

CHAPTER 328, Laws of 1979

AN ACT to repeal 11.01 (6) (d) 4, (10) and (21), 11.05 (3) (b), (j), (k) and (m), 11.06 (4) (b) and (8) (title), 11.08 (2), 11.09 (2) and (6), 11.13, 11.19 (1), 11.20 (2) and (7) (b), 11.21 (9) and (15), 11.26 (1m) and (7), 11.31 (1) (g) 1.d, 11.67 and 20.585 (1) (i); to renumber 8.30 (intro.) and (1) to (3), 11.001 (2) and (3), 11.01 (3), (4), (5) (intro.) and (a) to (g), (6) (intro.), (a) to (c) and (d) (intro.), 1 and 3 and (7) to (9), 11.05 (7), 11.06 (1) (j), (2) (title) (a) and (b), (4) (a) and (c), (5) and (8), 11.08 (1), 11.19 (4), 11.20 (6) and (7) (intro.), (a), (c) and (d) and (8) to (11) and 11.21 (16); to renumber and amend 8.30 (4), 11.01 (6) (d) 2 and 5, 11.06 (2) (c) and (d), (3), (4) (title) and (6), 11.09 (4) and (5), 11.12 (1) and 11.19 (2) and (3); to amend 5.02 (13), 5.05 (1) (b), (2) and (3) (a), 5.62 (5), 7.23 (1) (d), 7.70 (3) (e) 1, 11.01 (1), (6) (a) 1 and (b) 3 and 5, as renumbered, (7) (a) 1, as renumbered, (15) and (16), 11.03 (1), 11.04, 11.05 (2), (2g), (2r), (3) (c) and (e), (4) to (6), 11.06 (title), (1) (intro.), (b), (c) and (f) and (7), 11.10 (1), (2) and (4), 11.12 (4) and (5), 11.14 (1), 11.16, 11.20 (1) and (3), 11.21 (2), (5), (7) (b) to (d) and (13), 11.215 (intro.) and (4), 11.22 (3), (4), (8) and (9), 11.23 (4) to (6), 11.25 (2) (b), 11.26 (1) (intro.), (2) (intro.), (a), (d) 2 and (e), (4), (8) and (10), 11.27 (1), 11.29 (1) and (3), 11.30 (2), 11.31 (1) (g) (intro.) and 1.a to c, 2 and 3.a to d and (h), (2) and (3), 11.33, 11.36, 11.37, 11.38 (title), (1), (2) (b), (4) and (5), 11.40 (1) (b), 11.50 (2) (a), (b) 5 and (g), (4) (d), (8) and (11) (e) and (g), 11.60 (3) and (4), 11.61 (1) (b) and (c), (2) and (3), 11.66 and 14.38 (7); to repeal and recreate 7.50 (2) (g), 11.06 (1) (i) and (9), 11.09 (1) and (3), 11.21 (11) (d), 11.26 (5) and (6), 11.31 (4), 12.60 (2) and 20.916 (7); and to create 11.002 (title), 11.01 (3) and (6) (c), 11.05 (1) (title), (2r) (b), (3) (title), (7) to (9), (10) (title) and (11) to (13), 11.06 (1) (j) to (L), (2), (3) and (4) (e), 11.09 (5), 11.12 (1) (b) and (d), 11.14 (3), 11.16 (4) (c), 11.17, 11.19 (4), 11.20 (3) (a) to (L), (5), (5g), (5r) and (6), 11.26 (2) (cm), (14) to (16), 11.265, 11.29 (4), 11.30 (2) (g) and (h), 11.31 (1) (fm), (3m) and (8), 11.36 (2), 11.38 (7) and (8), 11.50 (2) (h) and (i) and 13.91 (1) (c) of the statutes, relating to campaign financing, review of rules of the elections board, granting rule-making authority and providing penalties.

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

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

5.02 (13) "Political party" or "party" means a state committee registered under s. 11.05 organized exclusively for political purposes, recognized by the national organization of the party, if any, under whose name candidates appear on a ballot at any election, and all county, congressional, legislative, local and other affiliated committees authorized to operate under the same name, except that the term does not include committees organized under s. 8.17 and assigned responsibilities under s. 7.30, with respect to such activities only. For purposes of ch. 11, the term does not include a legislative campaign committee created under s. 11.265.

SECTION 1m. 5.05 (1) (b), (2) and (3) (a) of the statutes are amended to read:

5.05 (1) (b) In the discharge of its duties and upon notice to the party or parties being investigated, subpoena and bring before it any person in the state and require the production of any papers, books or other records relevant to an investigation. ~~Upon showing of probable cause to believe there is a violation of ch. 11, a~~ A circuit court may by order

permit the inspection and copying of the accounts and the depositor's and loan records at any ~~state or national bank, trust company, credit union, savings bank, or state or federal savings and loan association~~ financial institution as defined in s. 705.01 (3) doing business in the state to obtain evidence of any such violation of ch. 11 upon showing by the board of probable cause to believe there is a violation and that such accounts and records may have a substantial relation to the violation. In the discharge of its duties, the board may cause the deposition of witnesses to be taken in the manner prescribed for taking depositions in civil actions in circuit court.

(2) AUDITING. In addition to the facial examination of reports and statements required under s. 11.21 (13), the board shall conduct an audit of reports and statements which are required to be filed with it ~~on a sample basis~~ to determine whether violations of ch. 11 have occurred. The board may examine records relating to such reports and statements maintained under s. 11.12 (3). The board shall make official note in the file of a candidate, committee, group or individual under ch. 11 of any error or other discrepancy which the board discovers and shall inform the person submitting the report or statement.

(3) (a) The board shall upon complaint by any person or on its own motion investigate violations of the elections laws and shall notify the district attorney of the proper county ~~or, the attorney general or the governor~~ where appropriate under s. 11.60 (4) or 11.61 (2) of any facts within its knowledge or evidence in its possession which may be grounds for civil action or criminal prosecution.

SECTION 2. 5.62 (5) of the statutes is amended to read:

5.62 (5) At the September primary, an elector may vote for the candidates of only one party, or the elector may vote for any of the independent candidates for state office listed; but the elector may not vote for more than one candidate for a single office. A space shall be provided on the ballot for an elector to write in the name of his or her choice as a party candidate for any office, but no space shall be provided to write in the names of independent candidates.

SECTION 3. 7.23 (1) (d) of the statutes is amended to read:

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

SECTION 4. 7.50 (2) (g) of the statutes is repealed and recreated to read:

7.50 (2) (g) In partisan primaries, if an elector writes in the name of an individual on a ballot other than the one on which that individual's name is printed as a candidate, the write-in vote may not be counted.

SECTION 5. 7.70 (3) (e) 1 of the statutes is amended to read:

7.70 (3) (e) 1. After each September primary, the name of each candidate not defeated in the primary who receives at least 6% of the total vote cast for all candidates on all ballots at the primary for each separate state office, and the percentage of the total vote received by that candidate. Such percentage shall be calculated within each district in the case of legislative candidates.

SECTION 6. 8.30 (intro.) and (1) to (3) of the statutes are renumbered 8.30 (1) (intro.) and (a) to (c), respectively.

SECTION 7. 8.30 (4) of the statutes is renumbered 8.30 (2) and amended to read:

8.30 (2) If no registration statement has been filed by or on behalf of a candidate for state or local office in accordance with s. 11.05 (2g) or (2r), in the case of candidates for state and local office by the applicable deadline for filing nomination papers by such candidate, the name of the candidate may not appear on the ballot. This subsection may not be construed to exempt a candidate from applicable penalties if he or she files a registration statement later than the time prescribed in ss. 11.01 (1) and 11.05 (2g).

SECTION 9. 11.001 (2) of the statutes is renumbered 11.002.

SECTION 10. 11.001 (3) of the statutes is renumbered 11.001 (2).

SECTION 11. 11.002 (title) of the statutes is created to read:

11.002 (title) Construction.

SECTION 12. 11.01 (1) of the statutes is amended to read:

11.01 (1) "Candidate" means every person for whom it is contemplated or desired that votes be cast at any election held within this state, other than an election for national office, whether or not such the person is elected or nominated, other than a candidate for national office, and who either tacitly or expressly consents to be so considered. A person does not cease to be a candidate for purposes of compliance with this chapter or ch. 12 after the date of an election and no person is released from any requirement or liability otherwise imposed under this chapter or ch. 12 by virtue of the passing of the date of an election.

SECTION 13. 11.01 (3) of the statutes is renumbered 11.01 (4).

SECTION 14. 11.01 (3) of the statutes is created to read:

11.01 (3) "Clearly identified", when used with reference to a communication in support of or in opposition to a candidate, means:

- (a) The candidate's name appears;
- (b) A photograph or drawing of the candidate appears; or
- (c) The identity of the candidate is apparent by unambiguous reference.

SECTION 15. 11.01 (4) of the statutes is renumbered 11.01 (5).

SECTION 16. 11.01 (5) (intro.), (a) to (f) and (g) of the statutes are renumbered 11.01 (6) (a) (intro.), 1 to 6 and (b), respectively, and 11.01 (6) (a) 1 and (b) 3 and 5, as renumbered, are amended to read:

11.01 (6) (a) 1. A gift, subscription, loan, advance, or deposit of money or anything of value (except a loan of money by a ~~national or state bank~~ commercial lending institution made by the ~~bank~~ institution in accordance with applicable ~~banking~~ laws and regulations in the ordinary course of business), made for political purposes. In this ~~paragraph~~ subdivision "anything of value" means a thing of merchantable value.

(b) 3. Any unreimbursed payment for travel expenses made by an individual who on his or her own behalf volunteers the individual's personal services ~~in support of or in opposition to a candidate~~ for political purposes;

5. Compensation or fringe benefits ~~incidental to~~ provided as a result of employment ~~provided~~ by an employer to regular employes or pensioners who are not compensated specifically for services performed for a political purpose, and not in excess of that provided to other regular employes or pensioners of like status.

SECTION 17. 11.01 (6) (intro.) and (a) of the statutes are renumbered 11.01 (7) (a) (intro.) and 1, respectively, and 11.01 (7) (a) 1, as renumbered, is amended to read:

11.01 (7) (a) 1. A purchase, payment, distribution, loan, advance, deposit, or gift of money or anything of value (except a loan of money by a ~~national or state bank~~ commercial lending institution made by the ~~bank~~ institution in accordance with applicable ~~banking~~ laws and regulations in the ordinary course of business), made for political purposes. In this ~~paragraph~~ subdivision, "anything of value" means a thing of merchantable value.

SECTION 18. 11.01 (6) (b) and (c) of the statutes are renumbered 11.01 (7) (a) 2 and 3, respectively.

SECTION 19. 11.01 (6) (c) of the statutes is created to read:

11.01 (6) (c) Notwithstanding par. (a), when a committee or group not organized exclusively for political purposes receives a gift, subscription, loan, advance or deposit of anything of value and does not utilize it for political purposes, it is not a "contribution".

SECTION 20. 11.01 (6) (d) (intro.) and 1 of the statutes are renumbered 11.01 (7) (b) (intro.) and 1, respectively.

SECTION 21. 11.01 (6) (d) 2 of the statutes is renumbered 11.01 (7) (b) 2 and amended to read:

11.01 (7) (b) 2. Any unreimbursed payment for travel expenses made by an individual who on his or her own behalf volunteers the individual's personal services ~~in support of or in opposition to a candidate~~ for political purposes;

SECTION 22. 11.01 (6) (d) 3 of the statutes is renumbered 11.01 (7) (b) 3.

SECTION 23. 11.01 (6) (d) 4 of the statutes is repealed.

SECTION 24. 11.01 (6) (d) 5 of the statutes is renumbered 11.01 (7) (b) 4 and amended to read:

11.01 (7) (b) 4. Compensation or fringe benefits ~~incidental to~~ provided as a result of employment provided by an employer to regular employes or pensioners who are not compensated specifically for services performed for a political purpose, and not in excess of that provided to other regular employes or pensioners of like status.

SECTION 25. 11.01 (7) to (9) of the statutes are renumbered 11.01 (8) to (10), respectively.

SECTION 26. 11.01 (10) of the statutes is repealed.

SECTION 27. 11.01 (15) and (16) of the statutes are amended to read:

11.01 (15) "Personal campaign committee" means a ~~temporary~~ committee which is formed or operating for the exclusive purpose of electing influencing the election or re-electing reelection of a candidate to office, which acts with the cooperation of or upon consultation with the candidate or the candidate's agent or which is under the direct control of the operating in concert with or pursuant to the authorization, request or suggestion of the candidate or the candidate's agent.

(16) An act is for "political purposes" when ~~by its nature, intent or manner it directly or indirectly influences or tends to influence voting at any election. Such an act includes support or opposition to a person's present or future candidacy or to a present or future referendum~~ it is done for the purpose of influencing the election or nomination for election of any individual to state or local office, or for the purpose of influencing the outcome of any referendum. In the case of a candidate, or a committee or group which is organized primarily for the purpose of influencing the election or nomination for election of any individual to state or local office, or for the purpose of influencing the outcome of any referendum, all administrative and overhead expenses for the maintenance of an office or staff which are used principally for any such purpose are deemed to be for a political purpose.

(a) Acts which are for "political purposes" include but are not limited to:

1. The making of a communication which expressly advocates the election or defeat of a clearly identified candidate or the passage or defeat of a referendum.

2. The conduct of or attempting to influence an endorsement or nomination to be made at a convention of political party members or supporters concerning, in whole or in part, any campaign for state or local office.

(b) A "political purpose" does not include expenditures for defense attorney's fees and other legal fees, costs and expenses, or payments supporting any person subject to criminal prosecution for violation of state or federal law, or for any agent or dependent of such a person.

SECTION 28. 11.01 (21) of the statutes is repealed.

SECTION 29. 11.03 (1) of the statutes is amended to read:

11.03 (1) Elections for the positions of presidential elector, convention delegate and party committeeman are not subject to ss. 11.05 to 11.23, and 11.26 to 11.29 ~~and 11.31~~.

SECTION 30. 11.04 of the statutes is amended to read:

11.04 Registration and voting drives. Sections Except as provided in s. 11.25 (2) (b), ss. 11.05 to 11.23, and 11.26 and 11.31 do not apply to nonpartisan campaigns to increase voter registration or voting participation at any election that are not directed at supporting or opposing any specific candidate, political party, or referendum.

SECTION 31. 11.05 (1) (title) of the statutes is created to read:

11.05 (1) (title) COMMITTEES AND GROUPS.

SECTION 32. 11.05 (2), (2g) and (2r) of the statutes are amended to read:

11.05 (2) (title) INDIVIDUALS. Every individual, other than a candidate or agent of a candidate, who accepts contributions, incurs obligations, or makes disbursements in a calendar year in an aggregate amount in excess of \$25 shall file a verified statement with the appropriate filing officer giving the information required by sub. (3). An individual who guarantees a loan on which an individual, committee or group subject to a registration requirement defaults is not subject to registration under this subsection solely as a result of such default.

(2g) (title) CANDIDATES AND PERSONAL CAMPAIGN COMMITTEES. Every candidate as defined in s. 11.01 (1) shall file a verified registration statement with the appropriate filing officer giving the information required by sub. (3). If a candidate appoints another person as campaign treasurer the candidate's registration statement ~~may~~ shall be filed cosigned by the candidate and the candidate's appointed treasurer. A candidate who receives no contributions and makes no disbursements shall file such statement as provided in s. 11.10 (1) but need not appoint a campaign treasurer or designate a campaign depository until the first contribution is received or disbursement made.

(2r) (title) GENERAL REPORTING EXEMPTIONS. (a) Any person, committee or group other than a committee or individual required to file an oath under s. 11.06 (7), a candidate or personal campaign committee of a candidate for statewide or legislative office or a political party committee who or which does not anticipate accepting contributions, making disbursements or incurring obligations in an aggregate amount in excess of ~~\$250~~ \$500 in a calendar year and does not anticipate accepting any contribution or contributions from a single source exceeding \$100 in that year may indicate on its verified registration statement that the person, committee or group will not accept contributions, incur obligations or make disbursements in the aggregate in excess of ~~\$250~~ \$500 in any calendar year and will not accept any contribution or contributions from a single source exceeding \$100 in such year. Any registrant making such an indication is not subject to any filing requirement if the statement is true. ~~Such~~ The registrant need not file a termination report. A registrant not making such an indication on a registration statement is subject to a filing requirement. The indication may be revoked and the registrant is then subject to a filing requirement as of the date of revocation, or the date that aggregate contributions, disbursements or obligations for the calendar year exceed ~~\$250~~ \$500, or the date on which the registrant accepts any contribution or contributions exceeding \$100 from a single source during that year, whichever is earlier, but if the revocation is not timely, the registrant violates s. 11.27 (1).

SECTION 33. 11.05 (2r) (b) of the statutes is created to read:

11.05 (2r) (b) Any political party committee which does not anticipate accepting contributions, making disbursements or incurring obligations in an aggregate amount in excess of \$1,000 in a calendar year and does not anticipate accepting any contribution or contributions from a single source exceeding \$100 in that year may indicate on its verified

registration statement that the committee will not accept contributions, incur obligations or make disbursements in the aggregate in excess of \$1,000 in any calendar year and will not accept any contribution or contributions from a single source exceeding \$100 in that year. Any registrant making such an indication is not subject to any filing requirement if the statement is true. The registrant need not file a termination report. A registrant not making such an indication on a registration statement is subject to a filing requirement. The indication may be revoked and the registrant is then subject to a filing requirement as of the date of revocation, or the date that aggregate contributions, disbursements or obligations for the calendar year exceed \$1,000, or the date on which the registrant accepts any contribution or contributions exceeding \$100 from a single source during that year, whichever is earlier, but if the revocation is not timely, the registrant violates s. 11.27 (1).

SECTION 34. 11.05 (3) (title) of the statutes is created to read:

11.05 (3) (title) REQUIRED INFORMATION.

SECTION 35. 11.05 (3) (b) of the statutes is repealed.

SECTION 36. 11.05 (3) (c) and (e) of the statutes are amended to read:

11.05 (3) (c) In the case of a committee, a statement as to whether the committee is a personal campaign committee, a political party committee, a legislative campaign committee or a special interest committee.

(e) The name and mailing address of the campaign treasurer and any other custodian of books and accounts. Unless otherwise directed by the registrant on the registration form and except as otherwise provided in this chapter or any rule of the board, all mailings which are required by law or by rule of the board shall be sent to the treasurer at the treasurer's address indicated upon the form.

SECTION 37. 11.05 (3) (j), (k) and (m) of the statutes are repealed.

SECTION 38. 11.05 (4) to (6) of the statutes are amended to read:

11.05 (4) (title) REFERENDUM REGISTRATION. Every committee under this chapter which in addition operates as a political group must register under this section as a group. Every group which in addition operates as a political committee must register under this section as a committee. Except in the case of a personal campaign committee, an organization which operates as both a committee and a group and which has the same filing officer for both operations may file a single registration statement under this section.

(5) (title) CHANGE OF INFORMATION. Any change in information previously submitted in a statement of registration shall be reported to the appropriate filing officer in verified form within 10 days following the change. This period does not apply in case of change of an indication made under sub. (2r), which shall be reported no later than the date that a registrant is subject to a filing requirement under that subsection. Any such change may be attested only by the individual or by the officer who has succeeded to the position of the individual attesting to the original statement, ~~except that;~~ but in the case of a personal campaign committee, a candidate or campaign treasurer may attest to a change in the statement of a personal campaign committee except as provided in s. 11.10 (2), and in the case of any other committee or group, the chief executive officer or treasurer indicated on the statement may attest to a change. If a preexisting committee is adopted by a candidate as his or her personal campaign committee, the candidate shall file an amendment to the committee's statement under this subsection indicating that he or she swears to the veracity of all information contained in the statement.

(6) Except as provided in s. ~~11.10 (4)~~ subs. (7) and (10), no person, committee or group subject to a registration requirement may make any contribution or disbursement from property or funds acquired received prior to the date of registration under this section.

SECTION 39. 11.05 (7) of the statutes is renumbered 11.05 (10).

SECTION 40. 11.05 (7) to (9), (10) (title) and (11) to (13) of the statutes are created to read:

11.05 (7) CHANGE IN STATUS OF NEW REGISTRANT. Notwithstanding sub. (6), any committee, group or individual who or which has received property or funds which were not intended for political purposes in connection with an election for state or local office at the time of receipt may make contributions or disbursements from such property or funds in connection with an election for state or local office if the committee, group or individual complies with applicable provisions of sub. (1), (2), (2g) or (2r) as soon as such intent changes. For purposes of s. 11.06 (1), all property or funds which are in such a registrant's possession on the date of registration under this section shall be treated as received on the date that such intent changes so that the property or funds are to be used for political purposes in connection with an election for state or local office.

(8) CERTAIN INTRA-REGISTRANT TRANSFERS EXEMPT. If a committee or group which is not organized exclusively for political purposes makes a contribution from its own property or funds to a committee or group, affiliated with such committee or group, which is organized exclusively for political purposes, and the contributing committee or group receives no contribution from a single source in excess of \$20 in the aggregate during any calendar year, and it makes no contributions or disbursements and incurs no obligations other than to make the transactions specified in this subsection, then no registration requirement applies to the contributing committee or group.

(9) CERTAIN CONDUIT ACTIVITY EXEMPT. This section does not require registration by any individual or organization which receives property or funds intended for political purposes and transfers such property or funds to another individual or organization while acting solely as a conduit, if the receiving individual or organization exercises no discretion as to the amount which is transferred and the individual or organization to whom the transfer is made. Whenever an individual or organization acting as a conduit is exempted from registration under this subsection, the original transferor is deemed the contributor and the ultimate transferee is deemed the recipient for reporting purposes.

(10) (title) CERTAIN ACTIVITY BY SPOUSES EXEMPT.

(11) EXEMPTION FOR INDIRECT POLITICAL ACTIVITY. If any individual makes only those disbursements and incurs only those obligations which are exempted from reporting under s. 11.06 (2), or if any committee or group makes no contributions, and makes only those disbursements and incurs only those obligations which are exempted from reporting under s. 11.06 (2), then no registration requirement under this section applies to that individual, committee or group.

(12) TIME OF REGISTRATION; ACCEPTANCE OF UNLAWFUL CONTRIBUTIONS. (a) Except as authorized under sub. (13), a candidate shall comply with sub. (2g) no later than the time that he or she becomes a candidate as defined in s. 11.01. No candidate or agent of a candidate may accept any contribution or contributions at any time when the candidate is not registered under this section.

(b) Except as authorized under sub. (13), a committee, group or individual other than a candidate or agent of a candidate shall comply with sub. (1) or (2) no later than the 5th business day commencing after receipt of the first contribution by such committee, group or individual, and before making any disbursement. No committee, group or individual, other than a candidate or agent of a candidate, may accept any contribution or contributions exceeding \$25 in the aggregate during a calendar year at any time when the committee, group or individual is not registered under this section except within the initial 5-day period authorized by this paragraph.

(13) BANK ACCOUNT AND POSTAL BOX; EXEMPTION. An individual, committee or group does not violate this section by making a disbursement in the amount required to rent a postal box, or in the minimum amount required by a bank or trust company to open a checking account, prior to the time of registration, if the disbursement is properly re-

ported on the first report submitted under s. 11.20 after the date that the individual, committee or group is registered, whenever a reporting requirement applies to the registrant.

SECTION 41. 11.06 (title) and (1) (intro.), (b), (c) and (f) of the statutes are amended to read:

11.06 (title) Financial report information; application; funding procedure. (1) (intro.) CONTENTS OF REPORT. Except as provided in ~~s.~~ sub. (3) and ss. 11.05 (2r) and 11.19 (2), each registrant under s. 11.05 shall make full reports, upon a verified form prescribed by the board and signed by the appropriate individual under sub. (5), of all contributions received, contributions or disbursements made, and obligations incurred. ~~The reports required to be filed by this subsection shall be cumulative during the calendar year to which they relate, but where there has been no change in an item reported in a previous report during such year, only the amount need be carried forward.~~ Each report shall contain the following information, covering the period since the last date covered on the previous report, unless otherwise provided:

(b) The occupation and name and address of the principal place of business, if any, of each individual contributor whose cumulative contributions for the calendar year are in excess of \$100.

(c) The name and address of each registrant from which ~~transfers~~ a transfer of funds were ~~was~~ received or to which ~~transfers~~ a transfer of funds were ~~was~~ made, together with the ~~dates~~ date and ~~amounts~~ amount of such ~~transfers~~ transfer, and the cumulative total for the calendar year.

(f) An itemized statement of each loan of money made by a commercial lending institution in an aggregate amount or value in excess of \$20 which is not reported as a contribution, together with the full name and mailing address of the lender and endorser, if any, and the date and amount of such loan.

SECTION 42. 11.06 (1) (i) of the statutes is repealed and recreated to read:

11.06 (1) (i) A statement of totals during the reporting period of contributions received and disbursements made, including transfers made to and received from other registrants, other income, loans, and contributions returned to the donor or donated.

SECTION 43. 11.06 (1) (j) of the statutes is renumbered 11.06 (1) (m).

SECTION 44. 11.06 (1) (j) to (L) of the statutes are created to read:

11.06 (1) (j) In the case of a committee or individual filing an oath under sub. (7), a separate schedule showing for each disbursement which is made independently of a candidate, other than a contribution made to that candidate, the name of the candidate or candidates on whose behalf or in opposition to whom the disbursement is made, indicating whether the purpose is support or opposition.

(k) A statement of the balance of obligations incurred as of the end of the reporting period.

(L) A statement of cumulative totals for the calendar year of contributions made, contributions received, and disbursements made, including transfers of funds made to or received from other registrants.

SECTION 45. 11.06 (2) (title), (a) and (b) of the statutes are renumbered 11.06 (4) (title), (a) and (b), respectively.

SECTION 46. 11.06 (2) (c) and (d) of the statutes are renumbered 11.06 (4) (c) and (d), respectively, and amended to read:

11.06 (4) (c) All contributions received by any person acting as an agent of a candidate or treasurer shall be reported ~~within 3 days~~ by such person to the candidate or treasurer within 15 days of receipt. In the case of a contribution of money, the agent shall

~~within 5 days~~ transmit the contribution to the candidate or treasurer within 15 days of receipt.

(d) A contribution, disbursement or obligation made or incurred to or for the benefit of a candidate is reportable by the candidate or the candidate's personal campaign committee if it is made or incurred with the encouragement authorization, direction or control of or otherwise by prearrangement with the candidate or the campaign treasurer candidate's agent.

SECTION 47. 11.06 (2) of the statutes is created to read:

11.06 (2) DISCLOSURE OF CERTAIN INDIRECT DISBURSEMENTS. Notwithstanding sub. (1), if a disbursement is made or obligation incurred by an individual other than a candidate or by a committee or group which is not primarily organized for political purposes, and the disbursement does not constitute a contribution to any candidate or other individual, committee or group, the disbursement or obligation is required to be reported only if the purpose is to expressly advocate the election or defeat of a clearly identified candidate or the adoption or rejection of a referendum. The exemption provided by this subsection shall in no case be construed to apply to a political party committee or to a personal campaign committee.

SECTION 48. 11.06 (3) of the statutes is renumbered 11.06 (5) and amended to read:

11.06 (5) REPORT MUST BE COMPLETE. A registered individual or treasurer of a group or committee shall make a good faith effort to obtain all required information. The first report shall commence no later than the date that the first contribution is received and accepted or the first disbursement is made. Each report shall be filed with the appropriate filing officer on the dates designated in s. 11.20. The individual or the treasurer of the group or committee shall certify to the correctness of each report. In the case of a candidate, the candidate or treasurer shall certify to the correctness of each report. If a treasurer is unavailable, any person designated as a custodian under s. 11.05 (3) (e) may certify to the correctness of a report.

SECTION 49. 11.06 (3) of the statutes is created to read:

11.06 (3) NONRESIDENT REPORTING EXEMPTIONS. (a) A nonresident registrant under s. 11.07 (6) need not report under sub. (1) any contribution received which is specifically designated for use in an election to be held outside this state, any disbursement made in connection with an election to be held outside this state, or any obligation incurred to make such a contribution or disbursement.

(b) Each nonresident registrant under s. 11.07 (6) who or which has filed a current statement of organization with the federal election commission and is required to file reports of receipts and expenditures with that body, and who or which does not make contributions or disbursements and does not incur obligations in an amount or value of more than \$10,000 cumulatively within a calendar year which are required to be reported under this section, and does not make any contribution to a candidate for state or local office which exceeds one percent of the applicable disbursement level specified in the schedule under s. 11.31 (1), may in lieu of the reports required by sub. (1) and s. 11.20 (3) and (4) file a copy of each report which it files under the federal election campaign act with the appropriate filing officer under s. 11.02, no later than the deadline for filing such report under federal law.

SECTION 50. 11.06 (4) (title) of the statutes is renumbered 11.06 (6) (title) and amended to read:

11.06 (6) (title) PURPOSE OF DISBURSEMENTS.

SECTION 51. 11.06 (4) (a) of the statutes is renumbered 11.06 (6).

SECTION 52. 11.06 (4) (b) of the statutes is repealed.

SECTION 53. 11.06 (4) (c) of the statutes is renumbered 11.12 (1) (c).

SECTION 54. 11.06 (4) (e) of the statutes is created to read:

11.06 (4) (e) Notwithstanding pars. (a) to (e), receipt of contributions by registrants under s. 11.05 (7) shall be treated as received in accordance with that subsection.

SECTION 55. 11.06 (5) of the statutes is renumbered 11.06 (8).

SECTION 56. 11.06 (6) of the statutes is renumbered 11.06 (10) and amended to read:

11.06 (10) (title) REFERENDUM REPORTING SEPARATED. ~~Any~~ If a committee which operates as a political group has filed a single registration statement, any report of a that committee which concerns activities being carried on as a political group under this chapter shall contain separate treatment itemization of such activities, whenever itemization is required.

SECTION 56m. 11.06 (7) of the statutes is amended to read:

11.06 (7) VOLUNTARY OATH. Every ~~voluntary~~ committee, ~~other than a personal campaign committee, which~~ and every individual, ~~other than a candidate~~ who desires to ~~accept contributions and~~ make disbursements during any calendar year, ~~in support of or in opposition to~~ which are to be used to advocate the election or defeat of any clearly identified candidate or candidates in any election shall before making any disbursement, except within the amount authorized under s. 11.05 (1) or (2), file with the registration statement under s. 11.05 a statement under oath affirming that all contributions are accepted and disbursements made without the encouragement, direction or control of any the individual or committee does not act in cooperation or consultation with any candidate or agent or authorized committee of a candidate who is supported or opposed, and that the individual or committee does not act in concert with, or at the request or suggestion of, any candidate or any agent or authorized committee of a candidate who is supported or opposed. A committee which or individual who acts independently of one or more candidates or agents or authorized committees of candidates and also in cooperation or upon consultation with, in concert with, or at the request or suggestion of one or more candidates or agents or authorized committees of candidates shall indicate in the oath the names of the candidate or candidates to which it applies. Any person who falsely makes such an oath, or any committee or agent of a committee who carries on any activities with intent to violate such oath is guilty of a violation of this chapter.

SECTION 57. 11.06 (8) (title) of the statutes is repealed.

SECTION 58. 11.06 (8) of the statutes is renumbered 11.20 (9).

SECTION 59. 11.06 (9) of the statutes is repealed and recreated to read:

11.06 (9) SHORT FORM. The board shall prescribe a simplified, short form for compliance with this section by a registrant who has not engaged in any financial transaction since the last date included on the registrant's preceding financial report.

SECTION 60. 11.08 (1) of the statutes is renumbered 11.08.

SECTION 61. 11.08 (2) of the statutes is repealed.

SECTION 62. 11.09 (1) of the statutes is repealed and recreated to read:

11.09 (1) The board shall transmit a certified duplicate copy of the financial report of each candidate for state senator, representative to the assembly, court of appeals judge and circuit judge or such person's personal campaign committee, if any, within 72 hours after receipt, to the county clerk or board of election commissioners of each county any part of which is contained in the district or circuit of the candidate.

SECTION 63. 11.09 (2) of the statutes is repealed.

SECTION 64. 11.09 (3) of the statutes is repealed and recreated to read:

11.09 (3) Each registrant whose filing officer is the board, who or which makes disbursements in connection with elections for offices which serve or referenda which affect only one county or portion thereof, except a candidate or committee covered under sub. (1) or (2), shall file a duplicate original of each financial report filed with the board with the county clerk or board of election commissioners of the county in which the elections in which the registrant participates are held. Such reports shall be filed no later than the dates specified under s. 11.20 (3) and (4) for the filing of each report with the board.

SECTION 65. 11.09 (4) and (5) of the statutes are renumbered 11.09 (2) and (4), respectively, and amended to read:

11.09 (2) Every financial report of a ~~voluntary~~ committee or individual ~~acting~~ making disbursements or incurring obligations in support of or in opposition to a candidate under sub. (1) and filing an oath under s. 11.06 (7) shall also be filed by the board in accordance with sub. (2) ~~if the candidate who is supported or opposed seeks office from a district or circuit which is wholly contained within one county.~~ Every financial report of a ~~voluntary committee or individual acting in support of or in opposition to a candidate under sub. (1)~~ shall be filed by the board in accordance with sub. (3) ~~if the candidate who is supported or opposed seeks office from a district or circuit which is located in more than one county (1).~~

(4) In every case where a duplicate report is filed by the board or by any person under subs. (1) to ~~(4)~~ (3), the board shall transmit a certified duplicate copy of the registration statement to each county clerk or board of election commissioners with whom a duplicate report is filed.

SECTION 66. 11.09 (5) of the statutes is created to read:

11.09 (5) Whenever a filing officer receives a financial report from an individual or committee which has filed an oath under s. 11.06 (7) and the report contains a separate schedule as required by s. 11.06 (1) (j), the filing officer shall place a copy of such schedule in the file of each candidate to whom it relates.

SECTION 67. 11.09 (6) of the statutes is repealed.

SECTION 68. 11.10 (1), (2) and (4) of the statutes are amended to read:

11.10 (1) Each candidate in an election shall appoint one campaign treasurer ~~and~~. Except as provided in s. 11.14 (3), each candidate shall designate one campaign depository within 5 business days after the candidate receives the his or her first contribution and before making the candidate makes or authorizes any disbursement in behalf of his or her candidacy. If a candidate adopts a preexisting committee as his or her personal campaign committee, the candidate shall make such designation within 5 business days of adoption. The person designated as campaign treasurer shall be the treasurer of the candidate's personal campaign committee, if any. The candidate may appoint himself or herself or any other elector as campaign treasurer. A verified registration statement under s. 11.05 (2g) or (2r) must be filed jointly by or on behalf of every candidate by the and his or her campaign treasurer. ~~The candidate's qualification is not complete candidate does not qualify for ballot placement until this requirement is met. The Except as authorized under s. 11.06 (5), the campaign treasurer or candidate shall certify as to the correctness of each report required to be filed, and the candidate shall bear the responsibility for the accuracy of each report for purposes of civil liability under this chapter, whether or not the candidate certifies it personally.~~

(2) A candidate may remove a campaign treasurer at any time. In case of the death, resignation or removal of a campaign treasurer, the candidate shall designate a successor and shall file the successor's name and address with the appropriate filing officer ~~as soon as practicable~~ as provided in s. 11.05 (5). Until the successor's name and address is filed, the candidate shall be deemed ~~the his or her own~~ campaign treasurer.

(4) No candidate may establish more than one personal campaign committee. Such committee may have subcommittees provided that all subcommittees have the same treasurer, who shall be the candidate's campaign treasurer. The treasurer shall deposit all funds received in the campaign depository. Any committee which is organized or acts with the ~~encouragement, direction or control~~ cooperation of or upon consultation with a candidate or agent or authorized committee of a candidate, or which acts in concert with or at the request or suggestion of a candidate or agent or authorized committee of a candidate is deemed a subcommittee of the candidate's personal campaign committee.

SECTION 69. 11.12 (1) of the statutes is renumbered 11.12 (1) (a) and amended to read:

11.12 (1) (a) No contribution may be made or received and no disbursement may be made or obligation incurred by a person or committee, except within the amount authorized under s. 11.05 (1) and (2), in support of or in opposition to a any specific candidate or candidates in an election, other than through the campaign treasurer of the candidate or ~~his~~ the candidate's opponent, or by or through an individual or ~~voluntary~~ committee registered under s. 11.05 and filing a statement under s. 11.06 (7).

SECTION 70. 11.12 (1) (b) and (d) of the statutes are created to read:

11.12 (1) (b) The requirement of par. (a) may not be construed to apply to a contribution which is made to a continuing political party or ongoing committee, other than a personal campaign committee, provided that the contribution is not made in contravention of s. 11.16 (4) or 11.24.

(d) Paragraph (a) does not apply to disbursements and obligations which are exempted from reporting under s. 11.06 (2).

SECTION 71. 11.12 (4) and (5) of the statutes are amended to read:

11.12 (4) All contributions, disbursements and incurred obligations shall be reported in accordance with s. 11.20. ~~Each~~ Except as permitted under s. 11.06 (2) and (3), each election report shall contain the same information which is required under s. 11.06 (1).

(5) If any contribution of more than \$500 cumulatively is received by a candidate for state office or by a committee from a single contributor later than 15 days prior to a primary or election such that it is not included in the ~~election~~ preprimary or preelection report submitted under s. 11.20 (3) (a), the treasurer of the committee or the individual receiving such contribution shall within 24 hours of receipt inform the appropriate filing officer of the information required under s. 11.06 (1) in such manner as the board may prescribe. The information shall also be included in the next regular report. Contributions under this subsection cumulate beginning with the day after the last date covered on the preprimary or preelection report, and ending with the day before the primary or election.

SECTION 72. 11.13 of the statutes is repealed.

SECTION 73. 11.14 (1) of the statutes is amended to read:

11.14 (1) ~~All~~ Except as authorized in sub. (3), all funds received by a campaign or committee treasurer, group treasurer, ~~candidate or other~~ individual shall be deposited in a separate campaign depository account designated "Campaign Fund of (name of candidate, committee, individual or group subject to filing requirement)" in accordance with s. 11.16 (3). Except as authorized in sub. (3), such depository shall be established by every candidate no later than the time prescribed in s. 11.10 (1), and by every other individual or treasurer no later than the 5th business day after becoming subject to a registration requirement under s. 11.05 and before making any disbursement. Any bank or trust company which is authorized to transact business in this state may be selected as the depository. The individual or treasurer shall deposit all funds received in the campaign depository no later than the 5th business day commencing after receipt. This subsection does

not apply to a contributor committee or group which is exempt from registration under s. 11.05 (8).

SECTION 74. 11.14 (3) of the statutes is created to read:

11.14 (3) Notwithstanding sub. (1), any candidate other than a candidate for statewide or legislative office who serves as his or her own campaign treasurer and who is authorized to make and makes an indication on his or her registration statement under s. 11.05 (2r) (a) that he or she will not accept contributions, make disbursements or incur obligations in an aggregate amount exceeding \$500 in a calendar year, may designate a single personal account as his or her campaign depository, and may intermingle personal and other funds with campaign funds in an amount not exceeding \$500 per calendar year. If a separate depository is later established, all campaign funds in the personal account shall be transferred to the new depository account. Disbursements made from such personal account need not be identified in accordance with s. 11.16 (3).

SECTION 75. 11.16 of the statutes is amended to read:

11.16 Campaign contributions and disbursements; restrictions. (1) (title) AUTHORIZATION; LIABILITY. No disbursement may be made or obligation incurred by a candidate, or by any other person or committee in support of or in opposition to a candidate, other than an individual who, or a ~~voluntary~~ committee which, has registered under s. 11.05 and filed an oath under s. 11.06 (7), except by the campaign treasurer of the candidate or other agent designated by the candidate and acting under his or her authority. In the event that an obligation is incurred or disbursement made by the campaign treasurer or other authorized agent of the candidate, the action is imputable to the candidate for purposes of civil liability under this chapter. This subsection does not apply to disbursements and obligations which are exempted from reporting under s. 11.06 (2).

(2) (title) LIMITATION ON CASH CONTRIBUTIONS. Every contribution of money exceeding \$50 shall be made by negotiable instrument or evidenced by an itemized credit card receipt bearing on the face the name of the remitter. No treasurer may accept a contribution made in violation of this subsection. The treasurer shall promptly return the contribution, or donate it to the common school fund or to a charitable organization in the event that the donor cannot be identified.

(3) (title) FORM OF DISBURSEMENTS. Every disbursement which is made by a registered individual or treasurer from the campaign depository shall be made by negotiable instrument ~~bearing. Such instrument shall bear on the face "Campaign Fund of (the full name of the candidate, committee, individual or group subject to filing requirement)"~~ as it appears on the registration statement filed under s. 11.05 and where necessary, such additional words as are sufficient to clearly indicate the political nature of the registrant or account of the registrant. The name of a political party shall include the word "party".

(4) (title) EARMARKING. (a) The treasurer of a personal campaign committee may agree with a prospective contributor that a contribution is received to be utilized for a specific purpose not prohibited by law. Such purpose may not include a disbursement in support of or in opposition to another candidate or the transfer to an individual or committee acting in support of or in opposition to another candidate.

(b) When a contribution is made to a political party or to an individual or committee other than a candidate or the candidate's personal campaign committee, the purpose may not be specified, except where a precampaign committee is established for adoption by a candidate in accordance with s. 11.10 (1).

SECTION 76. 11.16 (4) (c) of the statutes is created to read:

11.16 (4) (c) Except for transfers of membership-related moneys between committees of the same political party, no committee may act as a conduit for the earmarked contributions of others. Transfers of membership-related moneys between political party committees shall be treated in the same manner as other transfers.

SECTION 77. 11.17 of the statutes is created to read:

11.17 Treatment of commercial loan guaranties. (1) DEFINITIONS. In this section:

(a) "Commercial loan" means a loan of money by a commercial lending institution made in accordance with applicable laws and regulations in the ordinary course of business.

(b) "Registrant" means any committee, group, individual or candidate who or which is required to register with a filing officer under s. 11.05.

(2) TREATMENT OF GUARANTY ON DEFAULTED LOAN. (a) In the event that any registrant defaults on a commercial loan, the unpaid balance shall be apportioned among the guarantors as loans from each guarantor, in that proportion of the unpaid balance which each guarantor bears to the total number of guarantors. Each such loan shall be reported by the registrant as a contribution and as an incurred obligation under s. 11.06 (1). The registrant shall specify that the obligation arose out of the guaranty of a commercial loan, and shall describe the commercial loan by listing the name of the commercial lender and the date on which the loan was made.

(b) If the registrant reduces the unpaid balance by payment to the commercial lender or reimburses a guarantor from whom the commercial lender has collected on a guaranty contract, the amount of each guarantor's loan shall be reduced in that proportion of the payment or reimbursement which each guarantor bears to the total number of guarantors. A reduction in the amount of the loan from a guarantor shall be reported by the registrant as a corresponding reduction in the amount of the guarantor's contribution and the amount of the registrant's incurred obligation to the guarantor.

(3) NONPOLITICAL LOANS. Nothing in this section applies to loans secured by candidates or other individuals for nonpolitical purposes.

SECTION 78. 11.19 (1) of the statutes is repealed.

SECTION 79. 11.19 (2) and (3) of the statutes are renumbered 11.19 (1) and (2), respectively, and amended to read:

11.19 (1) ~~Where Whenever~~ any ~~voluntary committee or individual under s. 11.06 (7)~~ registrant disbands or determines that obligations will no longer be incurred, and contributions will no longer be received nor disbursements made during a calendar year, and the registrant has no outstanding incurred obligations are settled, the committee or individual may registrant shall file a verified termination report with the appropriate filing officer. Such report shall indicate a cash balance on hand of zero at the end of the reporting period and shall indicate the disposition of residual funds. Residual funds may be used for any political purpose not prohibited by law, returned to the donors in an amount not exceeding the original contribution, or donated to a charitable organization or the common school fund. The report shall be filed and certified as were previous reports, and shall contain the information required by s. 11.06 (1). ~~If a termination report or suspension report under sub. (2) is not filed, there the registrant shall continue to be filed file~~ periodic reports containing the information required by s. 11.06 (1) with the appropriate filing officer, no later than the dates specified in s. 11.20. This subsection does not apply to any registrant making an indication under s. 11.05 (2r).

(2) Notwithstanding sub. (1), any registrant ~~other than a voluntary committee or individual under s. 11.06 (7)~~ who or which determines that obligations will no longer be incurred, and contributions will no longer be made or received or disbursements made during a calendar year in an aggregate amount of more than \$250, ~~and who or which retains an unexpended balance of contributions or deficit of incurred obligations not exceeding \$250~~ \$500 may file a verified suspension report with the appropriate filing officer. The report shall be filed and certified as were previous reports and shall contain the information required under s. 11.06 (1). Upon receipt of a properly executed report, the registrant shall be granted a suspension of the filing requirement under s. ~~11.06 (8)~~ 11.20

(9) by the appropriate filing officer. Such suspension is effective only for the calendar year in which it is granted, unless the registrant alters its status before the end of such year or files a termination report under sub. (1).

SECTION 80. 11.19 (4) of the statutes is renumbered 11.19 (3).

SECTION 81. 11.19 (4) of the statutes is created to read:

11.19 (4) If a registrant files a termination report under sub. (1) or (2) and within 60 days thereafter receives and accepts unanticipated contributions, the registrant may file an amended termination report. An amended report supersedes the previous report. The individual who certifies to the accuracy of the report shall also certify to a statement that the amended report is filed on account of the receipt of unanticipated contributions and the failure to file a correct termination report was not intentional.

SECTION 82. 11.20 (1) of the statutes is amended to read:

11.20 (1) All Except as provided in ss. 11.08 and 11.09 (3), all reports required by s. 11.06 which relate to activities which promote or oppose candidates for state office or statewide referenda and all reports under s. 11.08 (1) shall be filed with the board. All such reports which relate to activities which promote or oppose candidates for local office or local referenda shall be filed with the appropriate filing officer under s. 11.02.

SECTION 83. 11.20 (2) of the statutes is repealed.

SECTION 84. 11.20 (3) of the statutes is amended to read:

11.20 (3) Election reports under s. 11.12 ~~by committees or individuals supporting or opposing candidates for office at any primary or election or by committees or individuals supporting or opposing other committees or individuals who are supporting or opposing such candidates, by committees of a political party, and by individuals and groups supporting or opposing a referendum shall be received by the appropriate filing officer: (a) No no earlier than 14 days and no later than 8 days preceding the primary or and the election; and (b) No earlier than 21 days and no later than 30 days after the primary or election.~~

SECTION 85. 11.20 (3) (a) to (L) of the statutes are created to read:

11.20 (3) (a) A candidate and personal campaign committee of a candidate at a primary shall file a preprimary and preelection report.

(b) A candidate and personal campaign committee of a candidate at an election shall file a preelection report.

(c) A registered committee or individual other than a candidate or personal campaign committee making or accepting contributions, making disbursements or incurring obligations in support of or in opposition to one or more candidates for office at a primary, or supporting or opposing other committees or individuals who are engaging in such activities, shall file a preprimary and preelection report.

(d) A registered committee or individual other than a candidate or personal campaign committee making or accepting contributions, making disbursements or incurring obligations in support of or in opposition to one or more candidates for office at an election, or supporting or opposing other committees or individuals who are engaging in such activities, shall file a preelection report.

(e) Notwithstanding pars. (c) and (d), every committee of a political party shall file a preprimary and preelection report for every September primary and general election.

(f) A contribution, disbursement or obligation in support of or in opposition to a candidate at a primary which is made, accepted or incurred during the period covered by the preprimary report is considered to be made, accepted or incurred in support of or in opposition to that candidate at the primary, regardless of whether the candidate is opposed at the primary.

(g) A contribution, disbursement or obligation in support of or in opposition to a candidate at an election which is made, accepted or incurred during the period covered by the preelection report is considered to be made, accepted or incurred in support of or in opposition to that candidate at the election, regardless of whether the candidate is opposed at the election.

(h) A registrant who or which makes, accepts or incurs a contribution, disbursement or obligation in support of or in opposition to a candidate at a primary during the period covered by the preprimary report shall file both the preprimary and preelection reports, regardless of whether the registrant engages in such activity during the period covered by the preelection report.

(i) Notwithstanding pars. (c) and (d), a registrant other than a candidate, personal campaign committee or political party committee who or which makes, accepts or incurs a contribution, disbursement or obligation in support of or in opposition to a candidate at a primary during the period covered by the preelection report, but does not engage in such activity during the period covered by the preprimary report, is not required to file a preprimary report.

(j) Notwithstanding pars. (c) and (d), a registrant other than a candidate, personal campaign committee or political party committee who or which makes, accepts or incurs a contribution, disbursement or obligation in support of or in opposition to a candidate at an election during the period covered by the report which follows the preelection report, but does not engage in such activity during the period covered by the preelection report, is not required to file a preelection report.

(k) A registered group or individual making or accepting contributions, making disbursements or incurring obligations in support of or in opposition to a referendum appearing on a primary ballot shall file a preprimary and preelection report.

(L) A registered group or individual making or accepting contributions, making disbursements or incurring obligations in support of or in opposition to a referendum appearing on an election ballot shall file a preelection report.

SECTION 86. 11.20 (5), (5g) and (5r) of the statutes are created to read:

11.20 (5) Notwithstanding sub. (3), in a special primary or election, a committee or group which is not formed exclusively to influence the outcome of such special primary or election need only comply with sub. (3) for purposes of that special primary or election if it makes a disbursement for the purpose of influencing the outcome of that primary or election in a form other than a contribution which is reported by the recipient.

(5g) Notwithstanding sub. (3), a personal campaign committee which is not formed to support or oppose a candidate in a partisan primary or election need only comply with sub. (3) for purposes of a partisan primary and election if it makes a disbursement for the purpose of influencing the outcome of that primary or election in a form other than a contribution which is reported by the recipient.

(5r) Notwithstanding sub. (3), a personal campaign committee which is not formed to support or oppose a candidate in a nonpartisan primary or election need only comply with sub. (3) for the purposes of a nonpartisan primary or election if it makes a disbursement for the purpose of influencing the outcome of that primary or election in a form other than a contribution which is reported by the recipient.

SECTION 87. 11.20 (6) of the statutes is renumbered 11.20 (7).

SECTION 88. 11.20 (6) of the statutes is created to read:

11.20 (6) Reports required to be filed under s. 11.06 (3) (b) shall be received by the appropriate filing officer no later than the dates prescribed for filing such reports with the federal election commission under the federal election campaign act and shall cover the period required under such act.

SECTION 89. 11.20 (7) (intro.) and (a) of the statutes are renumbered 11.20 (8) (intro.) and (a), respectively.

SECTION 90. 11.20 (7) (b) of the statutes is repealed.

SECTION 91. 11.20 (7) (c) and (d) of the statutes are renumbered 11.20 (8) (b) and (c), respectively.

SECTION 92. 11.20 (8) to (11) of the statutes are renumbered 11.20 (10) to (13), respectively.

SECTION 93. 11.21 (2), (5) and (7) (b) to (d) of the statutes are amended to read:

11.21 (2) Furnish to each ~~candidate, individual, committee or group registered with it under s. 11.05~~ registrant prescribed forms for the making of reports and statements. Forms shall be sent by 1st class mail not later than 14 days prior to the applicable filing deadline under s. 11.20, and addressed to the attention of the treasurer or other person indicated on the registration statement. Forms need not be sent to a registrant who has made an indication that aggregate contributions, disbursements and obligations will not exceed \$250 in a calendar year the amount specified under s. 11.05 (2r) or to a registrant who has been granted a suspension under s. 11.19 ~~(3)~~ (2). Whenever any notice of filing requirements under this chapter is sent to a candidate's campaign treasurer, the board shall also send a notice to the candidate if he or she has appointed a separate treasurer. Failure to receive a any form or notice does not exempt a registrant from compliance with this chapter.

(5) Make the reports and statements filed with it available for public inspection and copying, commencing as soon as practicable but not later than the end of the 2nd day following the day during which ~~it was they are~~ received, and permit copying of any ~~such~~ report or statement by hand or by duplicating machine at cost, as requested by any person, ~~provided that any.~~ No information copied from such reports and statements may not be sold or utilized by any person for the purpose of soliciting contributions from individuals identified in the reports or statements or for any commercial purpose.

(7) (b) Total amounts expended according to such categories as it may determine and separated according to candidate, political party, and nonparty disbursements ~~on the state and national levels.~~

(c) Total amounts expended for influencing nominations and elections stated separately whenever separate information is reported.

(d) Total amounts contributed according to such categories of amounts as it determines ~~and separated according to contributions on the state and national levels~~ for candidates, individuals, committees and groups.

SECTION 96. 11.21 (9) of the statutes is repealed.

SECTION 97. 11.21 (11) (d) of the statutes is repealed and recreated to read:

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

SECTION 98. 11.21 (13) of the statutes is amended to read:

11.21 (13) Determine whether each financial report or statement required to be filed under this chapter has been filed in the form and by the time prescribed by law, and whether it conforms on its face to the requirements of this chapter. In addition to the notice required by sub. (12), the board shall immediately send to any registrant who is delinquent in filing, or who has filed otherwise than in the proper form, a notice that the registrant has failed to comply with this chapter. Whenever a candidate has appointed another person as campaign treasurer, the board shall send the notice to both persons.

SECTION 99. 11.21 (15) of the statutes is repealed.

SECTION 100. 11.21 (16) of the statutes is renumbered 11.21 (15).

SECTION 101. 11.215 (intro.) and (4) of the statutes are amended to read:

11.215 Federal election campaign reports. (intro.) ~~The officer or agency designated by~~ For such period as the federal election campaign act may require, the secretary of state shall receive all reports and statements required to be filed with the state under the federal election campaign such act, and shall promptly transmit such reports or copies thereof to the board, which shall be the agent of the officer or agency designated by such act for purposes of compliance by this state with the federal law. In the event that the federal law at any time permits the state to designate which officer or agency shall receive and maintain reports and statements under the federal election campaign act, the board is designated to be the agency which shall carry out such duties. The secretary of state shall:

(4) Make the reports and statements filed with him or her available for public inspection and copying, commencing as soon as practicable but not later than the end of the ~~2nd~~ 2nd day following the day during which ~~it was~~ they are received, and, notwithstanding s. 14.38 (9), permit copying of any such report or statement by hand or by duplicating machine at cost, as requested by any person, provided that any information copied from such reports and statements may not be sold or utilized by any person for the purpose of soliciting contributions or for any commercial purpose.

SECTION 102. 11.22 (3), (4), (8) and (9) of the statutes are amended to read:

11.22 (3) Furnish to each ~~candidate, individual, committee or group registered with the filing officer under s. 11.05, registrant~~ registrant prescribed forms for the making of reports and statements. Forms shall be sent by 1st class mail not later than 14 days prior to the applicable filing deadline under s. 11.20 and addressed to the attention of the treasurer or other person indicated on the registration statement. Forms need not be sent to a registrant who has made an indication that aggregate contributions, disbursements and obligations will not exceed ~~\$250 in a calendar year~~ the amount specified under s. 11.05 (2r) or to a registrant who has been granted a suspension under s. 11.19 ~~(3)~~ (2). Whenever any notice of the filing requirements under this chapter is sent to a candidate's campaign treasurer, the filing officer shall also send a notice to the candidate if he or she has appointed a separate treasurer. Failure to receive a any form or notice does not exempt a registrant from compliance with this chapter.

(4) Notify the district attorney, or the attorney general where appropriate under ss. 11.60 (4) and 11.61 (2), in writing, of any facts within the filing officer's knowledge or evidence in the officer's possession, including errors or discrepancies in reports or statements and delinquencies in filing which may be grounds for civil action or criminal prosecution. The filing officer shall transmit a copy of such notification to the board. The district attorney or the attorney general shall advise the filing officer in writing at the end of each 30-day period of the status of such matter until the time of disposition. The district attorney or attorney general shall transmit a copy of each such notice to the board.

(8) Make the reports and statements filed with the filing officer available for public inspection and copying, commencing as soon as practicable but not later than the end of the 2nd day following the day during which ~~it was~~ they are received, and permit copying of any ~~such~~ report or statement by hand or by duplicating machine at cost, as requested by any person, ~~provided that any.~~ No information copied from such reports and statements may ~~not~~ be sold or utilized by any person for the purpose of soliciting contributions from individuals identified in the reports or statements or for any commercial purpose.

(9) Determine whether each financial report or statement required to be filed under this chapter has been filed in the form and by the time prescribed by law, and whether it conforms on its face to the requirements of this chapter. In addition to the notice required by sub. (7), the officer shall immediately send to any registrant who is delinquent in

filing, or who has filed otherwise than in the proper form, a notice that the registrant has failed to comply with this chapter. Whenever a candidate has appointed another person as campaign treasurer, the filing officer shall send the notice to both persons.

SECTION 103. 11.23 (4) to (6) of the statutes are amended to read:

11.23 (4) Each group or individual shall file periodic reports as provided in ss. 11.06, 11.19 and 11.20. Every individual acting for the purpose of influencing the outcome of a referendum shall be deemed his or her own treasurer. No disbursement may be made or obligation incurred by or on behalf of a group without the authorization of the treasurer or the treasurer's designated agents. No contribution may be accepted and no disbursement may be made or obligation incurred by any group at a time when there is a vacancy in the office of treasurer.

(5) Any If a group which operates as a political committee has filed a single registration statement, any report of a that group which concerns activities being carried on as a political committee under this chapter shall contain a separate treatment itemization of such activities, whenever itemization is required.

(6) If any contribution exceeding \$500 cumulatively is received from a single contributor later than 15 days prior to an election such that it is not included in the ~~election~~ preprimary or preelection report submitted under s. 11.20 (3) (a), the treasurer of the group or the individual receiving such contribution shall within 24 hours of receipt inform the appropriate filing officer of the information required under s. 11.06 (1) in such manner as the board may prescribe. The information shall also be included in the next regular report. Contributions under this subsection cumulate beginning with the day after the last date covered on the preelection report, and ending with the day before the election.

SECTION 104. 11.25 (2) (b) of the statutes is amended to read:

11.25 (2) (b) Notwithstanding the definition of "political purposes" in s. 11.01 (16), a registrant may accept contributions and make disbursements from a campaign depository for the purposes of payment of legal fees and other expenses as a result of a recount at any election; for payment of civil penalties incurred by the registrant under this chapter; or for payment of the expenses of nonpartisan campaigns to increase voter registration or participation. If such expenses are paid from contributions made to the campaign depository, they are reportable under s. 11.06 (1) as disbursements. Otherwise, such expenses are not reportable under s. 11.06 (1). If contributions from the campaign depository are used for such expenses, they are subject to s. 11.26.

SECTION 105. 11.26 (1) (intro.) of the statutes is amended to read:

11.26 (1) (intro.) No individual may make any contribution or contributions, ~~directly or indirectly,~~ to a candidate for election or nomination to any of the following offices and to any individual or ~~voluntary~~ committee under s. 11.06 (7) acting solely in support of such a candidate or solely in opposition to the candidate's opponent to the extent of more than a total of the amounts specified per candidate:

SECTION 106. 11.26 (1m) of the statutes is repealed.

SECTION 107. 11.26 (2) (intro.) and (a) of the statutes are amended to read:

11.26 (2) (intro.) No committee other than a political party committee may make any contribution or contributions, ~~directly or indirectly,~~ to a candidate for election or nomination to any of the following offices and to any individual or ~~voluntary~~ committee under s. 11.06 (7) acting solely in support of such a candidate or solely in opposition to the candidate's opponent to the extent of more than a total of the amounts specified per candidate:

(a) Candidates for governor, lieutenant governor, secretary of state, state treasurer, attorney general, state superintendent of public instruction, ~~court of appeals judge and or justice of the supreme court~~, 4% of the value of the disbursement level specified in the schedule under s. 11.31 (1).

SECTION 108. 11.26 (2) (cm) of the statutes is created to read:

11.26 (2) (cm) Candidates for court of appeals judge, except as provided in par. (d) 2, \$1,600.

SECTION 109. 11.26 (2) (d) 2 and (e) and (4) of the statutes are amended to read:

11.26 (2) (d) 2. Candidates for court of appeals judge, circuit judge or any county-wide elective office not treated specified in subd. 1, \$2,500.

(e) Candidates for ~~other state and circuit judge, except as provided in par. (d), and~~ local offices, an amount equal to the greater of 1) \$200; or 2) three-fourths of one cent times the number of inhabitants of the jurisdiction or district, according to the latest federal census or the census information on which the district is based, as certified by the appropriate filing officer; or 3) one percent of the annual salary of the office sought.

(4) No individual may make any contribution or contributions, ~~directly or indirectly,~~ to all candidates for state and local offices ~~or~~ and to any individuals or committees acting in support of or in opposition to such candidates who are subject to a registration requirement under s. 11.05, including committees of a political party, to the extent of more than a total of \$10,000 in any calendar year.

SECTION 110. 11.26 (5) and (6) of the statutes are repealed and recreated to read:

11.26 (5) The contribution limits provided in subs. (1) and (4) do not apply to a candidate who makes any contribution or contributions to his or her own campaign for office from such individual's personal funds or property or the personal funds or property which are owned jointly with the individual's spouse, with respect to any contribution or contributions made to that candidate's campaign only. A candidate's personal contributions shall be deposited in his or her campaign depository and reported in the normal manner.

(6) If a candidate adopts a preexisting committee as his or her personal campaign committee, such preexisting committee is deemed to have been the same committee as the candidate's personal campaign committee for purposes of the application of subs. (1), (2) and (9). The limitations prescribed in subs. (2) and (9) do not apply to the transfer of contributions which is made at the time of such adoption, but do apply to the contributions which have been made by any other committee to such preexisting committee at the time of adoption.

SECTION 111. 11.26 (7) of the statutes is repealed.

SECTION 111m. 11.26 (8) of the statutes is amended to read:

11.26 (8) (a) No political party ~~under as defined in~~ s. 5.02 (13) may receive more than a total of ~~\$25,000~~ \$75,000 in value of its contributions in any calendar year from all other committees, excluding transfers between party committees of such party.

(b) No such political party may receive more than a total of ~~\$3,000~~ \$6,000 in value of its contributions in any calendar year from any specific committee or its subunits or affiliates, excluding political party committees.

(c) No committee, other than a political party committee, may make any contribution or contributions, directly or indirectly, to a political party under s. 5.02 (13) in a calendar year exceeding a total value of ~~\$3,000~~ \$6,000.

SECTION 111m. 11.26 (10) of the statutes is amended to read:

11.26 (10) ~~No~~ Except as authorized in s. 11.50 (2) (i), no candidate for state office who files a sworn statement and application to receive a grant from the Wisconsin election campaign fund and who receives and accepts any such grant may make contributions of more than 200% of the amounts specified in sub. (1) to the candidate's own campaign from such individual's personal funds or property or the personal funds or property which are owned jointly with the individual's spouse. The contribution limit of sub. (4) applies to amounts contributed by such a candidate personally to the candidate's own campaign and to other campaigns, except that a candidate may exceed the limitation if authorized under this subsection to contribute more than the amount specified to the candidate's own campaign, up to the amount of the limitation.

SECTION 112. 11.26 (14) to (16) of the statutes are created to read:

11.26 (14) No candidate or committee may receive and accept any contribution or contributions made in violation of this section.

(15) The fact that 2 or more committees, other than personal campaign committees, utilize common policies and practices concerning the endorsement of candidates or agree to make contributions only to such endorsed candidates does not affect the right of each committee independently to make contributions up to the amount specified under sub. (2).

(16) (a) For purposes of application of the limitations imposed in subs. (1), (2), (9) and (10), the "campaign" of a candidate begins and ends at the times specified in this subsection.

(b) In the case of a candidate who has not been a candidate in a previous election for which he or she continues to be registered under s. 11.05, the "campaign" of the candidate begins when the candidate or the candidate's personal campaign committee is required to file a registration statement with the appropriate filing officer.

(c) In the case of a candidate who has been a candidate in a previous election for which he or she continues to be registered under s. 11.05, the "campaign" of the candidate begins on the day after the closing date for the period covered by the first financial report filed by or on behalf of the candidate subsequent to the date of the previous election, or if the candidate has incurred obligations from a previous campaign, the date on which the candidate receives sufficient contributions to retire those obligations.

(d) In the case of any candidate, the "campaign" of the candidate ends on the last day of the month following the month in which the election or primary is held in which the candidate is elected or defeated, or the date on which the candidate receives sufficient contributions to retire any obligations incurred in connection with that contest, whichever is later.

(e) The campaign of a candidate in a future election who has incurred obligations from a previous campaign may begin before the candidate receives sufficient contributions to retire all obligations incurred in connection with the previous contest.

SECTION 112m. 11.265 of the statutes is created to read:

11.265 Legislative campaign committees. (1) A legislative campaign committee, which is a committee organized in either house of the legislature, may accept no contributions and make no contributions or disbursements exceeding the amounts authorized for a political party under this chapter.

(2) No legislative campaign committee is subject to the limitations specified in s. 11.26 (2) (b) and (c).

(3) Amounts contributed by a legislative campaign committee to a political party are not subject to limitation by this chapter.

SECTION 113. 11.27 (1) of the statutes is amended to read:

11.27 (1) No person may prepare or submit a false report or statement to a filing officer under this chapter.

SECTION 114. 11.29 (1) and (3) of the statutes are amended to read:

11.29 (1) Nothing in this chapter restricts any corporation, cooperative or voluntary association other than a political party or personal campaign committee from making disbursements for the purpose of communicating only with its members, shareholders, ~~patrons~~ or subscribers to the exclusion of all other persons, with respect to endorsements of candidates, positions on a referendum ~~to be submitted to the voters~~ or explanation of its views or interests, without reporting such activity. No such corporation, cooperative or voluntary association may solicit contributions from persons who are not members, shareholders, ~~patrons~~ or subscribers to be used for such purposes.

(3) No communications medium may be utilized for communications authorized under this section unless the medium is restricted solely to members, shareholders, ~~patrons~~ or subscribers.

SECTION 115. 11.29 (4) of the statutes is created to read:

11.29 (4) For purposes of this section, the members of a local or regional cooperative are deemed to be members of a state cooperative if the local or regional cooperative is a member of the state cooperative.

SECTION 116. 11.30 (2) of the statutes is amended to read:

11.30 (2) (a) The source of all printed advertisements, billboards, handbills, sample ballots, paid television and radio advertisements and other communications intended for political purposes shall clearly appear thereon if they are paid for by or through any contribution, disbursement or incurred obligation, except as exempted from reporting under s. 11.06 (2).

(b) In the case of a Every such communication in support of or in opposition to a specific candidate the communication must contain the name of the candidate and the cost of which is paid for or reimbursed by a committee or group, or for which a committee or group assumes responsibility, whether by the acceptance of a contribution or by the making of a disbursement, shall be identified by the words "Paid for by" followed by the name of the individual, treasurer or other authorized agent of the candidate on whose behalf committee or group making the payment or reimbursement or assuming responsibility for the communication is made and the name of the treasurer or other authorized agent of such committee or group. A communication the cost of which is reimbursed by or for which responsibility is assumed by a committee or group shall carry the attribution of that committee or group.

(c) Communications made by Every such communication which is directly paid for or reimbursed by an individual, including a candidate without a personal campaign committee who is serving as his or her own treasurer need contain only, or for which an individual assumes responsibility, whether by the acceptance of a contribution or by the making of a disbursement, shall be identified by the words "Paid for by" followed by the name and address of the candidate or other individual making the payment or reimbursement or assuming responsibility for the communication. A communication the cost of which is reimbursed by an individual or for which an individual assumes responsibility shall carry the attribution of that individual.

(d) A voluntary In addition to the requirements of pars. (a) to (c), a committee or individual required to file an oath under s. 11.06 (7) shall also in every communication in support of or in opposition to a any clearly identified candidate or candidates affirm that the committee or individual is the sole source of the communication and that it is made without the encouragement, direction or control cooperation or consultation with any candidate or candidates or any agent or authorized committee of any candidate or candidates who are supported or opposed, and it is not made in concert with or at the request or

~~suggestion of the any candidate or candidates who is being supported or opposed. If any other communication intended for political purposes the name of the group, committee or other sponsoring organization making the actual payment for the communication, its chief executive officer must be stated. An individual shall also state his or her name in making such communications are supported or opposed by the committee or individual.~~

(e) Communications under this section by a personal campaign committee may identify the committee or any bona fide subcommittee thereof.

(f) This subsection does not apply to the transmittal of personal correspondence which is not reproduced by machine for distribution.

(i) No person may publish or disseminate, or cause to be published or disseminated any communication in violation of this subsection. A communications medium which in good faith relies on the representations of any person who places an advertisement with such medium as to the applicability of this subsection to such person does not violate this paragraph as a result of publication or dissemination of that advertisement based on such representations, provided that the representations are reasonable.

SECTION 117. 11.30 (2) (g) and (h) of the statutes are created to read:

11.30 (2) (g) This subsection does not apply to nonadvertising material contained in a regularly published newsletter by an organization which is expressing its political views with respect to elections which are of concern to its membership, provided that distribution of such newsletter is restricted to such membership.

(h) Notwithstanding par. (a), the attributions required by this subsection in written communications shall be readable, legible and readily accessible.

SECTION 119. 11.31 (1) (fm) of the statutes is created to read:

11.31 (1) (fm) Candidates for circuit judge, \$40,000.

SECTION 120. 11.31 (1) (g) (intro.) and 1.a to c of the statutes are amended to read:

11.31 (1) (g) (intro.) In any jurisdiction or district other than a judicial district or circuit with a population of 500,000 or more according to the most recent federal census covering the entire jurisdiction or district:

1. a. Candidates for county executive, \$125,000 ~~total in the primary and election, with disbursements not exceeding \$90,000 for either the primary or the election.~~

b. Candidates for district attorney, \$75,000 ~~total in the primary and election, with disbursements not exceeding \$50,000 for either the primary or the election.~~

c. Candidates for county supervisor, \$8,000 ~~total in the primary and election, with disbursements not exceeding \$5,000 for either the primary or the election.~~

SECTION 121. 11.31 (1) (g) 1.d of the statutes is repealed.

SECTION 122. 11.31 (1) (g) 2 and 3.a to d and (h) of the statutes are amended to read:

11.31 (1) (g) 2. Candidates for any countywide elective office not treated specified in par. (dm) or (fm) or subd. 1, \$50,000 total in the primary and election, with disbursements not exceeding \$30,000 for either the primary or the election.

3. a. Candidates for mayor, \$125,000 ~~total in the primary and election, with disbursements not exceeding \$90,000 for either the primary or the election.~~

b. Candidates for city attorney, \$75,000 ~~total in the primary and election, with disbursements not exceeding \$50,000 for either the primary or the election.~~

c. Candidates for any other city-wide office, \$50,000 ~~total in the primary and election, with disbursements not exceeding \$30,000 for either the primary or the election.~~

d. Candidates for alderman, \$8,000 ~~total in the primary and election, with disbursements not exceeding \$5,000 for either the primary or the election.~~

(h) Candidates for any ~~other state or~~ local office, who are elected from a jurisdiction or district with less than 500,000 inhabitants according to the latest federal census or census information on which the district is based, as certified by the appropriate filing officer, an amount equal to the greater of 1) \$500; or 2) one-fourth of the annual salary for the office sought; or 3) 15 cents per inhabitant of the jurisdiction or district, but in no event more than \$20,000, ~~for both the primary and the election combined. Within the level of total disbursements specified, the candidates under this paragraph may allocate the disbursements between the primary and the election in any proportion they desire, and may carry over funds from a primary campaign to election campaign. If such a candidate does not participate in a primary campaign, total disbursements may be allocated entirely in the election.~~

SECTION 123. 11.31 (2) and (3) of the statutes are amended to read:

11.31 (2) LIMITATION IMPOSED. ~~No~~ Except as authorized in s. 11.50 (2) (i), no candidate for state office who files a sworn statement and application to receive a grant from the Wisconsin election campaign fund and who receives and accepts any such grant may make or authorize total disbursements from the campaign treasury in any campaign to the extent of more than the amounts specified in sub. (1). The limitations upon authorized disbursements prescribed under sub. (1) apply equally to all candidates for the same office, regardless of whether a candidate is opposed at a primary or election.

(3) GUBERNATORIAL CAMPAIGNS. For purposes of compliance with the limitations imposed under sub. (2), candidates for governor and lieutenant governor of the same political party who both accept grants from the Wisconsin election campaign fund may agree to combine disbursement levels under sub. (1) (a) and (b) in the general election and reallocate the total level between them. If separate limitations do not apply to all candidates for both governor and lieutenant governor under sub. (3m), the candidates of the same party in the general election may reallocate the remaining authorized disbursement levels between them after the date of the primary election. The candidates shall each inform the board of any such agreement.

SECTION 123m. 11.31 (3m) of the statutes is created to read:

11.31 (3m) UNOPPOSED CANDIDATES; EXCEPTION. Notwithstanding subs. (1) and (2), if all candidates for an office who are certified under s. 7.08 (2) (a) to appear on the primary ballot of all parties recognized under s. 5.62 (1) (b) or (2) have no opponent who is certified to appear on the same primary ballot, the separate limitation specified in sub. (1) for disbursements during the primary and election period does not apply to candidates for that office in that primary and election, and the candidates are bound only by the total limitations specified for the primary and election.

SECTION 124. 11.31 (4) of the statutes is repealed and recreated to read:

11.31 (4) ALLOCATION. Except as provided in sub. (3m), whenever a separate disbursement level is specified for a primary and election under sub. (1), a candidate who disburses less than the authorized level in the primary may not reallocate the balance to increase the level in the election. Whenever a separate disbursement level is not specified for a primary and election under sub. (1), a candidate may allocate disbursements between the primary and election campaign within the total level of disbursements specified in sub. (1) in any proportion desired, and may carry over unexpended contributions from a primary campaign to an election campaign.

SECTION 126. 11.31 (8) of the statutes is created to read:

11.31 (8) CERTAIN CONTRIBUTIONS EXCLUDED. The limitations imposed under this section do not apply to a gift of anything of value constituting a contribution made directly to a registrant by another, but the limitations shall apply to such gift when it is received and accepted by the recipient or if received in the form of money, when disbursed.

SECTION 127. 11.33 of the statutes is amended to read:

11.33 (title) Use of government materials by candidates. No person elected to state office may use public funds for mailings of 100 the cost of materials or distribution for 50 or more pieces of substantially identical material after filing the first day for circulation of nomination papers as a candidate for national, state or local office, until after the date of the election or after the date of the primary election if such person is not nominated. This section does not apply to answers to communications of constituents.

SECTION 128. 11.36 of the statutes is amended to read:

11.36 (title) Political solicitation involving public officials and employes restricted.
(1) No officer or employe of this state person may solicit or receive or be involved in soliciting or receiving from any state officer or employe any contribution or service for any political purpose from any officer or employe of this state while the officer or employe is on state time or is engaged in his or her official duties as an officer or employe, except that an elected state official may solicit and receive services not constituting a contribution from a state officer or employe with respect to a referendum only. Agreement to perform services authorized under this paragraph may not be a condition of employment for any state officer or employe.

(3) Any Every person who has charge or control in a building, office or room occupied for any purpose by this state or any political subdivision thereof shall prohibit the entry of any person into that building, office or room for the purpose of making or receiving a contribution.

(4) No person may enter or remain in any such building, office or room occupied for any purpose by the state or any political subdivision thereof or send or direct a letter or other notice thereto for the purpose of demanding requesting or collecting a contribution.

SECTION 129. 11.36 (2) of the statutes is created to read:

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

SECTION 130. 11.37 of the statutes is amended to read:

11.37 Use of state-owned vehicles and aircraft restricted. No person may use any state-owned vehicle or aircraft primarily for the purposes of campaigning in support of or in opposition to any candidate for national, state or local office after such candidate has publicly declared his candidacy or has filed nomination papers, unless there is paid he or she pays to the state treasurer the mileage fees specified in by the secretary of administration under s. 20.916 (4) (a). In the case of aircraft, an equitable fee shall be determined by the secretary of administration. Such fees shall be deposited in the account under s. 20.585 (1) (i) (7).

SECTION 131. 11.38 (title), (1) and (2) (b) of the statutes are amended to read:

11.38 (title) Contributions and disbursements by corporations and cooperatives. (1)
(a) 1. No foreign or domestic corporation, or association organized under ch. 185, may make any contribution or disbursement, directly or indirectly, to either independently or through any political party, committee, group, candidate or individual for any political purpose or other than to promote or defeat the candidacy of any person for nomination or election to any public office or any a referendum to be submitted to the voters.

2. Notwithstanding subd. 1, any such corporation or association may establish and administer a separate segregated fund and solicit contributions from individuals to such fund to be utilized for political purposes by such corporation or association, for the purpose of supporting or opposing any candidate for state or local office but the corporation or association may not make any contribution to such fund. Such The fund shall appoint a

~~single~~ treasurer and shall register as a political committee ~~or group~~ under s. 11.05. The A parent corporation or association engaging solely in this activity is not subject to registration under s. 11.05, but shall register and file special reports on forms prescribed by the board disclosing its administrative and solicitation expenses on behalf of such fund. The reports shall be filed with the filing officer for the fund specified in s. 11.02 in the manner in which continuing reports are filed under s. 11.20 (4) and (8). A corporation or association may not expend more than \$500 annually for solicitation of contributions to such a fund established under this subdivision.

(b) No political party, ~~individual~~, committee, group ~~or~~, candidate ~~or individual~~ may accept any contribution or disbursement made to or on behalf of such ~~individual or entity which is prohibited by this section.~~

(2) (b) This section does not prohibit the publication of periodicals by a corporation or a cooperative in the regular course of its affairs which advise the members, shareholders or subscribers of the disadvantages or advantages to their interests of the election to office of persons espousing certain measures, ~~or of the disadvantageous or advantageous effects of referendum questions without reporting such activity.~~

SECTION 132. 11.38 (4) and (5) of the statutes are amended to read:

11.38 (4) Any corporation which violates this section shall forfeit double the amount of any penalty assessed, ~~as specified in~~ under s. 11.60 (3).

(5) An action against a corporation pursuant to a violation of this section may be brought either in the circuit court ~~of~~ for the county in which the registered office or principal place of business of the corporation is located, or in the circuit court ~~of~~ for the county in which the violation is alleged to have occurred. The proceedings may be brought ~~either~~ by the district attorney of ~~the county where the violation is alleged to have occurred or either such county,~~ by the attorney general or by the board.

SECTION 133. 11.38 (7) and (8) of the statutes are created to read:

11.38 (7) This section may not be construed to authorize any national bank or any corporation organized by authority of any law of congress to make a contribution or expenditure as defined by federal law in connection with any election to state or local office which is prohibited by federal law.

(8) (a) A corporation or association organized under ch. 185 which makes or accepts contributions or makes disbursements for the purpose of influencing the outcome of a referendum is a political group and shall comply with s. 11.23 and other applicable provisions of this chapter.

(b) Except as authorized in s. 11.05 (12) (b) and (13), prior to making any contribution to or disbursement on behalf of a political group which is expressly advocating the adoption or rejection of a referendum and prior to accepting any contribution or making any direct disbursement to expressly advocate adoption or rejection of a referendum, a corporation or association organized under ch. 185 shall register with the appropriate filing officer specified in s. 11.02 and appoint a treasurer. The registration form of the corporation or association under s. 11.05 shall designate an account separate from all other corporation or association accounts as a campaign depository, through which all moneys received or expended for the adoption or rejection of the referendum shall pass. The corporation or association shall file periodic reports under s. 11.20 providing the information required under s. 11.06 (1).

(c) Expenditures by a corporation or association to establish and administer a campaign depository of a political group need not be made through the depository and need not be reported.

SECTION 134. 11.40 (1) (b) of the statutes is amended to read:

11.40 (1) (b) "Special privilege" or "privilege" means any thing of value not available to the general public. The term does not include compensation or fringe benefits ~~incidental to~~ provided as a result of employment provided by a public utility to regular employes or pensioners who are not compensated specifically for services performed for a political purpose, and not in excess of that provided to other regular employes or pensioners of like status.

SECTION 135. 11.50 (2) (a), (b) 5 and (g) of the statutes are amended to read:

11.50 (2) (a) Any individual who desires to qualify as an eligible candidate may file an application with the board requesting approval to participate in the fund. The application shall be filed no later than the applicable deadline for filing nomination papers under s. 8.10 (2), 8.15 (1) or 8.20 (8) (a), no later than 4:30 p.m. on the 7th day after the primary in the case of write-in candidates, or no later than 4:30 p.m. on the 7th day after appointment in the case of candidates appointed to fill vacancies. The application shall contain a sworn statement that the candidate and his or her authorized agents have complied with the contribution limitations prescribed in s. 11.26 ~~(4)~~ and the disbursement limitations prescribed in s. 11.31 at all times to which such limitations have applied to his or her candidacy and will continue to comply with such limitations at all times to which such limitations apply to his or her candidacy for the office in contest, except as authorized in par. (i).

(b) 5. The financial reports filed by or on behalf of the candidate as of the date of the spring or September primary indicate that the candidate has received at least the percentage of the amount of his or her total authorized disbursement limitation under s. 11.31 which is provided in this subdivision ~~for both the primary and election~~, from contributions of individuals, other than loans, which have been received during the period ending on the date of the spring primary and July 1 preceding such date, or the date of the September primary and January 1 preceding such date in the case of partisan candidates, which contributions are in the aggregate amount of \$100 or less, and which are fully identified and itemized as to the exact source thereof. Only the first \$100 of an aggregate contribution of more than \$100 may be counted toward the required percentage. For candidates identified in s. 11.26 (1) (a), the required percentage is 5%. For other candidates, the required percentage is 10%.

(g) An eligible candidate who voluntarily files an application to receive a grant in accordance with this subsection accepts and agrees to comply with the contribution limitations prescribed in s. 11.26 ~~(4)~~ and the disbursement limitations imposed under s. 11.31 as binding upon himself or herself and his or her agents ~~in both the primary and election campaign during the campaign as defined in s. 11.31 (7)~~, as a precondition to receipt of a grant under this section, except as authorized in par. (i).

SECTION 136. 11.50 (2) (h) and (i) of the statutes are created to read:

11.50 (2) (h) An eligible candidate who files an application under par. (a) may file a written withdrawal of the application, together with a sworn statement that he or she will no longer subscribe to the statement filed with the application. A withdrawal of an application may be filed with the board no later than the 7th day after the day of the primary in which the person withdrawing the application is a candidate. If an application is withdrawn in accordance with this paragraph, the person withdrawing the application is no longer bound by the statement filed under par. (a) after the date of the withdrawal.

(i) Notwithstanding par. (g), if an eligible candidate who accepts a grant is opposed by a candidate in the spring or general election, and in the case of a candidate for a partisan office, the eligible candidate's opponent received at least 6% of the vote cast for all candidates for the same office on all ballots at the September primary, and the eligible candidate's opponent does not receive or accept a grant under this section in whole or in part, the eligible candidate is not bound by the pledge made in his or her application to

adhere to the contribution limitation prescribed in s. 11.26 (10) and the disbursement limitation prescribed under s. 11.31.

SECTION 137. 11.50 (4) (d), (8) and (11) (g) of the statutes are amended to read:

11.50 (4) (d) Within the account established under pars. (b) and (c) for each office, the entire amount of all available moneys shall be apportioned ~~in accordance with the certification of the board of state canvassers under s. 7.70 (3) (e) 1~~ as follows: Eligible equally to all eligible candidates who receive at least 6% of the vote, an equal amount.

(8) LAPSING GRANTS. All grants disbursed under sub. (5) remain the property of the state until disbursed or encumbered for a lawful purpose. All grants and all private contributions which are unspent and unencumbered by any candidate on the day after the election shall revert to the state, up to the total amount of grants awarded to the candidate and shall be deposited in the fund. Any other contributions in excess of this amount shall be treated in the same manner as excess contributions of candidates not receiving grants.

(11) (e) No candidate may expend, authorize the expenditure of or incur any obligation to expend any grant if he or she violates the pledge required under sub. (2) (a) as a precondition to receipt of a grant, except as authorized in sub. (2) (i).

(g) If any person ~~expends, authorizes the expenditure of or incurs any obligation to expend any grant under this section in violation of~~ violates pars. (a) to (f), such person shall be liable to the state in a civil action brought by the board for conversion, for treble the amount of the moneys wrongfully expended, and in addition is subject to penalties as provided in ss. 11.60 and 11.61.

SECTION 138. 11.60 (3) and (4) of the statutes are amended to read:

11.60 (3) Notwithstanding sub. (1), whoever makes any contribution in violation of this chapter ~~shall~~ may be required to forfeit treble the amount of the contribution or portion thereof which is illegally contributed.

(4) Actions under this section arising out of an election for state ~~or national~~ office or a statewide referendum may be brought by the board or by the district attorney of the county where the violation is alleged to have occurred, except as specified in s. 11.38. Actions under this section arising out of an election for local office or local referendum may be brought by the district attorney of the county where the violation is alleged to have occurred. If a violation concerns a district attorney or circuit judge or candidate for such offices, the action shall be brought by the attorney general. If a violation concerns the attorney general or a candidate for such office, the governor may appoint special counsel under s. 14.11 (2) to bring suit in behalf of the state. The counsel shall be independent of the attorney general and need not be a state employee at the time of ~~his or her~~ appointment.

SECTION 139. 11.61 (1) (b) and (c), (2) and (3) of the statutes are amended to read:

11.61 (1) (b) Whoever intentionally violates ~~ss. s. 11.25, 11.26, 11.27 (1), 11.30 (1) and 11.31 or 11.38~~ where the intentional violation does not involve a specific figure, or where the intentional violation concerns a figure which exceeds \$100 in amount or value may be fined not more than \$10,000 or imprisoned not more than 3 years or both.

(c) Whoever intentionally violates any provision of this chapter other than those provided in par. (a) and whoever intentionally violates any provision under par. (b) where the intentional violation concerns a specific figure which does not exceed \$100 in amount or value may be fined not more than \$1,000, or imprisoned not more than 6 months, or both.

(2) Except as provided in s. 11.38 (5), all prosecutions under this section shall be conducted by the district attorney of the county where the violation is alleged to have occurred. In the event that the district attorney does not act upon a sworn complaint by any person within 60 days of the date on which such complaint is received, the attorney

general may then conduct the prosecution under this section. If a violation concerns a district attorney or circuit judge or candidate for such offices, the prosecution shall be conducted by the attorney general. If a violation concerns the attorney general or a candidate for such office, the governor may appoint a special prosecutor under s. 14.11 (2) to conduct the prosecution in behalf of the state. The prosecutor shall be independent of the attorney general and need not be a state employe at the time of appointment.

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

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

SECTION 140. 11.66 of the statutes is amended to read:

11.66 Elector may compel compliance. The board or any elector may sue for injunctive relief to compel compliance with this chapter. No bond is required where the board commences action. Before commencing any action concerning a state ~~or national~~ office or statewide referendum, an elector shall file a verified petition with the board alleging such facts as are within his ~~or her~~ knowledge to show probable cause that a violation has occurred or is occurring. If the board fails to commence action within 10 days of the filing of such petition, the elector may commence action. Separate from any other bond which may be required by the court, the elector shall be required to post a surety bond in an amount determined by the court sufficient to cover the actual costs, including reasonable attorney's fees, of both parties. If the elector's action is not successful, he ~~or she~~ shall pay the costs of the action.

SECTION 141. 11.67 of the statutes is repealed.

SECTION 142. 12.60 (2) of the statutes is repealed and recreated to read:

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

(b) If a successful candidate for the legislature or U.S. congress is adjudged guilty in a criminal action of any violation of this chapter under sub. (1) (a) committed during his or her candidacy, the court shall after entering judgment certify its findings to the presiding officer of the legislative body to which the candidate was elected.

SECTION 142m. 13.91 (1) (c) of the statutes is created to read:

13.91 (1) (c) Perform the functions prescribed in s. 5.05 (9) for the review of administrative rules.

SECTION 143. 14.38 (7) of the statutes is amended to read:

14.38 (7) FEDERAL CAMPAIGN RECORDS. For such period as federal law may require, receive statements and reports filed under the federal election campaign act in accordance with s. 11.215, and transmit ~~each statement or report, or a true copy thereof, of each statement or report~~ to the elections board within 24 hours of receipt. No charge ~~shall~~ may be made for copies provided to the board.

SECTION 144. 20.585 (1) (i) of the statutes is repealed.

SECTION 145. 20.916 (7) of the statutes is repealed and recreated to read:

20.916 (7) PERSONAL USE OF STATE AUTOMOBILES AND AIRCRAFT. A state officer or employe who is assigned a state-owned automobile may use such automobile for personal use. With the approval of the secretary of administration, a state officer or employe may use a state-owned aircraft for personal use. The officer or employe shall reimburse the state for such use at a rate determined by the secretary of administration which covers all costs associated with the operation of the vehicle or aircraft.

SECTION 146. **Cross reference changes.** In the sections listed below in column A, the cross references shown in column B are changed to the cross references shown in column C:

A	B	C
Statute Sections	Old Cross References	New Cross References
11.01 (6) (a) 3, as renumbered	par. (a)	subd. 1
11.01 (6) (a) 5, as renumbered	par. (a)	subd. 1
11.01 (6) (a) 6, as renumbered	par. (a)	subd. 1
11.01 (6) (b) 2, as renumbered	par. (a)	par. (a) 1
11.01 (7) (a) 3, as renumbered	par. (a)	subd. 1
11.01 (7) (b) 1, as renumbered	par. (a)	par. (a) 1
11.06 (10), as renumbered	11.19 (3)	11.19 (2)
11.12 (3)	11.19 (1) or (2)	11.19 (1)
11.20 (1)	11.08 (1)	11.08
11.20 (10)	11.19 (3)	11.19 (2)
11.23 (3)	11.19 (1) or (2)	11.19 (1)
13.62 (5r)	11.01 (4)	11.01 (5)

SECTION 147. **Application.** (1) The changes effected by this act in section 11.30 (2) of the statutes do not apply to written communications which were printed or otherwise reproduced prior to the effective date of this act if such communications were in compliance with the law at the time at which such printing or other reproduction took place.

(2) This act shall take effect on July 1, 1980.