



WISCONSIN LEGISLATIVE COUNCIL AMENDMENT MEMO

2015 Assembly Bill 175

**Assembly Substitute
Amendment 1, As Amended**

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CURRENT LAW

Under current law, an elected state or local official who becomes a candidate for national, state, or local office may not use public funds for the cost of materials or distribution for 50 or more pieces of substantially identical material distributed after a specified date. However, this prohibition does not apply to the use of public funds for the costs of any of the following:

- Answers to communications of constituents.
- Actions taken by a state or local government administrative officer pursuant to a specific law, ordinance, or resolution that authorizes or directs the actions to be taken.
- Communications between members of the Legislature regarding the legislative or deliberative process while the Legislature is in session.
- Communications not exceeding 500 pieces by members of the Legislature relating solely to the subject matter of a special session or extraordinary session, made during the period between the date that the session is called or scheduled and 14 days after adjournment of the session.

2015 ASSEMBLY BILL 175

Assembly Bill 175 creates another exception to the prohibition under current law. Specifically, the bill provides that the prohibition does not apply to the cost of materials or distribution of a communication that relates solely to the subject of a state of emergency if the communication is made: (1) by a member of the Legislature; (2) to an address located within the legislative district represented by that member; and (3) during the 45-day period following

declaration of the state of emergency by the Governor affecting any county in which the district is located.

ASSEMBLY SUBSTITUTE AMENDMENT 1

Assembly Substitute Amendment 1 makes the following changes to the bill:

- Provides that the exception, created by the bill, applies to any state or local elected official and not only to members of the Legislature.
- Replaces the 45-day period following declaration of a state of emergency, during which the exception applies, with an eight-day period following such declaration.
- Provides that the exception applies to a communication by a state or local official only during a state of emergency affecting a location within the jurisdiction represented by that official.
- Provides that the exception does not apply within seven days prior to any primary or election.

ASSEMBLY AMENDMENT 1 TO ASSEMBLY SUBSTITUTE AMENDMENT 1

Assembly Amendment 1 to Assembly Substitute Amendment 1 deletes the provision in the substitute amendment that provides that the exception does not apply within seven days prior to any primary or election.

BILL HISTORY

On January 13, 2016, the Assembly Committee on Campaigns and Elections offered Assembly Substitute Amendment 1, and Assembly Amendment 1 to Assembly Substitute Amendment 1, to Assembly Bill 175.

On that same date, the Assembly Committee on Campaigns and Elections recommended all of the following on votes of Ayes, 9; Noes, 0: (1) adoption of Assembly Amendment 1 to Assembly Substitute Amendment 1; (2) adoption of Assembly Substitute Amendment 1, as amended; and (3) passage of Assembly Bill 175, as amended.

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