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# Wisconsin Legislative Council

## ACT MEMO

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December 8, 2023

**2023 Wisconsin Act 52**  
[2023 Assembly Bill 335]

**Terminating and Restricting  
Access to a Candidate Committee**

### **COURT ORDERS UPON CONVICTION FOR CERTAIN ELECTION FRAUD OR CAMPAIGN FINANCE VIOLATIONS**

Under current law, a candidate for public office who violates campaign finance laws relating to unlawful or excessive political contributions, reporting and attribution requirements, or unlawful disbursements or obligations, or who commits certain types of election fraud is guilty of a Class I felony, the penalty for which is a fine not to exceed \$10,000, or imprisonment not to exceed three years and six months, or both.

Under 2023 Wisconsin Act 52, when a person is convicted of any of the applicable violations, the court's order of judgment must include provisions barring the person and the treasurer of his or her candidate committee at the time of conviction from having access to the funds in the candidate committee's depository account. Additionally, the court's order must appoint a new treasurer for the person's candidate committee to carry out the directives of the court.

Under the act, the court must order the person's candidate committee be terminated after the committee's outstanding debts are paid. The court order must direct that any residual funds remaining in its depository account be donated to the common school fund or returned to the donors in an amount not exceeding the original contribution, except that any contributions made from the candidate's personal funds may not be returned to the candidate. Finally, the act requires the court to give notice of all of its actions to the Wisconsin Ethics Commission.

**Effective date:** December 8, 2023

For a full history of the bill, visit the Legislature's [bill history page](#).

PJH:jal