may authorize the special
17 investigator or the administrator to investigate the alleged violation or may elect to
18 authorize a separate investigation of the alleged violation as provided in subd. 3.

19 12. If a special investigator or the administrator, in the course of an
20 investigation authorized by the commission, discovers evidence of a potential
21 violation of a law that is not administered by the commission arising from or in
22 relation to the official functions of the subject of the investigation or any matter that
23 involves campaign finance, ethics, or lobbying regulation, the special investigator or
24 the administrator may present that evidence to the commission. The commission
25 may thereupon refer the matter to the appropriate district attorney specified in subd.

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1 9. or may refer the matter to the attorney general. The attorney general may then
2 commence a civil or criminal prosecution relating to the matter.

3 13. Except as provided in subd. 15., if the commission refers a matter to the
4 district attorney specified in subd. 9. for prosecution of a potential violation under
5 subd. 1. or 12. and the district attorney informs the commission that he or she
6 declines to prosecute any alleged civil or criminal violation related to any matter
7 referred to the district attorney by the commission, or the district attorney fails to
8 commence a prosecution of any civil or criminal violation related to any matter
9 referred to the district attorney by the commission within 60 days of the date of the
10 commission's referral, the commission may refer the matter to the district attorney
11 for another prosecutorial unit that is contiguous to the prosecutorial unit of the
12 district attorney to whom the matter was originally referred. If there is more than
13 one such prosecutorial unit, the chairperson of the commission shall determine the
14 district attorney to whom the matter shall be referred by publicly drawing lots at a
15 meeting of the commission. The district attorney may then commence a civil or
16 criminal prosecution relating to the matter.

17 14. Except as provided in subd. 15., if the commission refers a matter to a
18 district attorney under subd. 13. for prosecution of a potential violation under subd.
19 1. or 12. and the district attorney informs the commission that he or she declines to
20 prosecute any alleged civil or criminal violation related to any matter referred to the
21 district attorney by the commission, or the district attorney fails to commence a
22 prosecution of any civil or criminal violation related to any matter referred to the
23 district attorney by the commission within 60 days of the date of the commission's
24 referral, the commission may refer the matter to the attorney general. The attorney
25 general may then commence a civil or criminal prosecution relating to the matter.

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1 15. The commission is not authorized to act under subd. 13. or 14. if a special
2 prosecutor is appointed under s. 978.045 in lieu of the district attorney specified in
3 subd. 9.

4 16. Whenever the commission refers a matter to special counsel or to a district
5 attorney or to the attorney general under this subsection, the special counsel, district
6 attorney, or attorney general shall report to the commission concerning any action
7 taken regarding the matter. The report shall be transmitted no later than 40 days
8 after the date of the referral. If the matter is not disposed of during that period, the
9 special counsel, district attorney, or attorney general shall file a subsequent report
10 at the end of each 30-day period following the filing of the initial report until final
11 disposition of the matter.

12 (c) 1. No individual who serves as the administrator may have been a lobbyist,
13 as defined in s. 13.62 (11). No such individual may have served in a partisan state
14 or local office.

15 2. No employee of the commission, while so employed, may become a candidate,
16 as defined in s. 11.01 (1), for a state or partisan local office. No individual who is
17 retained by the commission to serve as a special investigator or as special counsel
18 may, while so retained, become a candidate, as defined in s. 11.01 (1), for any state
19 or local office. A filing officer shall decline to accept nomination papers or a
20 declaration of candidacy from any individual who does not qualify to become a
21 candidate under this paragraph.

22 (d) No individual who serves as an employee of the commission and no
23 individual who is retained by the commission to serve as a special investigator or a
24 special counsel may, while so employed or retained, make a contribution, as defined
25 in s. 11.01 (6), to a candidate for state or local office. No individual who serves as an

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1 employee of the commission and no individual who is retained by the commission to
2 serve as a special investigator or as special counsel, for 12 months prior to becoming
3 so employed or retained, may have made a contribution, as defined in s. 11.01 (6), to
4 a candidate for a partisan state or local office.

5 (e) Pursuant to any investigation authorized under par. (b), the commission has
6 the power:

7 1. To require any person to submit in writing such reports and answers to
8 questions relevant to the proceedings as the commission may prescribe, such
9 submission to be made within such period and under oath or otherwise as the
10 commission may determine.

11 2. To order testimony to be taken by deposition before any individual who is
12 designated by the commission and has the power to administer oaths, and, in such
13 instances, to compel testimony and the production of evidence in the same manner
14 as authorized by sub. (1) (a).

15 3. To pay witnesses the same fees and mileage as are paid in like circumstances
16 by the courts of this state.

17 4. To request and obtain from the department of revenue copies of state income
18 or franchise tax returns and access to other appropriate information under s. 71.78
19 (4) regarding all persons who are the subject of such investigation.

20 (f) 1. Except as provided in subd. 2., no action may be taken on any complaint
21 that is filed later than 3 years after a violation of ch. 11, subch. III of ch. 13, or this
22 subchapter is alleged to have occurred.

23 2. The period of limitation under subd. 1. is tolled for a complaint alleging a
24 violation of s. 19.45 (13) or 19.59 (1) (br) for the period during which such a complaint
25 may not be filed under sub. (1m) or s. 19.59 (8) (cm).

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1 (g) If the defendant in an action for a civil violation of ch. 11, subch. III of ch.
2 13, or this subchapter is a district attorney or a circuit judge or a candidate for either
3 such office, the action shall be brought by the commission. If the defendant in an
4 action for a civil violation of ch. 11, subch. III of ch. 13, or this subchapter is the
5 attorney general or a candidate for that office, the commission may appoint special
6 counsel to bring suit on behalf of the state.

7 (h) If the defendant in an action for a criminal violation of ch. 11, subch. III of
8 ch. 13, or this subchapter is a district attorney or a circuit judge or a candidate for
9 either such office, the action shall be brought by the attorney general. If the
10 defendant in an action for a criminal violation of ch. 11, subch. III of ch. 13, or this
11 subchapter is the attorney general or a candidate for that office, the commission may
12 appoint a special prosecutor to conduct the prosecution on behalf of the state.

13 (i) Any special counsel or prosecutor who is appointed under par. (g) or (h) shall
14 be independent of the attorney general and need not be a state employee at the time
15 of his or her appointment.

16 (j) The commission's power to initiate civil actions under this subsection for the
17 enforcement of ch. 11, subch. III of ch. 13, or this subchapter shall be the exclusive
18 remedy for alleged civil violations of ch. 11, subch. III of ch. 13, or this subchapter.

19 **(2q) SUPPLEMENTAL FUNDING FOR ONGOING INVESTIGATIONS.** The commission may
20 request supplemental funds to be credited to the appropriation account under s.
21 20.521 (1) (be) for the purpose of continuing an ongoing investigation initiated under
22 sub. (2). A request under this subsection shall be filed with the secretary of
23 administration and the cochairpersons of the joint committee on finance in writing
24 and shall contain a statement of the action requested, the purposes therefor, the
25 statutory provision authorizing or directing the performance of the action, and

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1 information about the nature of the investigation for which the commission seeks
2 supplemental funds, excluding the name of any individual or organization that is the
3 subject of the investigation. If the cochairpersons of the joint committee on finance
4 do not notify the secretary of administration that the committee has scheduled a
5 meeting for the purpose of reviewing the request within 14 working days after the
6 commission filed the request, the secretary shall supplement the appropriation
7 under s. 20.521 (1) (be) from the appropriation under s. 20.505 (1) (d) in an amount
8 not to exceed the amount the commission requested. If, within 14 working days after
9 the commission filed the request, the cochairpersons of the joint committee on
10 finance notify the secretary that the committee has scheduled a meeting for the
11 purpose of reviewing the commission's request under this subsection, the secretary
12 may supplement the appropriation under s. 20.521 (1) (be) only with the committee's
13 approval. The committee and the secretary shall notify the commission of all their
14 actions taken under this subsection.

15 **SECTION 196.** 19.50 of the statutes is created to read:

16 **19.50 Unauthorized release of records or information.** (1) Except as
17 specifically authorized by law and except as provided in sub. (2), no investigator,
18 prosecutor, employee of an investigator or prosecutor, or member or employee of the
19 commission may disclose information related to an investigation or prosecution
20 under ch. 11, subch. III of ch. 13, or this subchapter or any other law specified in s.
21 978.05 (1) or (2) or provide access to any record of the investigator, prosecutor, or the
22 commission that is not subject to access under s. 19.55 (3) to any person other than
23 an employee or agent of the prosecutor or investigator or a member, employee, or
24 agent of the commission prior to presenting the information or record in a court of
25 law.

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1 (2) This section does not apply to any of the following communications made
2 by an investigator, prosecutor, employee of an investigator or prosecutor, or member
3 or employee of the commission:

4 (a) Communications made in the normal course of an investigation or
5 prosecution.

6 (b) Communications with a local, state, or federal law enforcement or
7 prosecutorial authority.

8 (c) Communications made to the attorney of an investigator, prosecutor,
9 employee, or member of the commission or to a person or the attorney of a person who
10 is investigated or prosecuted by the commission.

11 **SECTION 197.** 19.55 (1) of the statutes is amended to read:

12 19.55 (1) Except as provided in sub. subs. (2) and s. 5.05 (5s) to (4), all records
13 under ch. 11, this subchapter, or subch. III of ch. 13 in the possession of the board
14 commission are open to public inspection at all reasonable times. The board
15 commission shall require an individual wishing to examine a statement of economic
16 interests or the list of persons who inspect any statements which are in the board's
17 commission's possession to provide his or her full name and address, and if the
18 individual is representing another person, the full name and address of the person
19 which he or she represents. Such identification may be provided in writing or in
20 person. The board commission shall record and retain for at least 3 years
21 information obtained by it pursuant to this subsection. No individual may use a
22 fictitious name or address or fail to identify a principal in making any request for
23 inspection.

24 **SECTION 198.** 19.55 (2) (c) of the statutes is amended to read:

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1 19.55 (2) (c) Statements of economic interests and reports of economic
2 transactions which are filed with the ~~government accountability board~~ commission
3 by members or employees of the investment board, except that the ~~government~~
4 ~~accountability board~~ commission shall refer statements and reports filed by such
5 individuals to the legislative audit bureau for its review, and except that a statement
6 of economic interests filed by a member or employee of the investment board who is
7 also an official required to file shall be open to public inspection.

8 **SECTION 199.** 19.55 (3) of the statutes is created to read:

9 19.55 (3) Records obtained or prepared by the commission in connection with
10 an investigation, including the full text of any complaint received by the commission,
11 are not subject to the right of inspection and copying under s. 19.35 (1), except as
12 follows:

13 (a) The commission shall permit inspection of records that are distributed or
14 discussed in the course of a meeting or hearing by the commission in open session.

15 (am) The commission shall provide to the joint committee on finance records
16 obtained or prepared by the commission in connection with an ongoing investigation
17 when required under s. 19.49 (2q).

18 (b) Investigatory records of the commission may be made public in the course
19 of a prosecution initiated under ch. 11, subch. III of ch. 13, or this subchapter.

20 (bm) The commission shall provide investigatory records to the state auditor
21 and the employees of the legislative audit bureau to the extent necessary for the
22 bureau to carry out its duties under s. 13.94.

23 (c) The commission shall provide information from investigation and hearing
24 records that pertains to the location of individuals and assets of individuals as

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1 requested under s. 49.22 (2m) by the department of children and families or by a
2 county child support agency under s. 59.53 (5).

3 (d) If the commission commences a civil prosecution of a person for an alleged
4 violation of ch. 11, subch. III of ch. 13, or this subchapter as the result of an
5 investigation, the person who is the subject of the investigation may authorize the
6 commission to make available for inspection and copying under s. 19.35 (1) records
7 of the investigation pertaining to that person if the records are available by law to
8 the subject person and the commission shall then make those records available.

9 (e) The following records of the commission are open to public inspection and
10 copying under s. 19.35 (1):

11 1. Any record of the action of the commission authorizing the filing of a civil
12 complaint under s. 19.49 (2) (b) 5.

13 2. Any record of the action of the commission referring a matter to a district
14 attorney or other prosecutor for investigation or prosecution.

15 3. Any record containing a finding that a complaint does not raise a reasonable
16 suspicion that a violation of the law has occurred.

17 4. Any record containing a finding, following an investigation, that no probable
18 cause exists to believe that a violation of the law has occurred.

19 **SECTION 200.** 19.55 (4) of the statutes is created to read:

20 19.55 (4) (a) Except as authorized or required under par. (b), records obtained
21 in connection with a request for an advisory opinion issued under s. 19.46 (2), other
22 than summaries of advisory opinions that do not disclose the identity of individuals
23 requesting such opinions or organizations on whose behalf they are requested, are
24 not subject to the right of inspection and copying under s. 19.35 (1). Except as
25 authorized or required under par. (b), the commission shall make sufficient

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1 alterations in the summaries to prevent disclosing the identities of individuals or
2 organizations involved in the opinions.

3 (b) The commission may make records obtained in connection with an informal
4 advisory opinion under par. (a) public with the consent of the individual requesting
5 the informal advisory opinion or the organization or governmental body on whose
6 behalf it is requested. A person who makes or purports to make public the substance
7 of or any portion of an informal advisory opinion requested by or on behalf of the
8 person is deemed to have waived the confidentiality of the request for an informal
9 advisory opinion and of any records obtained or prepared by the commission in
10 connection with the request for an informal advisory opinion.

11 (c) Within 30 days after completing an investigation related to and the
12 preparation of a formal advisory opinion on a matter under the jurisdiction of the
13 commission, the commission shall make public the formal advisory opinion and
14 records obtained in connection with the request for the formal advisory opinion,
15 replacing the identity of any organization or governmental body on whose behalf the
16 formal opinion is requested with generic, descriptive terms. The commission shall
17 redact information related to the identity of any natural person making the request.

18 **SECTION 201.** 19.552 of the statutes is created to read:

19 **19.552 Action to compel compliance.** Whenever a violation of the laws
20 regulating campaign financing occurs or is proposed to occur, the attorney general
21 or the district attorney of the county where the violation occurs or is proposed to occur
22 may sue for injunctive relief, a writ of mandamus or prohibition, or other such legal
23 or equitable relief as may be appropriate to compel compliance with the law. No bond
24 is required in such actions.

25 **SECTION 202.** 19.554 of the statutes is created to read:

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1 **19.554 Petition for enforcement.** In addition to or in lieu of filing a
2 complaint, any elector may file a verified petition alleging such facts as are within
3 his or her knowledge to indicate that an election official has failed or is failing to
4 comply with any law regulating campaign financing or proposes to act in a manner
5 inconsistent with such a law, and requesting that an action be commenced for
6 injunctive relief, a writ of mandamus or prohibition or other such legal or equitable
7 relief as may be appropriate to compel compliance with the law. The petition shall
8 be filed with the district attorney for the county having jurisdiction to prosecute the
9 alleged failure to comply under s. 978.05 (1) and (2). The district attorney may then
10 commence the action or dismiss the petition. If the district attorney declines to act
11 upon the petition or if the district attorney fails to act upon the petition within 15
12 days of the date of filing, the petitioner may file the same petition with the attorney
13 general, who may then commence the action.

14 **SECTION 203.** 19.58 (4) of the statutes is created to read:

15 **19.58 (4)** A person who violates s. 19.50 may be fined not more than \$10,000
16 or imprisoned for not more than 9 months or both.

17 **SECTION 204.** 19.59 (1) (g) 8. of the statutes is amended to read:

18 **19.59 (1) (g) 8.** No district board member, member of a district board member's
19 immediate family, nor any organization with which the district board member or a
20 member of the district board member's immediate family owns or controls at least
21 10% of the outstanding equity, voting rights, or outstanding indebtedness may enter
22 into any contract or lease involving a payment or payments of more than \$3,000
23 within a 12-month period, in whole or in part derived from district funds unless the
24 district board member has first made written disclosure of the nature and extent of
25 such relationship or interest to the ~~government accountability board~~ commission

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1 and to the district. Any contract or lease entered into in violation of this subdivision
2 may be voided by the district in an action commenced within 3 years of the date on
3 which the ~~government accountability board~~ commission, or the district, knew or
4 should have known that a violation of this subdivision had occurred. This
5 subdivision does not affect the application of s. 946.13.

6 **SECTION 205.** 19.85 (1) (h) of the statutes is amended to read:

7 19.85 (1) (h) Consideration of requests for confidential written advice from the
8 ~~government accountability board~~ elections commission under s. 5.05 (6a) or the
9 ethics commission under s. 19.46 (2), or from any county or municipal ethics board
10 under s. 19.59 (5).

11 **SECTION 206.** 19.851 (title) of the statutes is amended to read:

12 **19.851 (title) Closed sessions by ~~government accountability board~~**
13 **ethics or elections commission.**

14 **SECTION 207.** 19.851 of the statutes is renumbered 19.851 (2) and amended to
15 read:

16 19.851 (2) The ~~government accountability board~~ commission shall hold each
17 meeting of the ~~board~~ commission for the purpose of deliberating concerning an
18 investigation of any violation of the law under the jurisdiction of the ~~ethics and~~
19 ~~accountability division of the board~~ commission in closed session under this section.

20 **(1)** Prior to convening under this section or under s. 19.85 (1), the ~~government~~
21 ~~accountability board~~ ethics commission and the elections commission shall vote to
22 convene in closed session in the manner provided in s. 19.85 (1). The ethics
23 commission shall identify the specific reason or reasons under sub. (2) and s. 19.85
24 (1) (a) to (h) for convening in closed session. The elections commission shall identify
25 the specific reason or reasons under s. 19.85 (1) (a) to (h) for convening in closed

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1 session. No business may be conducted by the ~~government accountability board~~
2 ethics commission or the elections commission at any closed session under this
3 section except that which relates to the purposes of the session as authorized in this
4 section or as authorized in s. 19.85 (1).

5 **SECTION 208.** 20.005 (3) (schedule) of the statutes: at the appropriate place,
6 insert the following amounts for the purposes indicated:

7 2015-16 2016-17

8 **20.510 Elections commission**

9 (1) ADMINISTRATION OF ELECTIONS

INS
AA4
1.

10 (be) Investigations GPR A -0- -0-

11 (br) Special counsel GPR A -0- -0-

INS
AA4
2.

12 (e) Elections administration GPR A -0- -0-

13 (g) Recount fees PR A -0- -0-

INS
AA4
3.

14 (jm) Gifts and grants PR A -0- -0-

15 (m) Federal aid PR-F A -0- -0-

INS
AA4
4.

16 **20.521 Ethics commission**

17 (1) ETHICS, CAMPAIGN FINANCE AND LOBBYING

18 REGULATION

19 (a) General program operations;

20 general purpose revenue GPR A -0- -0-

21 (be) Investigations GPR A -0- -0-

22 (br) Special counsel GPR A -0- -0-

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2015-16 2016-17

INS
RAY
S.

1	(g)	General program operations;				
2		program revenue	PR	A	-0-	-0-
3	(h)	Gifts and grants	PR	A	-0-	-0-
4	(i)	Materials and services	PR	A	-0-	-0-
5	(j)	Electronic filing software	PR	A	-0-	-0-

6 **SECTION 209.** 20.505 (1) (d) of the statutes is amended to read:

7 20.505 (1) (d) *Special counsel.* A sum sufficient, subject to s. 5.05 (2q), for
 8 supplementing the appropriation under s. 20.510 (1) (be) for ongoing investigations;
 9 subject to s. 19.49 (2q), for supplementing the appropriation under s. 20.521 (1) (be)
 10 for ongoing investigations; and, subject to the procedures established in ss. 5.05 (2m)
 11 (e) and s. 14.11 (2) (c), for the compensation of special counsel appointed as provided
 12 in ss. 5.05 (2m) (e), 14.11 (2), and 321.42.

13 **SECTION 210.** 20.510 (intro.) and (1) (title) of the statutes are created to read:

14 **20.510 Elections commission.** (intro.) There is appropriated from the
 15 general fund, except where otherwise indicated, to the elections commission for the
 16 following programs:

17 (1) (title) ADMINISTRATION OF ELECTIONS.

18 **SECTION 211.** 20.510 (1) (br) of the statutes is created to read:

19 20.510 (1) (br) *Special counsel.* The amounts in the schedule for the
 20 compensation of special counsel appointed as provided in s. 5.05 (2m) (c) 6.

21 **SECTION 212.** 20.511 (intro.) and (1) (title) of the statutes are repealed.

22 **SECTION 213.** 20.511 (1) (a) of the statutes is renumbered 20.510 (1) (a) and
 23 amended to read:

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1 20.510 (1) (a) *General program operations; general purpose revenue.*
2 Biennially, the amounts in the schedule for general program operations of the ~~board~~
3 commission, including the printing of forms, materials, manuals, and election laws
4 under ss. 7.08 (1) (b), (3), and (4) ~~and 11.21 (3) and (4)~~, and the training of election
5 officials under s. 5.05 (7).

6 **SECTION 214.** 20.511 (1) (be) of the statutes is renumbered 20.510 (1) (be) and
7 amended to read:

8 20.510 (1) (be) *Investigations.* ~~A sum sufficient~~ The amounts in the schedule
9 for the purpose of financing the costs of investigations authorized by the ~~board~~
10 commission of potential violations of chs. 5 to 10 and 12, ~~subch. III of ch. 13, and~~
11 ~~subch. III of ch. 19.~~

12 **SECTION 215.** 20.511 (1) (bm) of the statutes is renumbered 20.510 (1) (bm).

13 **SECTION 216.** 20.511 (1) (c) of the statutes is renumbered 20.510 (1) (c).

14 **SECTION 217.** 20.511 (1) (d) of the statutes is renumbered 20.510 (1) (d).

15 **SECTION 218.** 20.511 (1) (g) of the statutes is renumbered 20.510 (1) (g) and
16 amended to read:

17 20.510 (1) (g) *Recount fees.* The amounts in the schedule to be apportioned to
18 the county clerks or county board of election commissioners as prescribed in s. 9.01
19 (1) (ag). All moneys received on account of recount petitions filed with it, ~~to be~~
20 ~~apportioned to the county clerks or county board of election commissioners as~~
21 ~~prescribed in s. 9.01 (1) (ag)~~ the commission shall be credited to this appropriation
22 account.

23 **SECTION 219.** 20.511 (1) (h) of the statutes is renumbered 20.510 (1) (h) and
24 amended to read: