



State of Wisconsin
2015 - 2016 LEGISLATURE

LRB-3662/1
JK&TKK:all

ENGROSSED 2015 ASSEMBLY BILL 387

October 23, 2015 – Printed by direction of SENATE CHIEF CLERK.

1 **AN ACT to repeal** 13.62 (11t); **to renumber** 13.75 (intro.); **to renumber and**
2 **amend** 13.625 (1) (c) (intro.), 13.625 (1) (c) 1., 13.625 (1) (c) 2. and 946.11 (2) (b);
3 **to amend** 5.02 (13), 5.05 (2), 5.05 (2m) (d) 2., 5.05 (2m) (e), 5.05 (5e), 6.87 (3)
4 (b), 7.23 (1) (d), 7.40, 7.50 (2) (em), 8.05 (1) (j) 2., 8.10 (5), 8.15 (4) (b), 8.16 (2)
5 (c), 8.20 (6), 8.30 (2), 8.35 (2) (a), 8.35 (2) (c), 8.35 (4) (c), 8.35 (4) (d), 8.35 (4) (e),
6 8.50 (3) (a), 9.01 (5) (bm), 9.10 (2) (d), 12.07 (4), 12.08, 12.13 (3) (h), 12.60 (4),
7 13.62 (5g), 13.62 (5r), 13.625 (1) (b) (intro.), 13.625 (1) (b) 3., 13.625 (2), 13.625
8 (3), 13.625 (6r), 13.69 (6), 13.695 (4), 15.60 (5), 15.60 (6), 15.60 (7), 15.79 (2) (b),
9 19.42 (3m), 19.45 (13), 19.579 (1), 19.59 (1) (br), 19.59 (7) (b), 20.511 (1) (a),
10 20.511 (1) (i), 20.511 (1) (j), 20.855 (6) (h), 36.11 (1) (cm), 111.365 (3) (a), 120.06
11 (6) (b) 5., 185.03 (10) (e), 202.12 (5) (a) 2., 341.14 (6r) (fm) 1. b., 346.94 (16) (b)
12 2., 349.135 (2) (b), 563.907 (3) (b), 630.05 (intro.), 755.01 (4), 758.13 (3) (g) 1. a.
13 and 758.13 (3) (g) 1. b.; **to repeal and recreate** chapter 11; and **to create** 13.62

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1 (5j), 13.62 (5u), 13.75 (1r) and 946.11 (2) (b) 1. and 2. of the statutes; **relating**
2 **to:** campaign finance.

Analysis by the Legislative Reference Bureau***Engrossment information:***

The text of Engrossed 2015 Assembly Bill 387, as passed by the assembly on October 21, 2015, consists of the following documents adopted in the assembly on October 21, 2015: the bill as affected by Assembly Amendment 1 and Assembly Amendment 11. The text also includes the October 23, 2015, chief clerk’s corrections to the assembly bill.

Content of Engrossed 2015 Assembly Bill 387

This bill restructures chapter 11 of the Wisconsin statutes, the campaign finance law. The bill also makes the following substantive changes:

REGISTRATION

The bill requires the following entities to register with the Government Accountability Board or a local filing officer before accepting a contribution, making a disbursement, or incurring an obligation:

1. Candidate committees.
2. Political parties.
3. Legislative campaign committees.
4. Political action committees.
5. Independent expenditure committees.
6. Conduits.
7. Referendum committees.
8. Recall committees.

Each entity required to register must appoint a treasurer or, in the case of a conduit, an administrator to comply with the registration and reporting requirements under the bill. A candidate may serve as the treasurer of his or her candidate committee, but the candidate may only accept contributions and make disbursements through his or her committee.

The bill defines a “political action committee” as an entity that has express advocacy as its major purpose or that uses more than 50 percent of its total spending in a 12-month period on expenditures for express advocacy, expenditures made to support or defeat a referendum, and contributions made to a candidate committee, legislative campaign committee, or political party.

Under the bill “express advocacy” means communication that contains terms such as the following with reference to a clearly identified candidate and that unambiguously relates to the campaign of that candidate:

1. “Vote for”.
2. “Elect”.
3. “Support”.
4. “Cast your ballot for”.

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5. "Smith for ... (an elective office)".
6. "Vote against".
7. "Defeat".
8. "Reject".
9. "Cast your ballot against".

The bill defines "independent expenditure committee" as any person, other than an individual, or any permanent or temporary combination of persons unrelated by marriage, that has as its major purpose the making of independent expenditures or that uses more than 50 percent of its total spending in a 12-month period on independent expenditures and expenditures made to support or defeat a referendum. The bill defines "independent expenditure" as an expenditure for express advocacy that is not made in coordination with a candidate, candidate committee, candidate's agent, legislative campaign committee, or political party.

REPORTING

All committees required to register under the bill must file periodic reports with the board. Each committee reports all contributions made and received, disbursements made, and obligations incurred by the committee. Each conduit reports all contributions released to support or oppose a candidate or committee. Committees and conduits, generally, submit the following reports:

1. A preprimary report. Conduits are not required to submit these reports.
2. A preelection report. Conduits are not required to submit these reports.
3. With regard to a spring primary or spring election, a report filed on the 15th day of January, April, July, and October.
4. With regard to other primaries and elections, or for those holding office not up for election, in an odd-numbered year, a report on filed on the 15th day of January, April, July, and October and, in the even numbered year, a report filed on the 15th day of January, April, and July and on the fourth Tuesday in September.

Under the bill, if a political action committee, an independent expenditure committee, or a person who is not otherwise subject to reporting spends \$2,500 or more in the aggregate on express advocacy during the period beginning 60 days prior to an election and ending on the day of the election, the committee or person must submit a report to the board no later than 72 hours after making the expenditures. The report must provide all of the following:

1. The dates on which the committee or person made the expenditures.
2. The names and addresses of the persons who received the expenditures.
3. The purpose for making the expenditures.
4. The amount spent for each act of express advocacy.
5. The name of the candidate affected by the expenditures.
6. An affirmation, made under oath, that the person will comply with the prohibition on coordination, as provided under the bill.
7. The name and address of the designated agent of the committee or person.

A person which is not a committee required to register under the bill does not have to register simply because that person reports expenditures for express advocacy made during the 60-day period prior to the election.

ENGROSSED ASSEMBLY BILL 387**CONTRIBUTIONS**

The bill doubles the contribution limits under current law applicable to candidates for state or local office. Under the bill, every five years, beginning in 2021, the board will adjust the contribution limits to reflect the percentage change in the consumer price index during the preceding five-year period.

The bill allows the following contributions to be made in unlimited amounts:

1. Contributions to a political action committee.
2. Contributions transferred between political action committees.
3. Contributions to a legislative campaign committee, except that a political action committee may contribute no more than \$12,000 in any calendar year to a legislative campaign committee.
4. Contributions to a political party, except that a political action committee may contribute no more than \$12,000 in any calendar year to a political party.
5. Contributions made by a political party or legislative campaign committee to a candidate committee.
6. Contributions paid to a segregated fund established and administered by a political party or legislative campaign committee for purposes other than making contributions to a candidate committee.
7. Contributions that a candidate makes to his or her candidate committee from the candidate's personal funds.
8. Contributions transferred between the candidates for governor and lieutenant governor of the same political party.
9. Contributions used to pay legal fees and other expenses incurred as a result of a recount.
10. Contributions used to pay legal fees and other expenses incurred in connection with a recall.
11. Contributions to a recall committee.
12. Contributions to a referendum committee.
13. Contributions to an independent expenditure committee.

The bill prohibits corporations, cooperatives, labor organizations, and tribes from contributing to committees, other than independent expenditure committees and referendum committees. The bill allows corporations, cooperatives, labor organizations, and tribes to contribute to a segregated fund established and administered by a political party or legislative campaign committee for purposes other than making contributions to a candidate committee.

COORDINATION

The bill prohibits a person from making an expenditure for express advocacy that is coordinated with a candidate, candidate committee, candidate's agent, legislative campaign committee, or political party and that exceeds the contribution limits or violates the source restrictions established in the bill. An expenditure for express advocacy is coordinated with such individuals or entities if the individual or entity exercises control over or engages in substantial discussions with the person making the expenditure regarding the content, timing, form, or frequency of the

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express advocacy. A coordinated expenditure must be reported by the candidate committee as a contribution.

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

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

2 5.02 (13) “Political party” or “party” means a state committee registered under
3 s. 11.05 organized exclusively for political purposes under whose name candidates
4 appear on a ballot at any election, and all county, congressional, legislative, local and
5 other affiliated committees authorized to operate under the same name. For
6 purposes of ch. 11, the term does not include a legislative campaign committee or a
7 committee filing an oath under s. 11.06 (7) has the meaning given in s. 11.0101 (26).

8 **SECTION 2.** 5.05 (2) of the statutes is amended to read:

9 5.05 (2) AUDITING. In addition to the facial examination of reports and
10 statements required under s. ~~11.21 (13)~~ 11.1304 (9), the board shall conduct an audit
11 of reports and statements which are required to be filed with it to determine whether
12 violations of ch. 11 have occurred. The board may examine records relating to
13 matters required to be treated in such reports and statements. The board shall make
14 official note in the file of a candidate, committee, ~~group or individual under ch. 11,~~
15 as defined in s. 11.0101 (6), of any error or other discrepancy which the board
16 discovers and shall inform the person submitting the report or statement. The board
17 may not audit reports, statements, or records beyond the 3-year period for which a
18 committee must retain records under ch. 11.

19 **SECTION 3.** 5.05 (2m) (d) 2. of the statutes is amended to read:

20 5.05 (2m) (d) 2. No employee of the board, while so employed, may become a
21 candidate, as defined in s. ~~11.01 (1)~~ 11.0101 (1), for a state or partisan local office.

ENGROSSED ASSEMBLY BILL 387**SECTION 3**

1 No individual who is retained by the board to serve as a special investigator or as
2 special counsel may, while so retained, become a candidate, as defined in s. 11.01 (1)
3 11.0101 (1), for any state or local office. A filing officer shall decline to accept
4 nomination papers or a declaration of candidacy from any individual who does not
5 qualify to become a candidate under this paragraph.

6 **SECTION 4.** 5.05 (2m) (e) of the statutes is amended to read:

7 5.05 (2m) (e) No individual who serves as an employee of the board and no
8 individual who is retained by the board to serve as a special investigator or a special
9 counsel may, while so employed or retained, make a contribution, ~~as defined in s.~~
10 ~~11.01 (6)~~, to a candidate for state or local office. No individual who serves as an
11 employee of the board and no individual who is retained by the board to serve as a
12 special investigator or as special counsel, for 12 months prior to becoming so
13 employed or retained, may have made a contribution, ~~as defined in s. 11.01 (6)~~, to a
14 candidate for a partisan state or local office. In this paragraph, contribution has the
15 meaning given in s. 11.0101 (8).

16 **SECTION 5.** 5.05 (5e) of the statutes is amended to read:

17 5.05 (5e) BIENNIAL REPORT. The board shall include in its biennial report under
18 s. 15.04 (1) (d) the names and duties of all individuals employed by the board and a
19 summary of its determinations and advisory opinions issued under sub. (6a). Except
20 as authorized or required under sub. (5s) (f) 2., the board shall make sufficient
21 alterations in the summaries to prevent disclosing the identities of individuals or
22 organizations involved in the decisions or opinions. The board may also include in
23 its biennial report any information compiled under s. ~~11.21 (7)~~ 11.1304 (14). The
24 board shall make such further reports on the matters within its jurisdiction and such
25 recommendations for further legislation as it deems desirable.

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1 **SECTION 6.** 6.87 (3) (b) of the statutes is amended to read:

2 6.87 (3) (b) No elector may direct that a ballot be sent to the address of a
3 ~~candidate, political party or other registrant~~ committee registered with the board
4 under s. ~~11.05~~ chapter 11 unless the elector permanently or temporarily resides at
5 that address. Upon receipt of reliable information that an address given by an elector
6 is not eligible to receive ballots under this subsection, the municipal clerk shall
7 refrain from mailing or transmitting ballots to that address. Whenever possible, the
8 municipal clerk shall notify an elector if his or her ballot cannot be mailed or
9 transmitted to the address directed by the elector.

10 **SECTION 7.** 7.23 (1) (d) of the statutes is amended to read:

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

14 **SECTION 8.** 7.40 of the statutes is amended to read:

15 **7.40 Sample ballots.** Any individual, committee or candidate may, at their
16 its own expense, and subject to limitations upon contributions and disbursements
17 under ch. 11, ~~may~~ print a supply of sample ballots, provided ~~they bear on their~~ each
18 sample ballot includes on its face the information required by s. 11.30 ~~11.1303~~ (2) and
19 ~~they contain~~ all the names shown on the official ballot. In this section, committee
20 has the meaning given in s. 11.0101 (6).

21 **SECTION 9.** 7.50 (2) (em) of the statutes is amended to read:

22 7.50 (2) (em) Except as otherwise provided in this paragraph, write-in votes
23 shall only be counted if no candidates have been certified to appear on the ballot. If
24 ~~candidates have~~ a candidate has been certified to appear on the ballot, write-in votes
25 may only be counted for ~~candidates who file~~ a candidate that files a registration

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1 ~~statements~~ statement under s. ~~11.05 (2g)~~ 11.0202 (1) (a) no later than noon on the
2 Friday immediately preceding the election. If a candidate certified to appear on the
3 ballot dies or withdraws before the election, all write-in votes shall be counted.
4 When write-in votes are counted, every vote shall be counted for the candidate for
5 whom it was intended, if the elector's intent can be ascertained from the ballot itself.

6 **SECTION 10.** 8.05 (1) (j) 2. of the statutes is amended to read:

7 8.05 (1) (j) 2. Upon receipt of the notice, each candidate shall file a declaration
8 of candidacy in the manner prescribed by s. 8.21 with the municipal clerk making the
9 notification no later than 5 p.m. on the 5th day after the notification is mailed or
10 personally delivered to the candidate by the municipal clerk, except as authorized
11 in this paragraph. If an incumbent whose name is certified as a nominee fails to file
12 a declaration of candidacy within the time prescribed by this paragraph, each
13 certified candidate for the office held by the incumbent, other than the incumbent,
14 may file a declaration of candidacy no later than 72 hours after the latest time
15 prescribed in this paragraph. If the candidate has not filed a registration statement
16 under s. ~~11.05~~ 11.0202 (1) (a) at the time of the notification, the candidate shall file
17 the statement with the declaration.

18 **SECTION 11.** 8.10 (5) of the statutes is amended to read:

19 8.10 (5) Nomination papers shall be accompanied by a declaration of candidacy
20 under s. 8.21. If a candidate has not filed a registration statement under s. ~~11.05~~
21 11.0202 (1) (a) at the time he or she files nomination papers, the candidate shall file
22 the statement with the papers. A candidate for state office or municipal judge shall
23 also file a statement of economic interests with the board under s. 19.43 (4) no later
24 than 4:30 p.m. on the 3rd day following the last day for filing nomination papers
25 under sub. (2) (a), or no later than 4:30 p.m. on the next business day after the last

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1 day whenever that candidate is granted an extension of time for filing nomination
2 papers under sub. (2) (a).

3 **SECTION 12.** 8.15 (4) (b) of the statutes is amended to read:

4 8.15 (4) (b) Nomination papers shall be accompanied by a declaration of
5 candidacy under s. 8.21. If a candidate for state or local office has not filed a
6 registration statement under s. ~~11.05~~ 11.0202 (1) (a) at the time he or she files
7 nomination papers, the candidate shall file the statement with the papers. A
8 candidate for state office shall also file a statement of economic interests with the
9 board under s. 19.43 (4) no later than 4:30 p.m. on the 3rd day following the last day
10 for filing nomination papers under sub. (1), or no later than 4:30 p.m. on the next
11 business day after the last day whenever that candidate is granted an extension of
12 time for filing nomination papers under sub. (1).

13 **SECTION 13.** 8.16 (2) (c) of the statutes is amended to read:

14 8.16 (2) (c) If the person is a candidate for state or local office, the person files
15 a registration statement under s. ~~11.05~~ 11.0202 (1) (a).

16 **SECTION 14.** 8.20 (6) of the statutes is amended to read:

17 8.20 (6) Nomination papers shall be accompanied by a declaration of candidacy
18 under s. 8.21. If a candidate for state or local office has not filed a registration
19 statement under s. ~~11.05~~ 11.0202 (1) (a) at the time he or she files nomination papers,
20 the candidate shall file the statement with the papers. A candidate for state office
21 shall also file a statement of economic interests with the board under s. 19.43 (4) no
22 later than 4:30 p.m. on the 3rd day following the last day for filing nomination papers
23 under sub. (8) (a), or no later than 4:30 p.m. on the next business day after the last
24 day whenever that candidate is granted an extension of time for filing nomination
25 papers under sub. (8) (a).

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1 **SECTION 15.** 8.30 (2) of the statutes is amended to read:

2 8.30 (2) If no registration statement has been filed by or on behalf of a candidate
3 for state or local office in accordance with s. ~~11.05 (2g) or (2r)~~ 11.0202 (1) (a) by the
4 applicable deadline for filing nomination papers by such candidate, or the deadline
5 for filing a declaration of candidacy for an office for which nomination papers are not
6 filed, the name of the candidate may not appear on the ballot. This subsection may
7 not be construed to exempt a candidate from applicable penalties if he or she files a
8 registration statement later than the time prescribed in ss. ~~11.01 (1) and 11.05 (2g)~~
9 s. 11.0202 (1) (a).

10 **SECTION 16.** 8.35 (2) (a) of the statutes is amended to read:

11 8.35 (2) (a) If a vacancy occurs after nomination due to the death of a candidate
12 of a recognized political party for a partisan office, the vacancy may be filled by the
13 chairperson of the committee of the proper political party under s. 7.38, or the
14 ~~personal campaign~~ candidate committee, if any, in the case of independent
15 candidates. Similar vacancies in nominations of candidates for nonpartisan local
16 offices may be filled by ~~the candidate's personal campaign~~ a candidate committee or,
17 ~~if the candidate had~~ there is none, by the body which governs the local governmental
18 unit in which the deceased person was a candidate for office. The chairperson, chief
19 officer of the candidate committee, or clerk of the body making an appointment shall
20 file a certificate of appointment with the official or agency with whom declarations
21 of candidacy for the office are filed. For purposes of this paragraph, the official or
22 agency need not recognize members of a ~~personal campaign~~ candidate committee
23 whose names were not filed under s. ~~11.05~~ 11.0203 (1) (c) prior to the death of the
24 candidate.

25 **SECTION 17.** 8.35 (2) (c) of the statutes is amended to read:

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1 8.35 (2) (c) The official or agency with whom a proper certificate is filed under
2 par. (b) shall promptly notify the candidate who is nominated and transmit to the
3 candidate a declaration of candidacy form and, in the case of a candidate for state or
4 local office, a financial registration statement form under s. ~~11.05~~ 11.0203 (1). No
5 later than 5 p.m. on the 3rd day after notification of nomination is mailed or
6 personally delivered to the new nominee by the official or agency, the nominee shall
7 file a declaration of candidacy and, in the case of a candidate for state or local office,
8 a registration statement under s. ~~11.05~~ 11.0203 (1). No later than 4:30 p.m. on the
9 3rd day after notification of nomination is mailed or personally delivered to a new
10 nominee for state office or municipal judge by the official or agency, the nominee shall
11 file a statement of economic interests under s. 19.43 (4). If the nominee fails to file
12 the declaration of candidacy, the official or agency may refuse to place the candidate's
13 name on the ballot. If the nominee fails to file the registration statement or
14 statement of economic interests, the official or agency may not place the candidate's
15 name on the ballot.

16 **SECTION 18.** 8.35 (4) (c) of the statutes is amended to read:

17 8.35 (4) (c) ~~The transfer treasurer of the former candidate's committee shall be~~
18 ~~reported to the appropriate filing officer in a special report submitted by the former~~
19 ~~candidate's campaign treasurer~~ submit to the appropriate filing officer a special
20 report detailing the disposition of funds under par. (a) 1. If the former candidate is
21 deceased and was serving as the treasurer of his or her own campaign treasurer
22 committee, the former candidate's petitioner or personal representative shall file the
23 report. The report shall include a complete statement of all contributions,
24 disbursements, and incurred obligations, pursuant to s. ~~11.06 (1)~~ 11.0204 (1),

ENGROSSED ASSEMBLY BILL 387**SECTION 18**

1 covering the period from the day after the last date covered on the former candidate's
2 most recent report to the date of disposition.

3 **SECTION 19.** 8.35 (4) (d) of the statutes is amended to read:

4 8.35 (4) (d) The newly appointed candidate shall file his or her report at the
5 next appropriate interval under s. ~~11.20 (2) or (4)~~ 11.0204 after his or her
6 appointment. The appointed candidate shall include any transferred funds in his or
7 her first report.

8 **SECTION 20.** 8.35 (4) (e) of the statutes is amended to read:

9 8.35 (4) (e) Any person who violates this subsection may be punished as
10 provided under s. ~~11.60~~ 11.1400 or ~~11.61~~ 11.1401.

11 **SECTION 21.** 8.50 (3) (a) of the statutes is amended to read:

12 8.50 (3) (a) Nomination papers may be circulated no sooner than the day the
13 order for the special election is filed and shall be filed not later than 5 p.m. 28 days
14 before the day that the special primary will or would be held, if required, except when
15 a special election is held concurrently with the spring election or general election, the
16 deadline for filing nomination papers shall be specified in the order and the date shall
17 be no earlier than the date provided in s. 8.10 (2) (a) or 8.15 (1), respectively, and no
18 later than 35 days prior to the date of the spring primary or no later than June 1
19 preceding the partisan primary. Nomination papers may be filed in the manner
20 specified in s. 8.10, 8.15, or 8.20. Each candidate shall file a declaration of candidacy
21 in the manner provided in s. 8.21 no later than the latest time provided in the order
22 for filing nomination papers. If a candidate for state or local office has not filed a
23 registration statement under s. ~~11.05~~ 11.0202 (1) (a) at the time he or she files
24 nomination papers, the candidate shall file the statement with the papers. A
25 candidate for state office shall also file a statement of economic interests with the

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1 board no later than the end of the 3rd day following the last day for filing nomination
2 papers specified in the order.

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

4 9.01 (5) (bm) Upon the completion of its proceedings, a board of canvassers
5 shall deliver to the board one copy of the minutes of the proceedings kept under par.
6 (a). In addition, in the case of a recount of an election for state or national office, for
7 each candidate whose name appears on the ballot for that office under the name of
8 a political party, the board of canvassers shall deliver one copy of the minutes to the
9 chief officer, if any, who is named in any registration statement filed under s. ~~11.05~~
10 ~~(1)~~ 11.0302 by the state committee of that political party, and in the case of a recount
11 of an election for county office, for each candidate whose name appears on the ballot
12 for that office under the name of a political party, the board of canvassers shall
13 deliver one copy of the minutes to the chief officer, if any, who is named in any
14 registration statement filed under s. ~~11.05 (1)~~ 11.0302 by the county committee of
15 that political party.

16 **SECTION 23.** 9.10 (2) (d) of the statutes is amended to read:

17 9.10 (2) (d) No petition may be offered for filing for the recall of an officer unless
18 the petitioner first files a registration statement under s. ~~11.05 (1) or (2)~~ 11.0902 with
19 the filing officer with whom the petition is filed. The petitioner shall append to the
20 registration a statement indicating his or her intent to circulate a recall petition, the
21 name of the officer for whom recall is sought and, in the case of a petition for the recall
22 of a city, village, town, town sanitary district, or school district officer, a statement
23 of a reason for the recall which is related to the official responsibilities of the official
24 for whom removal is sought. No petitioner may circulate a petition for the recall of
25 an officer prior to completing registration. The last date that a petition for the recall

ENGROSSED ASSEMBLY BILL 387**SECTION 23**

1 of an officer may be offered for filing is 5 p.m. on the 60th day commencing after
2 registration. After the recall petition has been offered for filing, no name may be
3 added or removed. No signature may be counted unless the date of the signature is
4 within the period provided in this paragraph.

5 **SECTION 24.** Chapter 11 of the statutes is repealed and recreated to read:

6 **CHAPTER 11**

7 **CAMPAIGN FINANCING**

8 **SUBCHAPTER I**

9 **GENERAL PROVISIONS**

10 **11.0100 Construction.** This chapter shall be construed to impose the least
11 possible restraint on persons whose activities do not directly affect the elective
12 process, consistent with the right of the public to have a full, complete, and readily
13 understandable accounting of those activities expressly advocating for or against
14 candidates for office or for or against referendums. Nothing in this chapter may be
15 construed to regulate issue discussion, debate, or advocacy; grassroots outreach or
16 lobbying; nonpartisan voter registration or turnout efforts; or the rights of the media.

17 **11.0101 Definitions.** In this chapter:

18 **(1)** "Candidate" means an individual about whom any of the following applies:

19 **(a)** The individual takes any of the following affirmative actions to seek
20 nomination or election to a state or local office:

21 1. Files nomination papers with the appropriate filing officer.

22 2. Is nominated as a candidate for state or local office by a caucus under s. 8.05

23 (1) or by a political party and the nomination is certified to the appropriate filing
24 officer.

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1 3. Receives a contribution, makes a disbursement, or gives consent for another
2 person to receive a contribution or make a disbursement in order to bring about the
3 individual's nomination or election to a state or local office.

4 (b) The individual holds a state or local office and is the subject of a recall
5 petition.

6 (c) The individual holds a state or local office.

7 **(2)** "Candidate committee" means a committee authorized by a candidate or a
8 candidate's agent to make or accept contributions or make disbursements in support
9 of a candidate's campaign.

10 **(3)** "Charitable organization" means any organization described in section 170
11 (c) (2) of the Internal Revenue Code.

12 **(4)** "Candidate's agent" means an individual who has control over the
13 day-to-day operation of the candidate committee, but does not include an employee
14 of a political party or a legislative campaign committee that is not also an employee
15 of the candidate.

16 **(5)** "Clearly identified" means any of the following with regard to a
17 communication supporting or opposing a candidate:

18 (a) The candidate's name appears or is stated.

19 (b) A photograph or drawing of the candidate appears.

20 (c) The candidate's identity is apparent by unambiguous reference.

21 **(6)** "Committee" means a candidate committee, legislative campaign
22 committee, political action committee, independent expenditure committee, political
23 party, recall committee, and referendum committee.

24 **(7)** "Conduit" means a person other than an individual that receives a
25 contribution of money, deposits the contribution in an account held by the person,

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1 and releases the contribution to a candidate committee, legislative campaign
2 committee, political party, or political action committee at the direction of the
3 contributor.

4 (8) (a) Except as provided in par. (b), "contribution" means any of the following:

5 1. A gift, subscription, loan, advance, or transfer of money to a committee.

6 2. With the committee's consent under s. 11.1109, a transfer of tangible
7 personal property or services to a committee, valued as provided under s. 11.1105.

8 3. A transfer of funds between committees.

9 4. The purchase of a ticket for a fundraising event for a committee regardless
10 of whether the ticket is used to attend the event.

11 (b) "Contribution" does not include any of the following:

12 1. Services that an individual provides to a committee, if the individual is not
13 specifically compensated for providing the services to the committee.

14 2. Any unreimbursed travel expenses that an individual incurs to volunteer his
15 or her personal services to a committee.

16 3. The costs of preparing and transmitting personal correspondence.

17 4. Interest earned on an interest-bearing account.

18 5. Rebates or awards earned in connection with the use of a debit or credit card.

19 6. A loan from a commercial lending institution that the institution makes in
20 its ordinary course of business.

21 7. The reuse of surplus materials or the use of unused surplus materials
22 acquired in connection with a previous campaign for or against the same candidate,
23 political party, or recall if the materials were previously reported as a contribution.

24 8. The cost of invitations, food, and beverages in connection with an event held
25 in a private residence on behalf of a candidate committee.

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1 9. Any communication that does not expressly advocate for the election or
2 defeat of a clearly identified candidate.

3 10. A communication made exclusively between an organization and its
4 members. In this subdivision, a member of an organization means a shareholder,
5 employee, or officer of the organization, or an individual who has affirmatively
6 manifested an interest in joining, supporting, or aiding the organization.

7 11. Any cost incurred to conduct Internet activity by an individual acting in his
8 or her own behalf, or acting in behalf of another person if the individual is not
9 compensated specifically for those services, including the cost or value of any
10 computers, software, Internet domain names, Internet service providers, and any
11 other technology that is used to provide access to or use of the Internet, but not
12 including professional video production services purchased by the individual.

13 12. Any news story, commentary, or editorial by a broadcasting station, cable
14 television operator, producer, or programmer, Internet site, or newspaper or other
15 periodical publication, including an Internet or other electronic publication unless
16 a committee owns the medium in which news story, commentary, or editorial
17 appears.

18 13. An expenditure of funds by a sponsoring organization for a political action
19 committee's administrative or solicitation expenses.

20 14. An expenditure of funds by a sponsoring organization for an independent
21 expenditure committee's administrative or solicitation expenses.

22 15. An expenditure of funds by a sponsor, as defined in s. 11.0705 (1), for a
23 conduit's administrative or solicitation expenses.

24 **(9)** "Corporation" includes a foreign limited liability company, as defined in s.
25 183.0102 (8) and a limited liability company, as defined in s. 183.0102 (10), if the

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1 foreign limited liability company or the limited liability company elect to be treated
2 as a corporation by the federal internal revenue service, pursuant to 26 CFR
3 301.7701-3, or if the foreign limited liability company or the limited liability
4 company has publicly traded shares.

5 (10) (a) "Disbursement" means any of the following:

- 6 1. An expenditure by a committee from the committee's depository account.
- 7 2. The transfer of tangible personal property or services by a committee.
- 8 3. A transfer of funds between committees.

9 (b) "Disbursement" does not include any of the following:

10 1. A communication made exclusively between an organization and its
11 members. In this subdivision, a member of an organization means a shareholder,
12 employee, or officer of the organization, or an individual who has affirmatively
13 manifested an interest in joining, supporting or aiding the organization.

14 2. A communication or Internet activity by an individual acting in his or her
15 own behalf, or acting in behalf of another person if the individual is not compensated
16 specifically for those services, including the cost or value of computers, software,
17 Internet domain names, Internet service providers, and any other technology that
18 is used to provide access to or use of the Internet, but not including professional video
19 production services purchased by the individual.

20 3. Any news story, commentary, or editorial by a broadcasting station, cable
21 television operator, producer, or programmer, Internet site, or newspaper or other
22 periodical publication, including an Internet or other electronic publication unless
23 a committee owns the medium in which news story, commentary, or editorial
24 appears.

25 4. A nominal fee paid for a communication to the general public.

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1 5. An expenditure of funds by a sponsoring organization for a political action
2 committee's administrative or solicitation expenses.

3 6. An expenditure of funds by a sponsoring organization for an independent
4 expenditure committee's administrative or solicitation expenses.

5 7. An expenditure of funds by a sponsor, as defined in s. 11.0705 (1), for a
6 conduit's administrative or solicitation expenses.

7 8. An expenditure of funds for a political action committee's fundraising and
8 administrative expenses.

9 9. An expenditure of funds for an independent expenditure committee's
10 fundraising and administrative expenses.

11 10. An expenditure of funds for a conduit's fundraising and administrative
12 expenses.

13 **(11)** "Express advocacy" means a communication that contains terms such as
14 the following with reference to a clearly identified candidate and that
15 unambiguously relates to the election or defeat of that candidate:

16 (a) "Vote for".

17 (b) "Elect".

18 (c) "Support".

19 (d) "Cast your ballot for".

20 (e) "Smith for ... (an elective office)".

21 (f) "Vote against".

22 (g) "Defeat".

23 (h) "Reject".

24 (i) "Cast your ballot against".

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1 **(12)** “Federal account committee” means a committee of a state political party
2 organization that makes contributions to candidates for national office and is
3 registered with the federal election commission.

4 **(13)** “Federal candidate committee” means a committee of a candidate for the
5 U.S. senate or house of representatives from this state that the candidate designates
6 under 2 USC 432 (e).

7 **(14)** “Filing officer” means the board or official assigned to a committee or
8 conduit under s. 11.0102.

9 **(15)** “General election” means the election held in even-numbered years on the
10 Tuesday after the first Monday in November to elect United States senators,
11 representatives in congress, presidential electors, state senators, representatives to
12 the assembly, district attorneys, state officers other than the state superintendent
13 and judicial officers, and county officers other than supervisors and county
14 executives.

15 **(16)** “Independent expenditure” means an expenditure for express advocacy by
16 a person, if the expenditure is not made in coordination with a candidate, candidate
17 committee, candidate’s agent, legislative campaign committee, or political party, as
18 prohibited under s. 11.1203.

19 **(17)** “Independent expenditure committee” means any person, other than an
20 individual, or any permanent or temporary combination of 2 or more persons
21 unrelated by marriage that satisfies any of the following:

22 1. It has the major purpose of making independent expenditures, as specified
23 in the person’s organizational or governing documents, the person’s bylaws,
24 resolutions of the person’s governing body, or registration statements filed by the
25 person under this chapter.

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1 2. It uses more than 50 percent of its total spending in a 12-month period on
2 independent expenditures and expenditures made to support or defeat a
3 referendum. In this subdivision, total spending does not include a committee's
4 fundraising or administrative expenses.

5 **(18)** "Intentionally" has the meaning given in s. 939.23 (3).

6 **(18m)** "Internet activity" includes sending or forwarding an electronic
7 message; providing a hyperlink or other direct access on a person's Internet site to
8 an Internet site operated by another person; blogging; creating, maintaining, or
9 hosting an Internet site; payment by a person of a nominal fee for the use of an
10 Internet site operated by another person; or any other form of communication
11 distributed over the Internet.

12 **(19)** "Legislative campaign committee" means a committee organized in either
13 house of the legislature to support a candidate of a political party for legislative office.

14 **(21)** "National political party committee" means a national committee as
15 defined in 2 USC 431 (14).

16 **(22)** "Negotiable instrument" includes an electronic transfer of funds.

17 **(23)** "Obligation" means any express agreement to make a disbursement,
18 including all of the following:

19 (a) A loan or loan guarantee.

20 (b) A promise or a payment to purchase, rent, or lease tangible personal
21 property.

22 (c) A promise or a payment for a service that has been or will be performed.

23 **(24)** "Partisan primary" means the primary held the 2nd Tuesday in August
24 to nominate candidates to be voted for at the general election.

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1 **(25)** (a) Subject to par. (b), “political action committee” means any person, other
2 than an individual, or any permanent or temporary combination of 2 or more persons
3 unrelated by marriage that satisfies any of the following:

4 1. It has the major purpose of express advocacy, as specified in the person’s
5 organizational or governing documents, the person’s bylaws, resolutions of the
6 person’s governing body, or registration statements filed by the person under this
7 chapter.

8 2. It uses more than 50 percent of its total spending in a 12-month period on
9 expenditures for express advocacy, expenditures made to support or defeat a
10 referendum, and contributions made to a candidate committee, legislative campaign
11 committee, or political party. In this subdivision, total spending does not include a
12 committee’s fundraising or administrative expenses.

13 (b) “Political action committee” does not include a candidate committee,
14 legislative campaign committee, political party, or recall committee.

15 **(26)** (a) “Political party” means all of the following:

16 1. A state committee under whose name candidates appear on a ballot at any
17 election and all county, legislative, local, and other affiliated committees authorized
18 to operate under the same name.

19 2. A committee described under subd. 1. that makes and accepts contributions
20 and makes disbursements to support or oppose a candidate for state or local office
21 or to support or oppose a referendum held in this state.

22 (b) “Political party” does not include a legislative campaign committee.

23 **(27)** “Recall committee” means a committee formed for the purpose of
24 supporting or opposing the recall of any of the following:

25 (a) An incumbent elective official holding a state office.

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1 (b) An incumbent elective official holding a local office.

2 **(28)** “Referendum committee” means an entity that satisfies all of the
3 following:

4 (a) It satisfies either of the following:

5 1. It has the major purpose of making expenditures to support or defeat a
6 referendum, as specified in the entity’s organizational or governing documents, the
7 entity’s bylaws, resolutions of the entity’s governing body, or registration statements
8 filed by the entity under this chapter.

9 2. It uses more than 50 percent of its total spending in a 12-month period on
10 expenditures made to support or defeat a referendum. In this subdivision, total
11 spending does not include a committee’s fundraising or administrative expenses.

12 (b) It is organized by any person, other than an individual, or by any permanent
13 or temporary combination of 2 or more persons unrelated by marriage.

14 (c) It does not receive contributions or make disbursements or contributions for
15 the purpose of influencing or attempting to influence a candidate’s nomination or
16 election.

17 **(29)** “Special election” means any election, other than those described in subs.
18 (15), (24), (30), (32), and (33) to fill vacancies or to conduct a referendum.

19 **(30)** “Special primary” means the primary held 4 weeks before the special
20 election, except as follows:

21 (a) If the special election is held on the same day as the general election, the
22 special primary shall be held on the same day as the general primary.

23 (b) If the special election is held concurrently with the spring election, the
24 primary shall be held concurrently with the spring primary.

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1 **(31)** “Sponsoring organization” means an entity that establishes, administers,
2 or financially supports a political action committee or an independent expenditure
3 committee.

4 **(32)** “Spring election” means the election held on the first Tuesday in April to
5 elect judicial, educational, and municipal officers, nonpartisan county officers and
6 sewerage commissioners, and to express preferences for the person to be the
7 presidential candidate for each political party in a year in which electors for
8 president and vice president are to be elected.

9 **(33)** “Spring primary” means the nonpartisan primary held on the 3rd Tuesday
10 in February to nominate nonpartisan candidates to be voted for at the spring
11 election.

12 **(34)** “Treasurer” means the individual who registers a committee with a filing
13 officer and who makes reports on behalf of the committee.

14 **11.0102 Determination of filing officer and duty to file; fees.** (1) Each
15 committee and conduit required to register and report under this chapter shall have
16 and shall file each registration statement and report required under this chapter
17 with one filing officer as follows:

18 (a) The following shall file with the board:

19 1. A candidate committee of a candidate for state office, as defined in s. 5.02
20 (23).

21 2. A conduit.

22 3. A legislative campaign committee.

23 4. A political action committee.

24 4m. An independent expenditure committee.

25 5. A political party.

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1 6. A recall committee as defined in s. 11.0101 (27) (a).

2 7. Except as provided in pars. (f) and (g), a referendum committee.

3 (b) Subject to pars. (c) and (d), a candidate committee for a candidate seeking
4 local office shall file with the clerk of the most populous jurisdiction for which the
5 candidate seeks office.

6 (c) A candidate committee for a candidate for municipal judge elected under s.
7 755.01 (4) shall file with the county clerk or board of election commissioners of the
8 county having the largest portion of the population in the jurisdiction served by the
9 judge.

10 (d) A candidate committee for a candidate for school board member shall file
11 with the school district clerk.

12 (e) A recall committee as defined in s. 11.0101 (27) (b) shall file with the filing
13 officer for candidates for that office.

14 (f) A referendum committee acting to support or oppose any local referendum,
15 other than a school district referendum, shall file with the clerk of the most populous
16 jurisdiction in which the referendum will be conducted.

17 (g) A referendum committee acting to support or oppose a school district
18 referendum shall file with the school district clerk.

19 **(2)** (a) Except as provided in pars. (c) and (d), each committee that is required
20 to register under this chapter shall annually pay a filing fee of \$100 to the board. The
21 board may accept payment under this subsection by credit card, debit card, or other
22 electronic payment mechanism, and may charge a surcharge to that committee to
23 recover the actual costs associated with the acceptance of that electronic payment.

24 (b) A committee that is subject to par. (a) shall pay the fee specified in par. (a)
25 together with the report filed by that committee on the 15th day of the month of

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1 January in each year. If a committee that is subject to par. (a) registers under this
2 chapter or changes status so that par. (a) becomes applicable to the committee during
3 a calendar year, the committee shall pay the fee for that year with the filing of the
4 committee's registration statement or at any time before the change in status
5 becomes effective.

6 (c) Paragraph (a) does not apply to a candidate committee.

7 (d) Paragraph (a) does not apply to any committee for any year during which
8 the committee does not make disbursements exceeding a total of \$2,500.

9 **(3)** Each filing officer, other than the board, shall do all of the following:

10 (a) Obtain the forms and manuals prescribed by the board under s. 11.1304 (1)
11 and (3) and election laws provided by the board under s. 7.08 (4).

12 (b) Develop a filing, coding, and cross-indexing system consonant with the
13 purposes of this chapter.

14 (c) Make all of the following available, without charge, to any committee
15 required to file reports or statements with the officer:

16 1. Forms prescribed by the board for the making of reports and statements. The
17 filing officer shall notify the committee that all forms are available on the board's
18 Internet site. Whenever a filing officer sends a form or notice of the filing
19 requirements under this chapter to the treasurer of a candidate committee, the filing
20 officer shall also send a notice to the candidate.

21 2. Upon request, copies of manuals under par. (a).

22 (d) The filing officer shall provide copies of manuals and election laws to
23 persons other than a committee under par. (c) at cost.

24 (e) Notify the board, in writing, of any facts within the filing officer's knowledge
25 or evidence in the officer's possession, including errors or discrepancies in reports or

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1 statements and delinquencies in filing which may be grounds for civil action or
2 criminal prosecution. The board may transmit a copy of the notification submitted
3 under this paragraph to the district attorney.

4 (f) Make available a list of delinquents for public inspection.

5 (g) Compile and maintain on an electronic system a current list of all reports
6 and statements received by or required of and pertaining to each committee
7 registered under this chapter.

8 (h) Make the reports and statements filed with the officer available for public
9 inspection and copying, commencing as soon as practicable but not later than the end
10 of the 2nd day following the day during which they are received.

11 (i) Upon the request of any person, permit copying of any report or statement
12 described under par. (g) at cost.

13 (j) Determine whether each report or statement required to be filed under this
14 chapter has been filed in the form and by the time prescribed by law, and whether
15 it conforms on its face to the requirements of this chapter. The officer shall
16 immediately send to any committee that is delinquent in filing, or that has filed
17 otherwise than in the proper form, a notice that the committee has failed to comply
18 with this chapter. Whenever a candidate committee has appointed an individual
19 other than the candidate as campaign treasurer, the board shall send the notice to
20 both the candidate and the treasurer of the candidate committee.

21 **11.0103 Reporting; general. (1) REPORT MUST BE COMPLETE.** (a) Each
22 committee required to file a report under this chapter shall make a good faith effort
23 to obtain all required information.

24 (b) Failure to receive a form or notice from a filing officer does not exempt a
25 committee or conduit from a reporting requirement under this chapter.

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1 **(2) CONTRIBUTIONS; WHEN RECEIVED; WHEN REPORTED.** (a) 1. A contribution is
2 received by a candidate committee for purposes of this chapter when it is under the
3 control of the candidate or the treasurer or agent of the candidate.

4 2. A contribution is received by a committee for purposes of this chapter when
5 it is under the control of the treasurer or agent of the committee.

6 (b) Unless it is returned or donated within 15 days of receipt under par. (a), a
7 contribution must be reported as received on the date received.

8 **(3) CONTENTS OF REPORT; FILING DATES; CERTIFICATION; SHORT FORM; CONTENTS.** (a)
9 A committee shall begin each report filed under this chapter with the first
10 contribution received, disbursement made, or obligation incurred during the
11 reporting period, and shall include all contributions received, disbursements made,
12 and obligations incurred as of the end of:

13 1. The 15th day preceding the primary or election in the case of the preprimary
14 and preelection report.

15 2. The last day of the immediately preceding month in the case of a continuing
16 report required under this chapter.

17 3. The 22nd day following the special election in the case of a postelection report
18 required under this chapter.

19 (b) Each committee shall ensure that each report is filed with the appropriate
20 filing officer on the dates designated in this chapter. In the event that any report is
21 required to be filed under this chapter on a nonbusiness day, a committee may file
22 the report on the next business day thereafter.

23 (c) 1. Except as provided in subd. 2., the committee's treasurer shall certify to
24 the correctness of each report filed under this chapter.

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1 2. Either the candidate or the treasurer of the candidate's committee shall
2 certify to the correctness of each report filed under this chapter.

3 (d) The board shall prescribe a simplified, short form for compliance with this
4 section by a committee treasurer who has not engaged in any financial transaction
5 since the last date included on the treasurer's preceding report.

6 **(4) PREPRIMARY AND PREELECTION REPORTS; INACTIVITY.** (a) A contribution made
7 or accepted, a disbursement made, or an obligation incurred to support or oppose a
8 candidate at a primary that is made, accepted, or incurred during the period covered
9 by the preprimary report is considered to be made, accepted, or incurred to support
10 or oppose that candidate at the primary, regardless of whether the candidate is
11 opposed at the primary.

12 (b) A contribution made or accepted, disbursement made, or obligation
13 incurred to support or oppose a candidate at an election that is made, accepted, or
14 incurred during the period covered by the preelection report is considered to be made,
15 accepted, or incurred to support or oppose that candidate at the election, regardless
16 of whether the candidate is opposed at the election.

17 (c) 1. a. Except as provided in subd. 2., a committee that makes or accepts a
18 contribution, makes a disbursement, or incurs an obligation to support or oppose a
19 candidate at a primary during the period covered by the preelection report, but does
20 not engage in such activity during the period covered by the preprimary report, is not
21 required to file a preprimary report.

22 b. Except as provided in subd. 2., a committee that makes or accepts a
23 contribution, makes a disbursement, or incurs an obligation to support or oppose a
24 candidate at an election during the period covered by the report that follows the

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1 preelection report, but does not engage in such activity during the period covered by
2 the preelection report, is not required to file a preelection report.

3 2. A candidate committee that makes or accepts a contribution, makes a
4 disbursement, or incurs an obligation to support or oppose a candidate at a primary
5 during the period covered by the preprimary report shall file both the preprimary
6 and preelection reports, regardless of whether the candidate committee engages in
7 such activity during the period covered by the preelection report.

8 (5) NONRESIDENT REPORTING. Notwithstanding the reporting requirements that
9 would otherwise apply under this chapter, but subject to the applicable thresholds
10 for submitting reports, a committee that does not maintain an office or a street
11 address in this state shall submit reports on a form prescribed by the board of all
12 disbursements made and obligations incurred with respect to an election for a state
13 or local office in this state and contributions from sources in this state.

14 **11.0104 Reporting exemptions: limited activity.** (1) (a) Except as
15 provided in par. (b), any committee which does not anticipate accepting or making
16 contributions, making disbursements, or incurring obligations, and any conduit
17 which does not anticipate accepting or releasing contributions, in an aggregate
18 amount exceeding \$2,000 in a calendar year may file an amended registration
19 statement with the appropriate filing officer indicating that fact. The committee or
20 conduit shall certify the amended registration in the manner required under s.
21 11.0103 (3) (c) and shall include the information required to be reported by that
22 committee or conduit on its continuing reports.

23 (b) In no case may a candidate committee file an amended registration under
24 this section covering any period ending sooner than the date of the election in which
25 the candidate committee is participating.

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1 **(2)** Upon receipt of a properly executed amended registration by a committee
2 or conduit, the appropriate filing officer shall suspend the requirement imposed
3 upon that committee or conduit by this chapter to file continuing reports. An
4 indication of limited activity under this section is effective only for the calendar year
5 in which it is granted, unless the committee or conduit alters its status before the end
6 of such year or files a termination report under s. 11.0105.

7 **(3)** An indication of limited activity made under sub. (1) may be revoked. If
8 revoked, the committee or conduit shall comply with the reporting requirements
9 applicable to the committee or conduit under this chapter as of the date of revocation,
10 or the date that aggregate contributions, disbursements, or obligations for the
11 calendar year exceed \$2,000. If the revocation is not timely, the committee or conduit
12 violates s. 11.1201.

13 **(4)** A committee or conduit that files an amended registration statement under
14 sub. (1) is not required to file a termination report under s. 11.0105.

15 **(5)** If a committee or conduit files an amended registration statement under
16 sub. (1) and within 60 days thereafter receives and accepts an unanticipated
17 contribution, the committee or conduit shall do one of the following within 60 days
18 after receipt of the unanticipated contribution:

19 (a) File an amended registration statement. An amended registration
20 statement supersedes the previous registration statement. The individual who
21 certifies to the accuracy of the registration statement shall also certify that the
22 amended registration statement is filed on account of the receipt of unanticipated
23 contributions and the failure to file a correct registration statement was not
24 intentional.

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1 (b) Return the contribution to the contributor or donate the contribution to the
2 common school fund or to a charitable organization.

3 **11.0105 Reporting exemptions: dissolution of committee or conduit**
4 **and termination reports. (1)** (a) Except as provided in par. (b) and s. 11.0104 (4),
5 whenever any committee or conduit dissolves or determines that obligations will no
6 longer be incurred, contributions will no longer be received or, in the case of a conduit,
7 accepted and released, and disbursements will no longer be made during a calendar
8 year, and the committee has no outstanding incurred obligations, the committee or
9 conduit shall file with the appropriate filing officer a termination report that
10 indicates a cash balance of zero at the end of the reporting period. The committee
11 or conduit shall certify the termination report in the manner required under s.
12 11.0103 (3) (c) and the committee shall include the information required to be
13 reported by that committee on its continuing reports.

14 (b) In no case may a candidate committee file a termination report covering any
15 period ending sooner than the date of the election in which the candidate committee
16 is participating.

17 **(2)** A committee to which s. 11.0102 (2) applies shall pay the fee imposed under
18 that subsection with a termination report filed under this section.

19 **(3)** The committee shall include in the termination report filed under this
20 section the manner in which residual funds were disposed. Residual funds may be
21 used for any purpose not prohibited by law, returned to the donors in an amount not
22 exceeding the original contribution, or donated to a charitable organization or the
23 common school fund.

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1 (4) If a committee files a termination report under sub. (1) and within 60 days
2 thereafter receives and accepts an unanticipated contribution, the committee shall
3 do one of the following within 60 days after receipt of the unanticipated contribution:

4 (a) File an amended termination report. An amended report supersedes the
5 previous report. The individual who certifies to the accuracy of the report shall also
6 certify to a statement that the amended report is filed on account of the receipt of
7 unanticipated contributions and the failure to file a correct termination report was
8 not intentional.

9 (b) Return the contribution to the contributor or donate the contribution to the
10 common school fund or to a charitable organization.

11 **11.0106 Disbursements; form.** Every disbursement which is made by a
12 committee registered under this chapter from the committee's depository account
13 shall be made by negotiable instrument.

14 **11.0107 Nonapplicability.** Federal account committees, federal candidate
15 committees, and national political party committees are not required to register or
16 report under this chapter.

SUBCHAPTER II

CANDIDATE COMMITTEES

17
18
19 **11.0201 Registration; treasurer and depositories.** (1) Each candidate
20 shall either designate a treasurer of his or her candidate committee to comply with
21 the registration and reporting requirements under this subchapter or serve as the
22 treasurer and comply with the registration and reporting requirements under this
23 subchapter. If the candidate appoints a treasurer, the candidate and the candidate's
24 treasurer shall cosign the registration statement of the candidate's committee.

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1 **(2)** (a) The treasurer shall ensure that all funds received are deposited in the
2 candidate committee depository account.

3 (b) Notwithstanding par. (a), any candidate who serves as his or her own
4 treasurer and who is authorized to file and files an amended registration statement
5 under s. 11.0104 may designate a single personal account as his or her candidate
6 committee depository account, and may intermingle personal and other funds with
7 campaign funds. If a candidate establishes a separate candidate committee
8 depository account, the candidate shall transfer all campaign funds in the personal
9 account to the new depository account. Disbursements made from a personal
10 account under this paragraph need not be identified in accordance with s. 11.0106.

11 **(3)** No disbursement may be made or obligation incurred by or on behalf of a
12 candidate committee without the authorization of the treasurer or a designated
13 agent.

14 **(4)** The treasurer shall maintain the records of the candidate committee in an
15 organized and legible manner for not less than 3 years after the date of the election
16 in which the candidate committee participates.

17 **11.0202 Registration; timing; candidate committee required.** (1) TIME
18 OF REGISTRATION. (a) Each candidate, through his or her candidate committee, shall
19 file a registration statement with the appropriate filing officer giving the
20 information required under s. 11.0203 as soon as practicable after the individual
21 qualifies as a candidate under s. 11.0101 (1).

22 (b) A candidate who receives no contributions, makes no disbursements, and
23 incurs no obligations shall file the registration statement as provided in this
24 subsection, but need not designate a campaign depository account until the first
25 contribution is received, disbursement is made, or obligation is incurred.

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1 **(2) CANDIDATE COMMITTEE REQUIRED.** (a) Except as provided in par. (b), no
2 candidate may make or accept contributions, make disbursements, or incur
3 obligations except through a candidate committee registered under this subchapter.

4 (b) A candidate does not violate this subsection by taking any of the following
5 actions:

6 1. Accepting a contribution, making a disbursement, or incurring an obligation
7 in the amount required to rent a postal box, or in the minimum amount required by
8 a bank or trust company to open a checking account, prior to the time of registration,
9 if the disbursement is properly reported on the first report submitted under s.
10 11.0204 after the date that the candidate committee is registered, whenever a
11 reporting requirement applies to the candidate committee.

12 2. Accepting a contribution, making a disbursement, or incurring an obligation
13 required for the production of nomination papers.

14 (c) Except as provided in par. (d), no candidate may establish more than one
15 candidate committee.

16 (d) An individual who holds a state or local elective office may establish a
17 second candidate committee under this subchapter for the purpose of pursuing a
18 different state or local office.

19 **11.0203 Registration; required information. (1) REQUIRED INFORMATION.**

20 The candidate committee shall indicate on the registration statement that it is
21 registering as a candidate committee and shall include all of the following, where
22 applicable, on the registration statement:

23 (a) The name and mailing address of the candidate committee.

24 (b) The name and mailing address of the candidate committee treasurer and
25 any other custodian of books and accounts. Unless otherwise directed by the

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1 treasurer on the registration form and except as otherwise provided in this chapter
2 or any rule of the board, all mailings that are required by law or by rule of the board
3 shall be sent to the treasurer at the treasurer's address indicated upon the form.

4 (c) In the case of a candidate committee of an independent candidate for
5 partisan office or a candidate for nonpartisan county or municipal office, a list of the
6 members of the committee, in addition to those specified in par. (b), if any, whom the
7 filing officer shall recognize as eligible to fill a nomination vacancy if the candidate
8 dies before the election.

9 (d) The name and address of the depository account of the candidate committee
10 and of any other institution where funds of the committee are kept.

11 **(2) CERTIFICATION.** The individual responsible for filing or amending a
12 candidate committee's registration statement and any form or report required of the
13 committee under this chapter shall certify that all information contained in the
14 statement, form, or report is true, correct, and complete.

15 **(3) CHANGE OF INFORMATION.** (a) The candidate committee shall report any
16 change in information previously submitted in a registration statement within 10
17 days following the change. Except as provided in par. (b), any such change may be
18 reported only by the individual or by the officer who has succeeded to the position of
19 an individual who signed the original statement.

20 (b) A candidate or the treasurer of the candidate's committee may report a
21 change in the candidate committee's registration statement.

22 **11.0204 Reporting.** **(1) CONTRIBUTIONS AND DISBURSEMENTS.** (a) Each
23 candidate, through his or her candidate committee, shall make full reports, upon a
24 form prescribed by the board and certified as required under s. 11.0103 (3) (c), of all
25 contributions, disbursements, and obligations received, made, and incurred by the

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1 candidate committee. The candidate committee shall include in each report the
2 following information, covering the period since the last date covered on the previous
3 report:

4 1. An itemized statement giving the date, full name, and street address of each
5 person who has made a contribution to the candidate committee, together with the
6 amount of the contribution.

7 2. An itemized statement giving the date, full name, and street address of each
8 committee to which the candidate committee has made a contribution, together with
9 the amount of the contribution.

10 3. The occupation, if any, of each individual contributor whose cumulative
11 contributions to the candidate committee for the calendar year are in excess of \$200.

12 4. An itemized statement of each contribution made anonymously to the
13 candidate committee. If the contribution exceeds \$10, the candidate committee shall
14 specify whether the candidate committee donated the contribution to the common
15 school fund or to a charitable organization, and shall include the full name and
16 mailing address of the donee.

17 5. A statement of totals during the reporting period of contributions received
18 and contributions donated as provided in subd. 4.

19 6. A statement of the cash balance on hand at the beginning and end of the
20 reporting period.

21 7. An itemized statement of each loan of money made to the candidate
22 committee in an aggregate amount or value in excess of \$20, together with all of the
23 following:

24 a. The full name and mailing address of the lender.

25 b. A statement of whether the lender is a commercial lending institution.

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- 1 c. The date and amount of the loan.
- 2 d. The full name and mailing address of each guarantor, if any.
- 3 e. The original amount guaranteed by each guarantor.
- 4 f. The balance of the amount guaranteed by each guarantor at the end of the
- 5 reporting period.
- 6 8. An itemized statement of every disbursement exceeding \$20 in amount or
- 7 value, together with the name and address of the person to whom the disbursement
- 8 was made, and the date and specific purpose for which the disbursement was made.
- 9 9. An itemized statement of every obligation exceeding \$20 in amount or value,
- 10 together with the name of the person or business with whom the obligation was
- 11 incurred, and the date and the specific purpose for which each such obligation was
- 12 incurred.
- 13 10. A statement of totals during the reporting period of disbursements made,
- 14 including transfers made to and received from any other committees, other income,
- 15 and loans.
- 16 11. A statement of the balance of obligations incurred as of the end of the
- 17 reporting period.
- 18 (b) The candidate committee shall begin each report filed under this chapter
- 19 with the first contribution received, disbursement made, or obligation incurred
- 20 during the reporting period.
- 21 **(2) REPORTS; CANDIDATES AT SPRING PRIMARY.** A candidate committee of a
- 22 candidate at a spring primary or of a candidate at a special primary held to nominate
- 23 nonpartisan candidates to be voted for at a special election held to fill a vacancy in
- 24 one or more of the nonpartisan state or local offices voted for at the spring election
- 25 shall do all of the following:

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1 (a) File a preprimary report no earlier than 14 days and no later than 8 days
2 preceding the primary. If a candidate for a nonpartisan state office at an election is
3 not required to participate in a spring primary, the candidate committee shall file a
4 preprimary report at the time prescribed in s. 11.0103 (4) preceding the date specified
5 for the holding of the primary, were it to be required.

6 (b) File a preelection report no earlier than 14 days and no later than 8 days
7 preceding the election.

8 (c) Annually in each year of an election cycle, file a report on the 15th day of
9 the month in the months of January, April, July, and October.

10 **(3) REPORTS; CANDIDATES AT SPRING ELECTIONS.** A candidate committee of a
11 candidate at a spring election or of a candidate at a special election held to fill a
12 vacancy in one or more of the nonpartisan state or local offices voted for at the spring
13 election shall do all of the following:

14 (a) File a preelection report no earlier than 14 days and no later than 8 days
15 preceding the election.

16 (b) Annually in each year of an election cycle, file a report on the 15th day of
17 the month in the months of January, April, July, and October.

18 (c) Unless a continuing report is required to be filed under this subsection on
19 or before the 45th day after the special election, file a postelection report no earlier
20 than 23 days and no later than 45 days after each special election.

21 **(4) REPORTS; CANDIDATES AT PARTISAN PRIMARY.** A candidate committee of a
22 candidate at a partisan primary or of a special primary held to nominate candidates
23 to be voted for at a special election held to fill a vacancy in one or more of the state
24 or local offices voted for at the general election shall do all of the following:

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1 (a) File a preprimary report no earlier than 14 days and no later than 8 days
2 preceding the primary.

3 (b) File a preelection report no earlier than 14 days and no later than 8 days
4 preceding the election.

5 (c) In an odd-numbered year, file a report on the 15th day of the month in the
6 months of January, April, July, and October.

7 (d) In an even-numbered year, file a report on the 15th day of the month in the
8 months of January, April, and July, and on the 4th Tuesday in September.

9 **(5) REPORTS; CANDIDATES AT GENERAL ELECTIONS.** A candidate committee of a
10 candidate at a general election or of a candidate at a special election held to fill a
11 vacancy in one or more of the state or local offices voted for at the general election
12 shall do all of the following:

13 (a) File a preelection report no earlier than 14 days and no later than 8 days
14 preceding the election.

15 (b) In an odd-numbered year, file a report on the 15th day of the month in the
16 months of January, April, July, and October.

17 (c) In an even-numbered year, file a report on the 15th day of the month in the
18 months of January, April, and July, and on the 4th Tuesday in September.

19 (d) Unless a continuing report is required to be filed under this subsection on
20 or before the 45th day after the special election, file a postelection report no earlier
21 than 23 days and no later than 45 days after each special election.

22 **(6) REPORTS; CANDIDATES HOLDING OFFICE BUT NOT UP FOR ELECTION AT GENERAL**
23 **ELECTION.** A candidate committee of a candidate holding an office voted for at the
24 general election but not up for election in the current election cycle shall do all of the
25 following:

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1 (a) In an odd-numbered year, file a report on the 15th day of the month in the
2 months of January, April, July, and October.

3 (b) In an even-numbered year, file a report on the 15th day of the month in the
4 months of January, April, and July, and on the 4th Tuesday in September.

5 **(7) REPORTS OF LATE CONTRIBUTIONS.** If any contribution or contributions of
6 \$1,000 or more cumulatively are received by a candidate committee for a candidate
7 for state office from a single contributor later than 15 days prior to a primary or
8 election and the contribution or contributions are not included in the preprimary or
9 preelection report required of the committee under this chapter, the treasurer of the
10 committee or the individual receiving the contribution shall, within 72 hours of
11 receipt, provide the appropriate filing officer with the information required to be
12 reported for contributions received by the committee under this subchapter in such
13 manner as the board may prescribe. The information shall also be included in the
14 committee's next regular report.

15 **11.0205 Transfers between candidates for governor and lieutenant**
16 **governor.** The candidate committee for governor and the candidate committee for
17 lieutenant governor of the same political party may receive contributions and make
18 disbursements for both candidates from either candidate committee's depository
19 account.

20 **11.0206 Soliciting funds on behalf of certain organizations.**
21 Notwithstanding s. 19.45 (2), a candidate may solicit a donation for use by a nonprofit
22 organization with which he or she is associated, as defined in s. 19.42 (2).

23 **11.0207 Continuing compliance.** An individual does not cease to be a
24 candidate for purposes of compliance with this chapter or ch. 12 after the date of an
25 election and no candidate or candidate committee is released from any requirement

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1 or liability otherwise imposed under this chapter or ch. 12 simply because the
2 election date has passed.

3 **SUBCHAPTER III**

4 **POLITICAL PARTIES**

5 **11.0301 Registration; treasurer and depositories.** (1) Each political party
6 required to register under this chapter shall designate a treasurer to comply with the
7 registration and reporting requirements under this subchapter.

8 (2) The treasurer shall ensure that all funds received are deposited in the
9 political party depository account.

10 (3) No disbursement may be made or obligation incurred by or on behalf of the
11 political party without the authorization of the treasurer or a designated agent.

12 (4) The treasurer shall maintain the records of the political party in an
13 organized and legible manner for not less than 3 years after the date of the election
14 in which the political party participates.

15 **11.0302 Registration; timing.** Every political party that makes or accepts
16 contributions, makes disbursements, or incurs obligations to support or oppose a
17 candidate in a calendar year shall, upon its inception and prior to making or
18 accepting any such contribution, making any such disbursement, or incurring any
19 such obligation file a registration statement giving the information required by s.
20 11.0303.

21 **11.0303 Registration; required information.** (1) **REQUIRED INFORMATION.**
22 The political party shall indicate on the registration statement that it is registering
23 as a political party and shall include all of the following on the registration
24 statement:

25 (a) The name and mailing address of the political party.

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

6 (c) The name and address of the depository account of the political party and
7 of any other institution where funds of the political party are kept.

8 **(2) CERTIFICATION.** The individual responsible for filing or amending a political
9 party's registration statement and any form or report required of the political party
10 under this chapter shall certify that all information contained in the statement,
11 form, or report is true, correct, and complete.

12 **(3) CHANGE OF INFORMATION.** (a) The political party shall report any change in
13 information previously submitted in a registration statement within 10 days
14 following the change. Except as provided in par. (b), any such change may be
15 reported only by the individual or by the officer who has succeeded to the position of
16 an individual who signed the original statement.

17 (b) The administrator or treasurer of a political party may report a change in
18 the political party's registration statement.

19 **11.0304 Reporting.** **(1) CONTRIBUTIONS AND DISBURSEMENTS.** (a) Each political
20 party shall make full reports, upon a form prescribed by the board and certified as
21 required under s. 11.0103 (3) (c), of all contributions, disbursements, and obligations
22 received, made, and incurred by the political party. The political party shall include
23 in each report the following information, covering the period since the last date
24 covered on the previous report:

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1 1. An itemized statement giving the date, full name, and street address of each
2 person who has made a contribution to the political party, together with the amount
3 of the contribution.

4 2. An itemized statement giving the date, full name, and street address of each
5 committee to which the political party has made a contribution, together with the
6 amount of the contribution.

7 3. The occupation, if any, of each individual contributor whose cumulative
8 contributions to the political party for the calendar year are in excess of \$200.

9 4. An itemized statement of each contribution made anonymously to the
10 political party. If the contribution exceeds \$10, the political party committee shall
11 specify whether the committee donated the contribution to the common school fund
12 or to a charitable organization, and shall include the full name and mailing address
13 of the donee.

14 5. A statement of totals during the reporting period of contributions received
15 and contributions donated as provided in subd. 4.

16 6. A statement of the cash balance on hand at the beginning and end of the
17 reporting period.

18 7. An itemized statement of each loan of money made to the political party in
19 an aggregate amount or value in excess of \$20, together with all of the following:

20 a. The full name and mailing address of the lender.

21 b. A statement of whether the lender is a commercial lending institution.

22 c. The date and amount of the loan.

23 d. The full name and mailing address of each guarantor, if any.

24 e. The original amount guaranteed by each guarantor.

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1 f. The balance of the amount guaranteed by each guarantor at the end of the
2 reporting period.

3 8. An itemized statement of every disbursement exceeding \$20 in amount or
4 value, together with the name and address of the person to whom the disbursement
5 was made, and the date and specific purpose for which the disbursement was made.

6 9. An itemized statement of every obligation exceeding \$20 in amount or value,
7 together with the name of the person or business with whom the obligation was
8 incurred, and the date and the specific purpose for which each such obligation was
9 incurred.

10 10. A statement of totals during the reporting period of disbursements made,
11 including transfers made to and received from other committees, other income, and
12 loans.

13 11. A statement of the balance of obligations incurred as of the end of the
14 reporting period.

15 (b) The political party shall begin each report filed under this chapter with the
16 first contribution received, disbursement made, or obligation incurred during the
17 reporting period.

18 **(2) REPORTS TO SUPPORT OR OPPOSE CANDIDATES AT SPRING PRIMARY.** A political
19 party that makes or accepts contributions, makes disbursements, or incurs
20 obligations to support or oppose one or more candidates for office at a spring primary
21 or a candidate at a special primary held to nominate nonpartisan candidates to be
22 voted for at a special election held to fill a vacancy in one or more of the nonpartisan
23 state or local offices voted for at the spring election, or to support or oppose
24 committees engaging in such activities, shall do all the following:

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1 (a) File a preprimary report no earlier than 14 days and no later than 8 days
2 preceding the primary. If a candidate for a nonpartisan state office at an election is
3 not required to participate in a spring primary, the political party shall file a
4 preprimary report at the time prescribed in s. 11.0103 (4) preceding the date specified
5 for the holding of the primary, were it to be required.

6 (b) File a preelection report no earlier than 14 days and no later than 8 days
7 preceding the election.

8 (c) Annually in each year of an election cycle, file a report on the 15th day of
9 the month in the months of January, April, July, and October.

10 **(3) REPORTS TO SUPPORT OR OPPOSE CANDIDATES AT SPRING ELECTION.** A political
11 party that makes or accepts contributions, makes disbursements, or incurs
12 obligations to support or oppose one or more candidates for office at a spring election
13 or a candidate at a special election held to fill a vacancy in one or more of the
14 nonpartisan state or local offices voted for at the spring election, or to support or
15 oppose committees engaging in such activities, shall do all the following:

16 (a) File a preelection report no earlier than 14 days and no later than 8 days
17 preceding the election.

18 (b) Annually in each year of an election cycle, file a report on the 15th day of
19 the month in the months of January, April, July, and October.

20 (c) Unless a continuing report is required to be filed under this subsection on
21 or before the 45th day after the special election, file a postelection report no earlier
22 than 23 days and no later than 45 days after each special election.

23 **(4) REPORTS TO SUPPORT OR OPPOSE CANDIDATES AT PARTISAN PRIMARY.** A political
24 party that makes or accepts contributions, makes disbursements, or incurs
25 obligations to support or oppose one or more candidates for office at a partisan

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1 primary or a candidate at a special primary held to nominate candidates to be voted
2 for at a special election held to fill a vacancy in one or more of the state or local offices
3 voted for at the general election, or to support or oppose committees engaging in such
4 activities, shall do all the following:

5 (a) File a preprimary report no earlier than 14 days and no later than 8 days
6 preceding the primary.

7 (b) File a preelection report no earlier than 14 days and no later than 8 days
8 preceding the election.

9 (c) In an odd-numbered year, file a report on the 15th day of the month in the
10 months of January, April, July, and October.

11 (d) In an even-numbered year, file a report on the 15th day of the month in the
12 months of January, April, and July, and on the 4th Tuesday in September.

13 **(5) REPORTS TO SUPPORT OR OPPOSE CANDIDATES AT GENERAL ELECTION.** A political
14 party that makes or accepts contributions, makes disbursements, or incurs
15 obligations to support or oppose one or more candidates for office at a general election
16 or a candidate at a special election held to fill a vacancy in one or more of the state
17 or local offices voted for at the general election, or to support or oppose committees
18 engaging in such activities shall do all of the following:

19 (a) File a preelection report no earlier than 14 days and no later than 8 days
20 preceding the election.

21 (b) In an odd-numbered year, file a report on the 15th day of the month in the
22 months of January, April, July, and October.

23 (c) In an even-numbered year, file a report on the 15th day of the month in the
24 months of January, April, and July, and on the 4th Tuesday in September.

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1 (d) Unless a continuing report is required to be filed under this subsection on
2 or before the 45th day after the special election, file a postelection report no earlier
3 than 23 days and no later than 45 days after each special election.

4 (6) **REPORTS BY POLITICAL PARTY COMMITTEES.** Every committee of a political
5 party that is required to file statements and reports under this subchapter shall file
6 all statements and reports with the board. A congressional, legislative, county, or
7 local party committee may designate a state committee of a political party as its
8 reporting agent for purposes of this subchapter, but such designation does not permit
9 combining reports. The state committee treasurer shall inform the board of a
10 designation made under this subsection.

11 (7) **REPORTS OF LATE CONTRIBUTIONS.** If any contribution or contributions of
12 \$1,000 or more cumulatively are received by a political party from a single
13 contributor later than 15 days prior to a primary or election and the contribution or
14 contributions are not included in the preprimary or preelection report required of the
15 political party under this chapter, the treasurer of the political party shall, within
16 72 hours of receipt, provide the appropriate filing officer with the information
17 required to be reported for contributions received by the political party under this
18 subchapter in such manner as the board may prescribe. The information shall also
19 be included in the political party's next regular report.

SUBCHAPTER IV**LEGISLATIVE CAMPAIGN COMMITTEES**

22 **11.0401 Registration; treasurer and depositories.** (1) Each legislative
23 campaign committee required to register under this chapter shall designate a
24 treasurer to comply with the registration and reporting requirements under this
25 subchapter.

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1 (2) The treasurer shall ensure that all funds received are deposited in the
2 legislative campaign committee depository account.

3 (3) No disbursement may be made or obligation incurred by or on behalf of a
4 legislative campaign committee without the authorization of the treasurer or a
5 designated agent.

6 (4) The treasurer shall maintain the records of the legislative campaign
7 committee in an organized and legible manner for not less than 3 years after the date
8 of the election in which the legislative campaign committee participates.

9 **11.0402 Registration; timing.** Every legislative campaign committee that
10 makes or accepts contributions, makes disbursements, or incurs obligations to
11 support or oppose a candidate in a calendar year shall, upon its inception and prior
12 to making or accepting any such contribution, making any such disbursement, or
13 incurring any such obligation, file a registration statement giving the information
14 required by s. 11.0403.

15 **11.0403 Registration; required information. (1) REQUIRED INFORMATION.**
16 The legislative campaign committee shall indicate on the registration statement
17 that it is registering as a legislative campaign committee and shall include all of the
18 following on the registration statement:

19 (a) The name and mailing address of the legislative campaign committee.

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

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1 (c) The name and address of the depository account of the legislative campaign
2 committee and of any other institution where funds of the legislative campaign
3 committee are kept.

4 (d) A statement signed by the leader of the party in the house for which the
5 legislative campaign committee is established attesting to the fact that the
6 legislative campaign committee is the only authorized legislative campaign
7 committee for that party in that house.

8 **(2) CERTIFICATION.** The individual responsible for filing or amending a
9 legislative campaign committee's registration statement and any form or report
10 required of the committee under this chapter shall certify that all information
11 contained in the statement, form, or report is true, correct, and complete.

12 **(3) CHANGE OF INFORMATION.** (a) The legislative campaign committee shall
13 report any change in information previously submitted in a registration statement
14 within 10 days following the change. Except as provided in par. (b), any such change
15 may be reported only by the individual or by the officer who has succeeded to the
16 position of an individual who signed the original statement.

17 (b) The administrator or treasurer of a legislative campaign committee may
18 report a change in the committee's registration statement.

19 **11.0404 Reporting.** **(1) CONTRIBUTIONS AND DISBURSEMENTS.** (a) Each
20 legislative campaign committee shall make full reports, upon a form prescribed by
21 the board and certified as required under s. 11.0103 (3) (c), of all contributions,
22 disbursements, and obligations received, made, and incurred by the committee. The
23 legislative campaign committee shall include in each report the following
24 information, covering the period since the last date covered on the previous report:

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1 1. An itemized statement giving the date, full name, and street address of each
2 person who has made a contribution to the legislative campaign committee, together
3 with the amount of the contribution.

4 2. An itemized statement giving the date, full name, and street address of each
5 committee to which the legislative campaign committee has made a contribution,
6 together with the amount of the contribution.

7 3. The occupation, if any, of each individual contributor whose cumulative
8 contributions to the legislative campaign committee for the calendar year are in
9 excess of \$200.

10 4. An itemized statement of each contribution made anonymously to the
11 legislative campaign committee. If the contribution exceeds \$10, the legislative
12 campaign committee shall specify whether the committee donated the contribution
13 to the common school fund or to a charitable organization, and shall include the full
14 name and mailing address of the donee.

15 5. A statement of totals during the reporting period of contributions received
16 and contributions donated as provided in subd. 4.

17 6. A statement of the cash balance on hand at the beginning and end of the
18 reporting period.

19 7. An itemized statement of each loan of money made to the legislative
20 campaign committee in an aggregate amount or value in excess of \$20, together with
21 all of the following:

22 a. The full name and mailing address of the lender.

23 b. A statement of whether the lender is a commercial lending institution.

24 c. The date and amount of the loan.

25 d. The full name and mailing address of each guarantor, if any.

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1 e. The original amount guaranteed by each guarantor.

2 f. The balance of the amount guaranteed by each guarantor at the end of the
3 reporting period.

4 8. An itemized statement of every disbursement exceeding \$20 in amount or
5 value, together with the name and address of the person to whom the disbursement
6 was made, and the date and specific purpose for which the disbursement was made.

7 9. An itemized statement of every obligation exceeding \$20 in amount or value,
8 together with the name of the person or business with whom the obligation was
9 incurred, and the date and the specific purpose for which each such obligation was
10 incurred.

11 10. A statement of totals during the reporting period of disbursements made,
12 including transfers made to and received from other committees, other income, and
13 loans.

14 11. A statement of the balance of obligations incurred as of the end of the
15 reporting period.

16 (b) The legislative campaign committee shall begin each report filed under this
17 chapter with the first contribution received, disbursement made, or obligation
18 incurred during the reporting period.

19 **(2) REPORTS TO SUPPORT OR OPPOSE CANDIDATES AT PARTISAN PRIMARY.** A legislative
20 campaign committee that makes or accepts contributions, makes disbursements, or
21 incurs obligations to support or oppose one or more candidates for office at a partisan
22 primary or a candidate at a special primary held to nominate candidates to be voted
23 for at a special election held to fill a vacancy in one or more of the state or local offices
24 voted for at the general election, or to support or oppose other committees engaging
25 in such activities, shall do all the following:

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1 (a) File a preprimary report no earlier than 14 days and no later than 8 days
2 preceding the primary.

3 (b) File a preelection report no earlier than 14 days and no later than 8 days
4 preceding the election.

5 (c) In an odd-numbered year, file a report on the 15th day of the month in the
6 months of January, April, July, and October.

7 (d) In an even-numbered year, file a report on the 15th day of the month in the
8 months of January, April, and July, and on the 4th Tuesday in September.

9 **(3) REPORTS TO SUPPORT OR OPPOSE CANDIDATES AT GENERAL ELECTION.** A
10 legislative campaign committee that makes or accepts contributions, makes
11 disbursements, or incurs obligations to support or oppose one or more candidates for
12 office at a general election or a candidate at a special election held to fill a vacancy
13 in one or more of the state or local offices voted for at the general election, or to
14 support or oppose other committees engaging in such activities shall do all of the
15 following:

16 (a) File a preelection report no earlier than 14 days and no later than 8 days
17 preceding the election.

18 (b) In an odd-numbered year, file a report on the 15th day of the month in the
19 months of January, April, July, and October.

20 (c) In an even-numbered year, file a report on the 15th day of the month in the
21 months of January, April, and July, and on the 4th Tuesday in September.

22 (d) Unless a continuing report is required to be filed under this subsection on
23 or before the 45th day after the special election, file a postelection report no earlier
24 than 23 days and no later than 45 days after each special election.

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1 (4) REPORTS OF LATE CONTRIBUTIONS. If any contribution or contributions of
2 \$1,000 or more cumulatively are received by a legislative campaign committee from
3 a single contributor later than 15 days prior to a primary or election and the
4 contribution or contributions are not included in the preprimary or preelection
5 report required of the committee under this chapter, the treasurer of the committee
6 shall, within 72 hours of receipt, provide the appropriate filing officer with the
7 information required to be reported for contributions received by the committee
8 under this subchapter in such manner as the board may prescribe. The information
9 shall also be included in the committee's next regular report.

SUBCHAPTER V

POLITICAL ACTION COMMITTEES

12 **11.0501 Registration; treasurer and depositories.** (1) Each political
13 action committee required to register under this chapter shall designate a treasurer
14 to comply with the registration and reporting requirements under this subchapter.

15 (2) The treasurer shall ensure that all funds received are deposited in the
16 political action committee depository account.

17 (3) No disbursement may be made or obligation incurred by or on behalf of a
18 political action committee without the authorization of the treasurer or a designated
19 agent.

20 (4) The treasurer shall maintain the records of the political action committee
21 in an organized and legible manner for not less than 3 years after the date of the
22 election in which the political action committee participates.

23 (5) No person may register more than one political action committee under this
24 subchapter, except that a person may register both a political action committee

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1 under this subchapter and an independent expenditure committee under subchapter
2 VI.

3 **11.0502 Registration; timing.** (1) Every political action committee that
4 makes or accepts contributions, makes disbursements, or incurs obligations to
5 support or oppose a candidate in a calendar year in an aggregate amount in excess
6 of \$5,000 shall file a registration statement giving the information required by s.
7 11.0503.

8 (2) A political action committee that triggers the registration requirement
9 under sub. (1) shall file the registration statement no later than the 10th business
10 day commencing after receipt of the first contribution by the political action
11 committee exceeding the amount specified under sub. (1), before making any
12 disbursement exceeding that amount, and before incurring obligations exceeding
13 that amount.

14 **11.0503 Registration; required information.** (1) REQUIRED INFORMATION.
15 The political action committee shall indicate on the registration statement that it
16 is registering as a political action committee and shall include all of the following,
17 where applicable, on the registration statement:

18 (a) The name and mailing address of the political action committee.

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

24 (d) The name and address of the depository account of the political action
25 committee and of any other institution where funds of the committee are kept.

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1 (e) The name and address of the political action committee's sponsoring
2 organization, if any.

3 (2) CERTIFICATION. The individual responsible for filing or amending a political
4 action committee's registration statement and any form or report required of the
5 committee under this chapter shall certify that all information contained in the
6 statement, form, or report is true, correct, and complete.

7 (3) CHANGE OF INFORMATION. (a) The political action committee shall report any
8 change in information previously submitted in a registration statement within 10
9 days following the change. Except as provided in par. (b), any such change may be
10 reported only by the individual or by the officer who has succeeded to the position of
11 an individual who signed the original statement.

12 (b) The administrator or treasurer of a political action committee may report
13 a change in the committee's registration statement.

14 **11.0504 Reporting.** (1) CONTRIBUTIONS AND DISBURSEMENTS. (a) Each political
15 action committee shall make full reports, upon a form prescribed by the board and
16 certified as required under s. 11.0103 (3) (c), of all contributions, disbursements, and
17 obligations received, made, and incurred by the committee. The political action
18 committee shall include in each report the following information, covering the period
19 since the last date covered on the previous report:

20 1. An itemized statement giving the date, full name, and street address of each
21 person who has made a contribution to the political action committee, together with
22 the amount of the contribution.

23 2. An itemized statement giving the date, full name, and street address of each
24 committee to which the political action committee has made a contribution, together
25 with the amount of the contribution.

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1 3. The occupation, if any, of each individual contributor whose cumulative
2 contributions to the political action committee for the calendar year are in excess of
3 \$200.

4 4. An itemized statement of each contribution made anonymously to the
5 political action committee. If the contribution exceeds \$10, the political action
6 committee shall specify whether the committee donated the contribution to the
7 common school fund or to a charitable organization, and shall include the full name
8 and mailing address of the donee.

9 5. A statement of totals during the reporting period of contributions received
10 and contributions donated as provided in subd. 4.

11 6. A statement of the cash balance on hand at the beginning and end of the
12 reporting period.

13 7. An itemized statement of each loan of money made to the political action
14 committee in an aggregate amount or value in excess of \$20, together with all of the
15 following:

16 a. The full name and mailing address of the lender.

17 b. A statement of whether the lender is a commercial lending institution.

18 c. The date and amount of the loan.

19 d. The full name and mailing address of each guarantor, if any.

20 e. The original amount guaranteed by each guarantor.

21 f. The balance of the amount guaranteed by each guarantor at the end of the
22 reporting period.

23 8. An itemized statement of every disbursement exceeding \$20 in amount or
24 value, together with the name and address of the person to whom the disbursement
25 was made, and the date and specific purpose for which the disbursement was made.

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1 9. An itemized statement of every obligation exceeding \$20 in amount or value,
2 together with the name of the person or business with whom the obligation was
3 incurred, and the date and the specific purpose for which each such obligation was
4 incurred.

5 10. A statement of totals during the reporting period of disbursements made,
6 including transfers made to and received from other committees, other income, and
7 loans.

8 11. A statement of the balance of obligations incurred as of the end of the
9 reporting period.

10 (b) The political action committee shall begin each report filed under this
11 chapter with the first contribution received, disbursement made, or obligation
12 incurred during the reporting period.

13 **(2) REPORTS TO SUPPORT OR OPPOSE CANDIDATES AT SPRING PRIMARY.** A political
14 action committee that makes or accepts contributions, makes disbursements, or
15 incurs obligations to support or oppose one or more candidates for office at a spring
16 primary or a candidate at a special primary held to nominate nonpartisan candidates
17 to be voted for at a special election held to fill a vacancy in one or more of the
18 nonpartisan state or local offices voted for at the spring election, or to support or
19 oppose other committees engaging in such activities, shall do all the following:

20 (a) File a preprimary report no earlier than 14 days and no later than 8 days
21 preceding the primary. If a candidate for a nonpartisan state office at an election is
22 not required to participate in a spring primary, the political action committee shall
23 file a preprimary report at the time prescribed in s. 11.0103 (4) preceding the date
24 specified for the holding of the primary, were it to be required.

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1 (b) File a preelection report no earlier than 14 days and no later than 8 days
2 preceding the election.

3 (c) Annually in each year of an election cycle, file a report on the 15th day of
4 the month in the months of January, April, July, and October.

5 **(3) REPORTS TO SUPPORT OR OPPOSE CANDIDATES AT SPRING ELECTION.** A political
6 action committee that makes or accepts contributions, makes disbursements, or
7 incurs obligations to support or oppose one or more candidates for office at a spring
8 election or a candidate at a special election held to fill a vacancy in one or more of the
9 nonpartisan state or local offices voted for at the spring election, or to support or
10 oppose other committees engaging in such activities, shall do all the following:

11 (a) File a preelection report no earlier than 14 days and no later than 8 days
12 preceding the election.

13 (b) Annually in each year of an election cycle, file a report on the 15th day of
14 the month in the months of January, April, July, and October.

15 (c) Unless a continuing report is required to be filed under this subsection on
16 or before the 45th day after the special election, file a postelection report no earlier
17 than 23 days and no later than 45 days after each special election.

18 **(4) REPORTS TO SUPPORT OR OPPOSE CANDIDATES AT PARTISAN PRIMARY.** A political
19 action committee that makes or accepts contributions, makes disbursements, or
20 incurs obligations to support or oppose one or more candidates for office at a partisan
21 primary or a candidate at a special primary held to nominate candidates to be voted
22 for at a special election held to fill a vacancy in one or more of the state or local offices
23 voted for at the general election, or to support or oppose other committees engaging
24 in such activities, shall do all the following:

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1 (a) File a preprimary report no earlier than 14 days and no later than 8 days
2 preceding the primary.

3 (b) File a preelection report no earlier than 14 days and no later than 8 days
4 preceding the election.

5 (c) In an odd-numbered year, file a report on the 15th day of the month in the
6 months of January, April, July, and October.

7 (d) In an even-numbered year, file a report on the 15th day of the month in the
8 months of January, April, and July, and on the 4th Tuesday in September.

9 **(5) REPORTS TO SUPPORT OR OPPOSE CANDIDATES AT GENERAL ELECTION.** A political
10 action committee that makes or accepts contributions, makes disbursements, or
11 incurs obligations to support or oppose one or more candidates for office at a general
12 election or a candidate at a special election held to fill a vacancy in one or more of the
13 state or local offices voted for at the general election, or to support or oppose other
14 committees engaging in such activities shall do all of the following:

15 (a) File a preelection report no earlier than 14 days and no later than 8 days
16 preceding the election.

17 (b) In an odd-numbered year, file a report on the 15th day of the month in the
18 months of January, April, July, and October.

19 (c) In an even-numbered year, file a report on the 15th day of the month in the
20 months of January, April, and July, and on the 4th Tuesday in September.

21 (d) Unless a continuing report is required to be filed under this subsection on
22 or before the 45th day after the special election, file a postelection report no earlier
23 than 23 days and no later than 45 days after each special election.

24 **11.0505 Reporting; specific express advocacy. (1) DISBURSEMENTS.** (a) A
25 political action committee spending \$2,500 or more in the aggregate on express

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1 advocacy shall submit statements to the board under par. (b) if the express advocacy
2 is made during the period beginning on the day that is 60 days prior to the day of the
3 primary or election involving the candidate identified under par. (b) 5. and ending
4 on the day of the primary or election involving that candidate.

5 (b) A political action committee required to report under this section shall
6 submit statements to the board providing all of the following information:

7 1. The dates on which the committee made the disbursements.

8 2. The name and address of the persons who received the disbursements.

9 3. The purpose for making the disbursements.

10 4. The amount spent for each act of express advocacy.

11 5. The name of any candidate identified in the express advocacy, the office that
12 the candidate seeks, and whether the express advocacy supports or opposes that
13 candidate.

14 6. An affirmation, made under oath, that the political action committee will
15 comply with the prohibition on coordination under s. 11.1203 with respect to any
16 candidate or agent or candidate committee who is supported or opposed by the
17 express advocacy.

18 7. The name and mailing and street address of the political action committee's
19 designated agent in this state.

20 **(2) EXCEPTION.** (a) A political action committee that is required to report under
21 this section is not required to submit the information described under sub. (1) (b)
22 regarding disbursements made before reaching the \$2,500 threshold under sub. (1)
23 (a). For purposes of this section, a disbursement for express advocacy is the amount
24 spent directly on developing, producing, and disseminating the express advocacy.

25 (b) This section does not apply to any of the following:

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1 1. A communication, other than an advertisement, appearing in a news story,
2 commentary, or editorial distributed through the facilities of any news organization,
3 unless the facilities are controlled by any committee or candidate.

4 2. A communication made exclusively between an organization and its
5 members. In this subdivision, a member of an organization means a shareholder,
6 employee, or officer of the organization, or an individual who has affirmatively
7 manifested an interest in joining, supporting or aiding the organization.

8 **(3) TIMING.** A political action committee that is required to report under this
9 section shall submit the report to the board no later than 72 hours after making the
10 disbursements.

SUBCHAPTER VI**INDEPENDENT EXPENDITURE COMMITTEES**

11 **11.0601 Registration; treasurer and depositories.** **(1)** Each independent
12 expenditure committee required to register under this chapter shall designate a
13 treasurer to comply with the registration and reporting requirements under this
14 subchapter.
15 subchapter.

16 **(2)** The treasurer shall ensure that all funds received are deposited in the
17 independent expenditure committee depository account.

18 **(3) (a)** No disbursement may be made or obligation incurred by or on behalf of
19 an independent expenditure committee without the authorization of the treasurer
20 or a designated agent.

21 **(b)** An independent expenditure committee may not make a contribution to a
22 committee, other than a referendum committee or another independent expenditure
23 committee.
24 committee.

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1 (4) The treasurer shall maintain the records of the independent expenditure
2 committee in an organized and legible manner for not less than 3 years after the date
3 of the election in which the independent expenditure committee participates.

4 (5) A person may register more than one independent expenditure committee
5 under this subchapter.

6 **11.0602 Registration; timing.** (1) Every independent expenditure
7 committee that makes or accepts contributions, makes disbursements, or incurs
8 obligations to support or oppose a candidate in a calendar year in an aggregate
9 amount in excess of \$5,000 shall file a registration statement giving the information
10 required by s. 11.0603.

11 (2) An independent expenditure committee that triggers the registration
12 requirement under sub. (1) shall file the registration statement no later than the
13 10th business day commencing after receipt of the first contribution by the
14 independent expenditure committee exceeding the amount specified under sub. (1),
15 before making any disbursement exceeding that amount, and before incurring
16 obligations exceeding that amount.

17 **11.0603 Registration; required information.** (1) REQUIRED INFORMATION.
18 The independent expenditure committee shall indicate on the registration
19 statement that it is registering as an independent expenditure committee and shall
20 include all of the following on the registration statement:

21 (a) The name and mailing address of the independent expenditure committee.

22 (b) The name and mailing address of the treasurer and any other custodian of
23 books and accounts. Unless otherwise directed by the treasurer on the registration
24 form and except as otherwise provided in this chapter or any rule of the board, all

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1 mailings that are required by law or by rule of the board shall be sent to the treasurer
2 at the treasurer's address indicated upon the form.

3 (c) The name and address of the depository account of the independent
4 expenditure committee and of any other institution where funds of the committee are
5 kept.

6 (f) The name and address of the independent expenditure committee's
7 sponsoring organization, if any.

8 **(2) CERTIFICATION.** The individual responsible for filing or amending an
9 independent expenditure committee's registration statement and any form or report
10 required of the committee under this chapter shall certify that all information
11 contained in the statement, form, or report is true, correct, and complete.

12 **(3) CHANGE OF INFORMATION.** (a) The independent expenditure committee shall
13 report any change in information previously submitted in a registration statement
14 within 10 days following the change. Except as provided in par. (b), any such change
15 may be reported only by the individual or by the officer who has succeeded to the
16 position of an individual who signed the original statement.

17 (b) The administrator or treasurer of an independent expenditure committee
18 may report a change in the committee's registration statement.

19 **11.0604 Reporting.** **(1) CONTRIBUTIONS AND DISBURSEMENTS.** (a) Each
20 independent expenditure committee shall make full reports, upon a form prescribed
21 by the board and certified as required under s. 11.0103 (3) (c), of all contributions,
22 disbursements, and obligations received, made, and incurred by the committee. The
23 independent expenditure committee shall include in each report the following
24 information, covering the period since the last date covered on the previous report:

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1 1. An itemized statement giving the date, full name, and street address of each
2 person who has made a contribution to the independent expenditure committee,
3 together with the amount of the contribution.

4 2. An itemized statement giving the date, full name, and street address of each
5 committee to which the independent expenditure committee has made a
6 contribution, together with the amount of the contribution.

7 3. The occupation, if any, of each individual contributor whose cumulative
8 contributions to the independent expenditure committee for the calendar year are
9 in excess of \$200.

10 4. An itemized statement of each contribution made anonymously to the
11 independent expenditure committee. If the contribution exceeds \$10, the
12 independent expenditure committee shall specify whether the committee donated
13 the contribution to the common school fund or to a charitable organization, and shall
14 include the full name and mailing address of the donee.

15 5. A statement of totals during the reporting period of contributions received
16 and contributions donated as provided in subd. 4.

17 6. A statement of the cash balance on hand at the beginning and end of the
18 reporting period.

19 7. An itemized statement of each loan of money made to the independent
20 expenditure committee in an aggregate amount or value in excess of \$20, together
21 with all of the following:

22 a. The full name and mailing address of the lender.

23 b. A statement of whether the lender is a commercial lending institution.

24 c. The date and amount of the loan.

25 d. The full name and mailing address of each guarantor, if any.

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1 e. The original amount guaranteed by each guarantor.

2 f. The balance of the amount guaranteed by each guarantor at the end of the
3 reporting period.

4 8. An itemized statement of every disbursement exceeding \$20 in amount or
5 value, together with the name and address of the person to whom the disbursement
6 was made, and the date and specific purpose for which the disbursement was made.

7 9. An itemized statement of every obligation exceeding \$20 in amount or value,
8 together with the name of the person or business with whom the obligation was
9 incurred, and the date and the specific purpose for which each such obligation was
10 incurred.

11 10. A statement of totals during the reporting period of disbursements made,
12 including transfers made to and received from other committees, other income, and
13 loans.

14 11. A statement of the balance of obligations incurred as of the end of the
15 reporting period.

16 (b) The independent expenditure committee shall begin each report filed under
17 this chapter with the first contribution received, disbursement made, or obligation
18 incurred during the reporting period.

19 **(2) REPORTS TO SUPPORT OR OPPOSE CANDIDATES AT SPRING PRIMARY.** An
20 independent expenditure committee that makes or accepts contributions, makes
21 disbursements, or incurs obligations to support or oppose one or more candidates for
22 office at a spring primary or a candidate at a special primary held to nominate
23 nonpartisan candidates to be voted for at a special election held to fill a vacancy in
24 one or more of the nonpartisan state or local offices voted for at the spring election,

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1 or to support or oppose other committees engaging in such activities, shall do all the
2 following:

3 (a) File a preprimary report no earlier than 14 days and no later than 8 days
4 preceding the primary. If a candidate for a nonpartisan state office at an election is
5 not required to participate in a spring primary, the independent expenditure
6 committee shall file a preprimary report at the time prescribed in s. 11.0103 (4)
7 preceding the date specified for the holding of the primary, were it to be required.

8 (b) File a preelection report no earlier than 14 days and no later than 8 days
9 preceding the election.

10 (c) Annually in each year of an election cycle, file a report on the 15th day of
11 the month in the months of January, April, July, and October.

12 **(3) REPORTS TO SUPPORT OR OPPOSE CANDIDATES AT SPRING ELECTION.** An
13 independent expenditure committee that makes or accepts contributions, makes
14 disbursements, or incurs obligations to support or oppose one or more candidates for
15 office at a spring election or a candidate at a special election held to fill a vacancy in
16 one or more of the nonpartisan state or local offices voted for at the spring election,
17 or to support or oppose other committees engaging in such activities, shall do all the
18 following:

19 (a) File a preelection report no earlier than 14 days and no later than 8 days
20 preceding the election.

21 (b) Annually in each year of an election cycle, file a report on the 15th day of
22 the month in the months of January, April, July, and October.

23 (c) Unless a continuing report is required to be filed under this subsection on
24 or before the 45th day after the special election, file a postelection report no earlier
25 than 23 days and no later than 45 days after each special election.

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1 **(4) REPORTS TO SUPPORT OR OPPOSE CANDIDATES AT PARTISAN PRIMARY.** An
2 independent expenditure committee that makes or accepts contributions, makes
3 disbursements, or incurs obligations to support or oppose one or more candidates for
4 office at a partisan primary or a candidate at a special primary held to nominate
5 candidates to be voted for at a special election held to fill a vacancy in one or more
6 of the state or local offices voted for at the general election, or to support or oppose
7 other committees engaging in such activities, shall do all the following:

8 (a) File a preprimary report no earlier than 14 days and no later than 8 days
9 preceding the primary.

10 (b) File a preelection report no earlier than 14 days and no later than 8 days
11 preceding the election.

12 (c) In an odd-numbered year, file a report on the 15th day of the month in the
13 months of January, April, July, and October.

14 (d) In an even-numbered year, file a report on the 15th day of the month in the
15 months of January, April, and July, and on the 4th Tuesday in September.

16 **(5) REPORTS TO SUPPORT OR OPPOSE CANDIDATES AT GENERAL ELECTION.** An
17 independent expenditure committee that makes or accepts contributions, makes
18 disbursements, or incurs obligations to support or oppose one or more candidates for
19 office at a general election or a candidate at a special election held to fill a vacancy
20 in one or more of the state or local offices voted for at the general election, or to
21 support or oppose other committees engaging in such activities shall do all of the
22 following:

23 (a) File a preelection report no earlier than 14 days and no later than 8 days
24 preceding the election.

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1 (b) In an odd-numbered year, file a report on the 15th day of the month in the
2 months of January, April, July, and October.

3 (c) In an even-numbered year, file a report on the 15th day of the month in the
4 months of January, April, and July, and on the 4th Tuesday in September.

5 (d) Unless a continuing report is required to be filed under this subsection on
6 or before the 45th day after the special election, file a postelection report no earlier
7 than 23 days and no later than 45 days after each special election.

8 **11.0605 Reporting; specific express advocacy. (1) DISBURSEMENTS.** (a) An
9 independent expenditure committee spending \$2,500 or more in the aggregate on
10 express advocacy shall submit statements to the board under par. (b) if the express
11 advocacy is made during the period beginning on the day that is 60 days prior to the
12 day of the primary or election involving the candidate identified under par. (b) 5. and
13 ending on the day of the primary or election involving that candidate.

14 (b) An independent expenditure committee required to report under this
15 section shall submit statements to the board providing all of the following
16 information:

- 17 1. The dates on which the committee made the disbursements.
- 18 2. The name and address of the persons who received the disbursements.
- 19 3. The purpose for making the disbursements.
- 20 4. The amount spent for each act of express advocacy.
- 21 5. The name of any candidate identified in the express advocacy, the office that
22 the candidate seeks, and whether the express advocacy supports or opposes that
23 candidate.
- 24 6. An affirmation, made under oath, that the independent expenditure
25 committee will comply with the prohibition on coordination under s. 11.1203 with

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1 respect to any candidate or agent or candidate committee who is supported or
2 opposed by the express advocacy.

3 7. The name and mailing and street address of the independent expenditure
4 committee's designated agent in this state.

5 **(2) EXCEPTION.** (a) An independent expenditure committee that is required to
6 report under this section is not required to submit the information described under
7 sub. (1) (b) regarding disbursements made before reaching the \$2,500 threshold
8 under sub. (1) (a). For purposes of this section, a disbursement for express advocacy
9 is the amount spent directly on developing, producing, and disseminating the
10 express advocacy.

11 (b) This section does not apply to any of the following:

12 1. A communication, other than an advertisement, appearing in a news story,
13 commentary, or editorial distributed through the facilities of any news organization,
14 unless the facilities are controlled by any committee, or candidate.

15 2. A communication made exclusively between an organization and its
16 members. In this subdivision, a member of an organization means a shareholder,
17 employee, or officer of the organization, or an individual who has affirmatively
18 manifested an interest in joining, supporting or aiding the organization.

19 **(3) TIMING.** An independent expenditure committee that is required to report
20 under this section shall submit the report to the board no later than 72 hours after
21 making the disbursements.

SUBCHAPTER VII**CONDUITS**

23

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1 **11.0701 Registration; administrator and depositories.** (1) Each conduit
2 required to register under this chapter shall designate an administrator to comply
3 with the registration and reporting requirements under this subchapter.

4 (2) The administrator shall ensure that all funds received are deposited in the
5 conduit depository account.

6 (3) Except as provided in s. 11.0705, the conduit administrator may release a
7 contribution to a committee only upon the contributor's direction.

8 (4) The administrator shall maintain the records of the conduit in an organized
9 and legible manner for not less than 3 years after the date of the election in which
10 the conduit participates.

11 **11.0702 Registration; timing.** Every conduit that accepts and releases
12 contributions made to support or oppose a candidate in a calendar year shall, upon
13 its inception and prior to accepting or releasing any such contribution, file a
14 registration statement giving the information required by s. 11.0703.

15 **11.0703 Registration; required information.** (1) REQUIRED INFORMATION.
16 The conduit shall indicate on the registration statement that it is registering as a
17 conduit and shall include all of the following, where applicable, on the registration
18 statement:

19 (a) The name and mailing address of the conduit.

20 (b) The name and mailing address of the administrator of the conduit and any
21 other custodian of books and accounts. Unless otherwise directed by the
22 administrator on the registration form and except as otherwise provided in this
23 chapter or any rule of the board, all mailings that are required by law or by rule of
24 the board shall be sent to the administrator at the administrator's address indicated
25 upon the form.

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1 (c) The name and address of the depository account of the conduit and of any
2 other institution where funds of the conduit are kept.

3 (d) The name and mailing address of a sponsor, as defined in s. 11.0705 (1), to
4 which contributions may be redirected as provided under s. 11.0705 (2).

5 **(2) CERTIFICATION.** The individual responsible for filing or amending a conduit's
6 registration statement shall certify that all information contained in the statement
7 is true, correct, and complete.

8 **(3) CHANGE OF INFORMATION.** The conduit shall report any change in information
9 previously submitted in a registration statement within 10 days following the
10 change. Any such change may be reported only by the individual or by the officer who
11 has succeeded to the position of an individual who signed the original statement or
12 by the conduit administrator.

13 **11.0704 Reporting. (1) CONTRIBUTIONS.** (a) Each conduit shall make full
14 reports, upon a form prescribed by the board and certified by the administrator as
15 required under s. 11.0103 (3) (c), providing the following information covering the
16 period since the last date covered on the previous report:

17 1. An itemized statement giving the date, full name, and street address of each
18 committee to whom contributions were released during the reporting period,
19 together with the sum total of all contributions released to that committee during the
20 reporting period.

21 2. Whether, during the reporting period, any contribution was redirected to a
22 sponsor as permitted under s. 11.0705.

23 (b) A conduit releasing a contribution of money to the recipient shall, in writing
24 at the time the contribution is released, identify itself to the recipient as a conduit

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1 and report to the recipient the following information about each contribution
2 released by it:

3 1. An itemized statement giving the date, full name, and street address of each
4 person who has made a contribution to the conduit which contribution is being
5 released to the recipient, together with the amount of the contribution.

6 2. The occupation, if any, of each individual contributor whose cumulative
7 contributions to the recipient for the calendar year are in excess of \$200.

8 **(2) REPORTS TO SUPPORT OR OPPOSE CANDIDATES AT SPRING PRIMARY.** A conduit that
9 releases a contribution of money to a recipient to support or oppose one or more
10 candidates for office at a spring primary or a candidate at a special primary held to
11 nominate nonpartisan candidates to be voted for at a special election held to fill a
12 vacancy in one or more of the nonpartisan state or local offices voted for at the spring
13 election, or to support or oppose committees engaging in such activities, shall,
14 annually in each year of an election cycle, file a report on the 15th day of the month
15 in the months of January, April, July, and October.

16 **(3) REPORTS TO SUPPORT OR OPPOSE CANDIDATES AT SPRING ELECTION.** A conduit
17 that releases a contribution of money to a recipient to support or oppose one or more
18 candidates for office at a spring election or a candidate at a special election held to
19 fill a vacancy in one or more of the nonpartisan state or local offices voted for at the
20 spring election, or to support or oppose committees engaging in such activities, shall
21 do all the following:

22 (a) Annually in each year of an election cycle, file a report on the 15th day of
23 the month in the months of January, April, July, and October.

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1 (b) Unless a continuing report is required to be filed under this subsection on
2 or before the 45th day after the special election, file a postelection report no earlier
3 than 23 days and no later than 45 days after each special election.

4 **(4) REPORTS TO SUPPORT OR OPPOSE CANDIDATES AT PARTISAN PRIMARY.** A conduit
5 that releases a contribution of money to a recipient to support or oppose one or more
6 candidates for office at a partisan primary or a candidate at a special primary held
7 to nominate candidates to be voted for at a special election held to fill a vacancy in
8 one or more of the state or local offices voted for at the general election, or to support
9 or oppose committees engaging in such activities, shall do all the following:

10 (a) In an odd-numbered year, file a report on the 15th day of the month in the
11 months of January, April, July, and October.

12 (b) In an even-numbered year, file a report on the 15th day of the month in the
13 months of January, April, and July, and on the 4th Tuesday in September.

14 **(5) REPORTS TO SUPPORT OR OPPOSE CANDIDATES AT GENERAL ELECTION.** A conduit
15 that releases a contribution of money to a recipient to support or oppose one or more
16 candidates for office at a general election or a candidate at a special election held to
17 fill a vacancy in one or more of the state or local offices voted for at the general
18 election, or to support or oppose committees engaging in such activities shall do all
19 of the following:

20 (a) In an odd-numbered year, file a report on the 15th day of the month in the
21 months of January, April, July, and October.

22 (b) In an even-numbered year, file a report on the 15th day of the month in the
23 months of January, April, and July, and on the 4th Tuesday in September.

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1 (c) Unless a continuing report is required to be filed under this subsection on
2 or before the 45th day after the special election, file a postelection report no earlier
3 than 23 days and no later than 45 days after each special election.

4 **11.0705 Redirected contributions.** (1) DEFINITIONS. In this section,
5 “sponsor” means a person, other than an individual or a candidate committee, that
6 is associated with a conduit.

7 (2) REDIRECTION. If all of the following apply, a conduit may redirect any
8 contribution received from an individual to a sponsor or, if there is no sponsor, to an
9 administrative fund of the conduit:

10 (a) The conduit has held the contribution for at least 24 consecutive months,
11 including the 24 months immediately preceding March 29, 2014, over which time the
12 individual or organization that made the contribution has made no contact with the
13 conduit.

14 (b) Either of the following apply:

15 1. The conduit has, over the 24-month period described in par. (a), attempted
16 in good faith to contact the individual that made the contribution at least 5 times,
17 and has documented each such attempt, but has been unable to make contact with
18 the individual. A conduit may satisfy the requirement to contact the individual by
19 telephoning the individual at the last-known telephone number; by sending a text
20 message to the individual at the last-known cellular telephone number or pager
21 number capable of receiving text messages; by sending a facsimile transmission to
22 the individual at the last-known facsimile transmission number; by sending a letter
23 or postcard to the individual by U.S. mail; by sending a message by electronic mail;
24 or by any combination of the foregoing. A conduit may not satisfy the requirement

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1 to attempt in good faith to contact the individual at least 5 times if all 5 attempted
2 contacts occur within a period of 30 consecutive days.

3 2. The surviving spouse or executor of the estate of a deceased individual that
4 made the contribution authorizes the redirection of the contribution.

SUBCHAPTER VIII**REFERENDUM COMMITTEES**

7 **11.0801 Registration; treasurer and depositories.** (1) Each referendum
8 committee required to register under this chapter shall designate a treasurer to
9 comply with the registration and reporting requirements under this subchapter.

10 (2) The treasurer shall ensure that all funds received are deposited in the
11 referendum committee depository account.

12 (3) No disbursement may be made or obligation incurred by or on behalf of a
13 referendum committee without the authorization of the treasurer or a designated
14 agent.

15 (4) The treasurer shall maintain the records of the referendum committee in
16 an organized and legible manner for not less than 3 years after the date of the election
17 in which the referendum committee participates.

18 **11.0802 Registration; timing.** (1) Every referendum committee that makes
19 or accepts contributions, makes disbursements, or incurs obligations for the purpose
20 of influencing a particular vote at a referendum in a calendar year in an aggregate
21 amount in excess of \$10,000 shall file a registration statement giving the information
22 required by s. 11.0803.

23 (2) A referendum committee that triggers the registration requirement under
24 sub. (1) shall file the registration statement no later than the 10th business day
25 commencing after receipt of the first contribution by the referendum committee

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1 exceeding the amount specified under sub. (1), before making any disbursement
2 exceeding that amount, and before incurring obligations exceeding that amount.

3 **11.0803 Registration; required information. (1) REQUIRED INFORMATION.**

4 The referendum committee shall indicate on the registration statement that it is
5 registering as a referendum committee and shall include all of the following on the
6 registration statement:

7 (a) The name and mailing address of the referendum committee.

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

13 (c) The name and address of the depository account of the referendum
14 committee and of any other institution where funds of the committee are kept.

15 (d) The nature of any referendum that is supported or opposed.

16 **(2) CERTIFICATION.** The individual responsible for filing or amending a
17 referendum committee's registration statement and any form or report required of
18 the committee under this chapter shall certify that all information contained in the
19 statement, form, or report is true, correct, and complete.

20 **(3) CHANGE OF INFORMATION.** (a) The referendum committee shall report any
21 change in information previously submitted in a registration statement within 10
22 days following the change. Except as provided in par. (b), any such change may be
23 reported only by the individual or by the officer who has succeeded to the position of
24 an individual who signed the original statement.

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1 (b) The administrator or treasurer of a referendum committee may report a
2 change in the committee's registration statement.

3 **11.0804 Reporting. (1) CONTRIBUTIONS AND DISBURSEMENTS.** (a) Each
4 referendum committee shall make full reports, upon a form prescribed by the board
5 and certified as required under s. 11.0103 (3) (c), of all contributions, disbursements,
6 and obligations received, made, or incurred by the committee. The referendum
7 committee shall include in each report the following information, covering the period
8 since the last date covered on the previous report:

9 1. An itemized statement giving the date, full name, and street address of each
10 person who has made a contribution to the referendum committee, together with the
11 amount of the contribution.

12 2. The occupation, if any, of each individual contributor whose cumulative
13 contributions to the referendum committee for the calendar year are in excess of
14 \$200.

15 3. An itemized statement of each contribution made anonymously to the
16 referendum committee. If the contribution exceeds \$10, the referendum committee
17 shall specify whether the committee donated the contribution to the common school
18 fund or to a charitable organization, and shall include the full name and mailing
19 address of the donee.

20 4. A statement of totals during the reporting period of contributions received
21 and contributions donated as provided in subd. 3.

22 5. A statement of the cash balance on hand at the beginning and end of the
23 reporting period.

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1 6. An itemized statement of each loan of money made to the referendum
2 committee in an aggregate amount or value in excess of \$20, together with all of the
3 following:

- 4 a. The full name and mailing address of the lender.
5 b. A statement of whether the lender is a commercial lending institution.
6 c. The date and amount of the loan.
7 d. The full name and mailing address of each guarantor, if any.
8 e. The original amount guaranteed by each guarantor.
9 f. The balance of the amount guaranteed by each guarantor at the end of the
10 reporting period.

11 7. An itemized statement of every disbursement exceeding \$20 in amount or
12 value, together with the name and address of the person to whom the disbursement
13 was made, and the date and specific purpose for which the disbursement was made.

14 8. An itemized statement of every obligation exceeding \$20 in amount or value,
15 together with the name of the person or business with whom the obligation was
16 incurred, and the date and the specific purpose for which each such obligation was
17 incurred.

18 9. A statement of totals during the reporting period of disbursements made,
19 including transfers made to and received from other committees, other income, and
20 loans.

21 10. A statement of the balance of obligations incurred as of the end of the
22 reporting period.

23 (b) The referendum committee shall begin each report filed under this chapter
24 with the first contribution received, disbursement made, or obligation incurred
25 during the reporting period.

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1 **(2)** REPORTS TO SUPPORT OR OPPOSE A REFERENDUM AT SPRING PRIMARY. A
2 referendum committee making or accepting contributions, making disbursements,
3 or incurring obligations to support or oppose a referendum appearing on a spring
4 primary ballot shall do all the following:

5 (a) File a preprimary report no earlier than 14 days and no later than 8 days
6 preceding the primary.

7 (b) File a preelection report no earlier than 14 days and no later than 8 days
8 preceding the election.

9 (c) Annually in each year of an election cycle, file a report on the 15th day of
10 the month in the months of January, April, July, and October.

11 **(3)** REPORTS TO SUPPORT OR OPPOSE A REFERENDUM AT SPRING ELECTION. A
12 referendum committee making or accepting contributions, making disbursements,
13 or incurring obligations to support or oppose a referendum appearing on a spring
14 election ballot shall do all the following:

15 (a) File a preelection report no earlier than 14 days and no later than 8 days
16 preceding the election.

17 (b) Annually in each year of an election cycle, file a report on the 15th day of
18 the month in the months of January, April, July, and October.

19 **(4)** REPORTS TO SUPPORT OR OPPOSE A REFERENDUM AT PARTISAN PRIMARY. A
20 referendum committee making or accepting contributions, making disbursements,
21 or incurring obligations in support of or in opposition to a referendum appearing on
22 a partisan primary ballot shall do all the following:

23 (a) File a preprimary report no earlier than 14 days and no later than 8 days
24 preceding the primary.

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1 (b) File a preelection report no earlier than 14 days and no later than 8 days
2 preceding the election.

3 (c) In an odd-numbered year, file a report on the 15th day of the month in the
4 months of January, April, July, and October.

5 (d) In an even-numbered year, file a report on the 15th day of the month in the
6 months of January, April, and July, and on the 4th Tuesday in September.

7 **(5) REPORTS IN SUPPORT OF OR OPPOSITION TO A REFERENDUM AT GENERAL ELECTION.**

8 A referendum committee making or accepting contributions, making disbursements,
9 or incurring obligations to support or oppose a referendum appearing on a general
10 election ballot shall do all the following:

11 (a) File a preelection report no earlier than 14 days and no later than 8 days
12 preceding the election.

13 (b) In an odd-numbered year, file a report on the 15th day of the month in the
14 months of January, April, July, and October.

15 (c) In an even-numbered year, file a report on the 15th day of the month in the
16 months of January, April, and July, and on the 4th Tuesday in September.

17 **SUBCHAPTER IX**

18 **RECALL COMMITTEES**

19 **11.0901 Registration; treasurer and depositories.** (1) Each recall
20 committee required to register under this chapter shall designate a treasurer to
21 comply with the registration and reporting requirements under this subchapter.

22 (2) The treasurer shall ensure that all funds received are deposited in the recall
23 committee depository account.

24 (3) No disbursement may be made or obligation incurred by or on behalf of a
25 recall committee without the authorization of the treasurer or a designated agent.

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1 (4) The treasurer shall maintain the records of the recall committee in an
2 organized and legible manner for not less than 3 years after the date of the election
3 in which the recall committee participates.

4 **11.0902 Registration; timing.** (1) Every recall committee that makes or
5 accepts contributions, makes disbursements, or incurs obligations to support or
6 oppose a recall in a calendar year in an aggregate amount in excess of \$2,000 shall
7 file a registration statement giving the information required by s. 11.0903.

8 (2) A recall committee that triggers the registration requirement under sub.
9 (1) shall file the registration statement no later than the 10th business day
10 commencing after receipt of the first contribution by the recall committee exceeding
11 the amount specified under sub. (1), before making any disbursement exceeding that
12 amount, and before incurring obligations exceeding that amount.

13 **11.0903 Registration; required information.** (1) REQUIRED INFORMATION.

14 The recall committee shall indicate on the registration statement that it is
15 registering as a recall committee and shall include all of the following on the
16 registration statement:

17 (a) The name and mailing address of the recall committee.

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

23 (c) The name and address of the depository account of the recall committee and
24 of any other institution where funds of the committee are kept.

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1 **(2) CERTIFICATION.** The individual responsible for filing or amending a recall
2 committee's registration statement and any form or report required of the committee
3 under this chapter shall certify that all information contained in the statement,
4 form, or report is true, correct, and complete.

5 **(3) CHANGE OF INFORMATION.** (a) The recall committee shall report any change
6 in information previously submitted in a registration statement within 10 days
7 following the change. Except as provided in par. (b), any such change may be
8 reported only by the individual or by the officer who has succeeded to the position of
9 an individual who signed the original statement.

10 (b) The administrator or treasurer of a recall committee may report a change
11 in the committee's registration statement.

12 **11.0904 Reporting. (1) CONTRIBUTIONS AND DISBURSEMENTS.** (a) Each recall
13 committee shall make full reports, upon a form prescribed by the board and certified
14 as required under s. 11.0103 (3) (c), of all contributions received, disbursements
15 made, and obligations incurred by the committee. The recall committee shall include
16 in each report the following information, covering the period since the last date
17 covered on the previous report:

18 1. An itemized statement giving the date, full name, and street address of each
19 person who has made a contribution to the recall committee, together with the
20 amount of the contribution.

21 2. An itemized statement giving the date, full name, and street address of each
22 committee to which the recall committee has made a contribution, together with the
23 amount of the contribution.

24 3. The occupation, if any, of each individual contributor whose cumulative
25 contributions to the recall committee for the calendar year are in excess of \$200.

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1 4. An itemized statement of each contribution made anonymously to the recall
2 committee. If the contribution exceeds \$10, the recall committee shall specify
3 whether the committee donated the contribution to the common school fund or to a
4 charitable organization, and shall include the full name and mailing address of the
5 donee.

6 5. A statement of totals during the reporting period of contributions received
7 and contributions donated as provided in subd. 4.

8 6. A statement of the cash balance on hand at the beginning and end of the
9 reporting period.

10 7. An itemized statement of each loan of money made to the recall committee
11 in an aggregate amount or value in excess of \$20, together with all of the following:

12 a. The full name and mailing address of the lender.

13 b. A statement of whether the lender is a commercial lending institution.

14 c. The date and amount of the loan.

15 d. The full name and mailing address of each guarantor, if any.

16 e. The original amount guaranteed by each guarantor.

17 f. The balance of the amount guaranteed by each guarantor at the end of the
18 reporting period.

19 8. An itemized statement of every disbursement exceeding \$20 in amount or
20 value, together with the name and address of the person to whom the disbursement
21 was made, and the date and specific purpose for which the disbursement was made.

22 9. An itemized statement of every obligation exceeding \$20 in amount or value,
23 together with the name of the person or business with whom the obligation was
24 incurred, and the date and the specific purpose for which each such obligation was
25 incurred.

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1 10. A statement of totals during the reporting period of disbursements made,
2 including transfers made to and received from other committees, other income, and
3 loans.

4 11. A statement of the balance of obligations incurred as of the end of the
5 reporting period.

6 (b) The recall committee shall begin each report filed under this chapter with
7 the first contribution received, disbursement made, or obligation incurred during the
8 reporting period.

9 **(2) REPORTS TO SUPPORT OR OPPOSE THE RECALL OF NONPARTISAN STATE OR LOCAL**
10 **OFFICE HOLDER ELECTED AT SPRING ELECTION; PRIMARY.** A recall committee that makes
11 or accepts contributions, makes disbursements, or incurs obligations to support or
12 oppose the recall of a nonpartisan state or local office holder, or to support or oppose
13 other committees engaging in such activities, shall do all the following:

14 (a) File a preprimary report no earlier than 14 days and no later than 8 days
15 preceding the recall primary.

16 (b) File a preelection report no earlier than 14 days and no later than 8 days
17 preceding the recall election.

18 (c) Annually in each year of an election cycle, file a report on the 15th day of
19 the month in the months of January, April, July, and October.

20 **(3) REPORTS TO SUPPORT OR OPPOSE THE RECALL OF A NONPARTISAN STATE OR LOCAL**
21 **OFFICE HOLDER ELECTED AT SPRING ELECTION; ELECTION.** A recall committee that makes
22 or accepts contributions, makes disbursements, or incurs obligations to support or
23 oppose the recall of a nonpartisan state or local office holder, or to support or oppose
24 other committees engaging in such activities, shall do all the following:

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1 (a) File a preelection report no earlier than 14 days and no later than 8 days
2 preceding the recall election.

3 (b) Annually in each year of an election cycle, file a report on the 15th day of
4 the month in the months of January, April, July, and October.

5 **(4) REPORTS TO SUPPORT OR OPPOSE THE RECALL OF PARTISAN STATE OR LOCAL OFFICE**
6 **HOLDER; PRIMARY.** A recall committee that makes or accepts contributions, makes
7 disbursements, or incurs obligations to support or oppose the recall of a partisan
8 state or local office holder, or to support or oppose other committees engaging in such
9 activities, shall do all the following:

10 (a) File a preprimary report no earlier than 14 days and no later than 8 days
11 preceding the recall primary.

12 (b) File a preelection report no earlier than 14 days and no later than 8 days
13 preceding the recall election.

14 (c) In an odd-numbered year, file a report on the 15th day of the month in the
15 months of January, April, July, and October.

16 (d) In an even-numbered year, file a report on the 15th day of the month in the
17 months of January, April, and July, and on the 4th Tuesday in September.

18 **(5) REPORTS TO SUPPORT OR OPPOSE THE RECALL OF PARTISAN STATE OR LOCAL OFFICE**
19 **HOLDER; GENERAL ELECTION.** A recall committee that makes or accepts contributions,
20 makes disbursements, or incurs obligations to support or oppose the recall of a
21 partisan state or local office holder, or to support or oppose other committees
22 engaging in such activities, shall do all of the following:

23 (a) File a preelection report no earlier than 14 days and no later than 8 days
24 preceding the recall election.

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1 (b) In an odd-numbered year, file a report on the 15th day of the month in the
2 months of January, April, July, and October.

3 (c) In an even-numbered year, file a report on the 15th day of the month in the
4 months of January, April, and July, and on the 4th Tuesday in September.

5 SUBCHAPTER X

6 OTHER PERSONS

7 **11.1001 Reporting; specific express advocacy. (1) DISBURSEMENTS.** (a) Any
8 person, other than a committee, spending \$2,500 or more in the aggregate on express
9 advocacy shall submit statements to the board under par. (b) if the express advocacy
10 is made during the period beginning on the day that is 60 days prior to the day of the
11 primary or election involving the candidate identified under par. (b) 5. and ending
12 on the day of the primary or election involving that candidate.

13 (b) A person required to report under this section shall submit statements to
14 the board providing all of the following information:

- 15 1. The dates on which the person made the disbursements.
- 16 2. The name and address of the persons who received the disbursements.
- 17 3. The purpose for making the disbursements.
- 18 4. The amount spent for each act of express advocacy.
- 19 5. The name of any candidate identified in the express advocacy, the office that
20 the candidate seeks, and whether the express advocacy supports or opposes that
21 candidate.
- 22 6. An affirmation, made under oath, that the person will comply with the
23 prohibition on coordination under s. 11.1203 with respect to any candidate or agent
24 or candidate committee who is supported or opposed by the express advocacy.

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1 7. The name and mailing and street address of the person's designated agent
2 in this state.

3 **(2) EXCEPTION.** (a) A person who is required to report under this section is not
4 required to submit the information described under sub. (1) (b) regarding
5 disbursements made before reaching the \$2,500 threshold under sub. (1) (a). For
6 purposes of this section, a disbursement for express advocacy is the amount spent
7 directly on developing, producing, and disseminating the express advocacy.

8 (b) This section does not apply to any of the following:

9 1. A communication, other than an advertisement, appearing in a news story,
10 commentary, or editorial distributed through the facilities of any news organization,
11 unless the facilities are controlled by any committee or candidate.

12 2. A communication made exclusively between an organization and its
13 members. In this subdivision, a member of an organization means a shareholder,
14 employee, or officer of the organization, or an individual who has affirmatively
15 manifested an interest in joining, supporting or aiding the organization.

16 **(3) TIMING.** A person who is required to report under this section shall submit
17 the report to the board no later than 72 hours after making the disbursements.

SUBCHAPTER XI**CONTRIBUTIONS**

20 **11.1101 Contribution limits.** **(1) INDIVIDUAL LIMITS.** An individual may
21 contribute to a candidate committee no more than the following amounts specified
22 for the candidate whose nomination or election the individual supports [See Figure
23 11.1101 following]:

24 (a) Candidates for governor, lieutenant governor, secretary of state, state
25 treasurer, attorney general, state superintendent, or justice, \$20,000.

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- 1 (b) Candidates for state senator, \$2,000.
- 2 (c) Candidates for representative to the assembly, \$1,000.
- 3 (d) Candidates for court of appeals judge in districts which contain a county
4 having a population of more than 500,000, \$6,000.
- 5 (e) Candidates for court of appeals judge in other districts, \$5,000.
- 6 (f) Candidates for circuit judge in circuits having a population of more than
7 300,000, or candidates for district attorney in prosecutorial units having a
8 population of more than 300,000, \$6,000.
- 9 (g) Candidates for circuit judge in other circuits or candidates for district
10 attorney in other prosecutorial units, \$2,000.
- 11 (h) Candidates for local offices, an amount equal to the greater of the following:
- 12 1. Five hundred dollars.
- 13 2. Two cents times the number of inhabitants of the jurisdiction or district,
14 according to the latest federal census or the census information on which the district
15 is based, as certified by the appropriate filing officer, but not more than \$6,000.
- 16 **(2) CANDIDATE COMMITTEES.** A candidate committee may contribute to another
17 candidate committee no more than the following amounts specified for the candidate
18 whose nomination or election the committee supports [See Figure 11.1101 following]:
- 19 (a) Candidates for governor, lieutenant governor, secretary of state, state
20 treasurer, attorney general, state superintendent, or justice, \$20,000.
- 21 (b) Candidates for state senator, \$2,000.
- 22 (c) Candidates for representative to the assembly, \$1,000.
- 23 (d) Candidates for court of appeals judge in districts which contain a county
24 having a population of more than 500,000, \$6,000.
- 25 (e) Candidates for court of appeals judge in other districts, \$5,000.

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1 (f) Candidates for circuit judge in circuits having a population of more than
2 300,000, or candidates for district attorney in prosecutorial units having a
3 population of more than 300,000, \$6,000.

4 (g) Candidates for circuit judge in other circuits or candidates for district
5 attorney in other prosecutorial units, \$2,000.

6 (h) Candidates for local offices, an amount equal to the greater of the following:

7 1. Five hundred dollars.

8 2. Two cents times the number of inhabitants of the jurisdiction or district,
9 according to the latest federal census or the census information on which the district
10 is based, as certified by the appropriate filing officer, but not more than \$6,000.

11 **(3) POLITICAL ACTION COMMITTEES.** A political action committee may contribute
12 to a candidate committee no more than the following amounts specified for the
13 candidate whose nomination or election the committee supports [See Figure 11.1101
14 following]:

15 (a) Candidates for governor, \$86,000.

16 (b) Candidates for lieutenant governor, \$26,000.

17 (c) Candidates for attorney general, \$44,000.

18 (d) Candidates for secretary of state, state treasurer, state superintendent, or
19 justice, \$18,000.

20 (e) Candidates for state senator, \$2,000.

21 (f) Candidates for representative to the assembly, \$1,000.

22 (g) Candidates for court of appeals judge in districts which contain a county
23 having a population of more than 500,000, \$6,000.

24 (h) Candidates for court of appeals judge in other districts, \$5,000.

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1 (i) Candidates for circuit judge in circuits having a population of more than
2 300,000, or candidates for district attorney in prosecutorial units having a
3 population of more than 300,000, \$6,000.

4 (j) Candidates for circuit judge in other circuits or candidates for district
5 attorney in other prosecutorial units, \$2,000.

6 (k) Candidates for local offices, an amount equal to the greater of the following:

7 1. Four hundred dollars.

8 2. Two cents times the number of inhabitants of the jurisdiction or district,
9 according to the latest federal census or the census information on which the district
10 is based, as certified by the appropriate filing officer, but not more than \$5,000.

Figure 11.1101:

	INDIVIDUAL CON- TRIBUTORS	CANDIDATE COMMIT- TEE CONTRIBUTORS	POLITICAL ACTION COMMITTEE CON- TRIBUTORS
GOVERNOR	\$20,000	\$20,000	\$86,000
LT. GOVERNOR	\$20,000	\$20,000	\$26,000
SECRETARY OF STATE	\$20,000	\$20,000	\$18,000
STATE TREASURER	\$20,000	\$20,000	\$18,000
ATTORNEY GENERAL	\$20,000	\$20,000	\$44,000
STATE SUPERIN- TENDENT	\$20,000	\$20,000	\$18,000
JUSTICE	\$20,000	\$20,000	\$18,000
STATE SENATOR	\$2,000	\$2,000	\$2,000
ASSEMBLY REP- RESENTATIVE	\$1,000	\$1,000	\$1,000
APPEALS JUDGE - POPULOUS DISTRICTS	\$6,000	\$6,000	\$6,000
APPEALS JUDGE - OTHER DISTRICTS	\$5,000	\$5,000	\$5,000
CIRCUIT JUDGE - POPULOUS AREA	\$6,000	\$6,000	\$6,000

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DISTRICT ATTORNEY - POPULOUS AREA	\$6,000	\$6,000	\$6,000
CIRCUIT JUDGE - OTHER AREA	\$2,000	\$2,000	\$2,000
DISTRICT ATTORNEY - OTHER AREA	\$2,000	\$2,000	\$2,000
LOCAL OFFICES	GREATER OF \$500 OR 2 CENTS TIMES THE POPULATION, BUT NOT MORE THAN \$6,000	GREATER OF \$500 OR 2 CENTS TIMES THE POPULATION, BUT NOT MORE THAN \$6,000	GREATER OF \$400 OR 2 CENTS TIMES THE POPULATION, BUT NOT MORE THAN \$5,000

1 **11.1102 Contribution limit adjustment.** Beginning on January 1, 2021,
2 and on January 1 every 5 years thereafter, the board shall modify the dollar amounts
3 under s. 11.1101 (1) to (3), rounded to the nearest multiple of \$25, to adjust for the
4 change in the consumer price index, all items, U.S. city average, published by the
5 federal Department of Labor for the preceding 5-year period ending on December 31.

6 **11.1103 Applicable periods. (1)** For an individual who is a candidate for an
7 office that the individual holds, the limits under s. 11.1101 (1) to (3) apply during the
8 term of that office.

9 **(2)** For an individual who is a candidate for an office that the individual does
10 not hold, the limits under s. 11.1101 (1) to (3) apply during the period beginning on
11 the date on which the individual becomes a candidate under s. 11.0101 (1) (a) and
12 ending on the day before the term of office begins for the office sought by the
13 candidate.

14 **11.1104 Exceptions.** Except as provided in subs. (3) (b) and (4) (b) and s.
15 11.1112, the following contributions may be made in unlimited amounts:

16 **(1)** Contributions to a political action committee.

17 **(2)** Contributions transferred between political action committees.

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1 **(3)** (a) Except as provided in par. (b), contributions to a legislative campaign
2 committee.

3 (b) A political action committee may contribute no more than \$12,000 in any
4 calendar year to a legislative campaign committee.

5 **(4)** (a) Except as provided in par. (b), contributions to a political party.

6 (b) A political action committee may contribute no more than \$12,000 in any
7 calendar year to a political party.

8 **(5)** Contributions made by a political party or legislative campaign committee
9 to a candidate committee.

10 **(6)** Contributions paid to a segregated fund established and administered by
11 a political party or legislative campaign committee for purposes other than making
12 contributions to a candidate committee.

13 **(7)** Contributions that a candidate makes to his or her candidate committee
14 from the candidate's personal funds or property or the personal funds or property
15 that are owned jointly or as marital property with the candidate's spouse.

16 **(8)** Contributions transferred between the candidates for governor and
17 lieutenant governor of the same political party.

18 **(9)** Contributions used to pay legal fees and other expenses incurred as a result
19 of a recount under s. 9.01.

20 **(10)** Contributions used to pay legal fees and other expenses incurred in
21 connection with or in response to circulating, offering to file, or filing a petition to
22 recall an office holder prior to the time that a recall primary or election is ordered,
23 or after that time if incurred to contest or defend the order.

24 **(11)** Contributions to a recall committee.

25 **(12)** Contributions to a referendum committee.

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1 **(13)** Contributions to an independent expenditure committee.

2 **11.1105 Valuation.** **(1)** Except as provided in s. 11.1111, for purposes of
3 complying with a contribution limit under this section, the value of a contribution of
4 any tangible or intangible item, other than money, is the item's fair market value at
5 the time that the individual or committee made the contribution.

6 **(2)** Except as provided in s. 11.1111, for purposes of complying with a
7 contribution limit under this section, the value of a contribution of a service is the
8 fair market value of the service at the time that the individual or committee made
9 the contribution.

10 **11.1106 Conduit contributions.** **(1)** For purposes of this chapter, a
11 contribution released by a conduit to a committee is to be reported by the committee
12 as a contribution from the individual who made the contribution and not as a
13 contribution from the conduit.

14 **(2)** A contribution of money received from a conduit, accompanied by the
15 information required under s. 11.0704 (1), is considered to be a contribution from the
16 original contributor.

17 **(3)** Each filing officer shall place a copy of any report received under s. 11.0704
18 in the file of the conduit and the file of the recipient.

19 **11.1107 Limitation on cash contributions.** Every contribution of money
20 exceeding \$100 shall be made by negotiable instrument or evidenced by an itemized
21 credit card receipt bearing on the face the name of the remitter. No committee
22 required to report under this chapter may accept a contribution made in violation of
23 this section. The committee shall promptly return the contribution, or donate it to
24 the common school fund or to a charitable organization in the event that the donor
25 cannot be identified.

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1 **11.1108 Anonymous contributions.** No committee may accept an
2 anonymous contribution exceeding \$10. If an anonymous contribution exceeds \$10,
3 the committee shall donate the contribution to the common school fund or to a
4 charitable organization and report the donation as required under this chapter.

5 **11.1109 In-kind contributions.** Before making a contribution, as defined
6 under s. 11.0101 (8) (a) 2., to a committee, the prospective contributor shall notify the
7 candidate or candidate's agent or the administrator or treasurer of the committee
8 and obtain that individuals oral or written consent to the contribution.

9 **11.1110 Return of contributions. (1)** A committee required to report under
10 this chapter may return a contribution at any time before or after it has been
11 deposited.

12 **(2) (a)** Except as provided in par. (b), the subsequent return of a contribution
13 deposited contrary to law does not constitute a defense to a violation.

14 **(b)** A committee that accepts a contribution contrary to law, reports that
15 contribution, and returns that contribution within 15 days after the filing date for
16 the reporting period in which the contribution is received does not violate the
17 contribution or source limits under this subchapter.

18 **11.1111 Valuation of opinion poll results. (1)** In this section:

19 **(a)** "Election period" means any of the following:

20 1. The period beginning on December 1 and ending on the date of the spring
21 election.

22 2. The period beginning on May 1 and ending on the date of the general election.

23 3. The period beginning on the first day for circulating nomination papers and
24 ending on the date of a special election.

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1 (b) “Initial recipient” means the individual who or committee which
2 commissions a public opinion poll or voter survey.

3 (c) “Results” means computer output or a written or verbal analysis.

4 (d) “Voter survey” includes acquiring information that identifies voter
5 attitudes concerning candidates or issues.

6 **(2)** If a committee receives opinion poll or voter survey results during the first
7 15 days after the initial recipient receives the results, and the committee received the
8 results during an election period, the committee shall report the results as a
9 contribution. The committee shall report the contribution’s value as 100 percent of
10 the cost incurred by the initial recipient to commission the poll or survey, except that
11 if more than one committee receives the results, the committees shall report the
12 contribution’s value as 100 percent of the amount allocated to the committee under
13 sub. (5).

14 **(3)** If the committee receives the opinion poll or voter survey results 16 to 60
15 days following the day on which the initial recipient received the results, and the
16 committee received the results during an election period, the committee shall report
17 the results as a contribution valued at 50 percent of the cost incurred by the initial
18 recipient to commission the poll or survey, except that if more than one committee
19 receives the results, the committees shall report the contribution’s value as 50
20 percent of the amount allocated to the committee under sub. (5).

21 **(4)** If the committee receives the opinion poll or voter survey results more than
22 60 days after the initial recipient received the results, the committee is not required
23 to report the results as a contribution.

24 **(5)** If a person contributes opinion poll or voter survey results to more than one
25 committee, the person shall apportion the value of the poll or survey to each

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1 committee receiving the results by one of the following methods and shall provide the
2 apportioned values to the committees:

3 (a) Determine the share of the cost of the opinion poll or voter survey that is
4 allocable to each recipient based on the allocation formula used by the person that
5 conducted the poll or survey.

6 (b) Determine the share of the cost of the opinion poll or voter survey that is
7 allocable to each recipient by dividing the cost of the poll or survey equally among
8 all the committees receiving the results.

9 (c) Determine the share of the cost of the opinion poll or voter survey that is
10 allocable to each recipient as follows:

11 1. Divide the number of question results received by each recipient by the total
12 number of question results received by all recipients.

13 2. Multiple the total cost of the poll or survey by the number determined under
14 subd. 1.

15 **(6)** If a person makes a contribution of opinion poll or voter survey results to
16 a committee after the person has apportioned the value of the results to previous
17 recipients under sub. (5), the person shall make a good faith effort to apportion the
18 value to the committee, considering the value apportioned to other recipients under
19 sub. (5), and shall report that value to the committee. For purposes of this
20 subsection, the total value of the contributor's aggregate contributions may exceed
21 the original cost of the poll or survey.

22 **(7)** A person who contributes opinion poll or voter survey results shall maintain
23 records sufficient to support the contribution's value and shall provide the
24 contribution's value to the recipient.

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1 **11.1112 Corporations, cooperatives, and tribes.** No foreign or domestic
2 corporation, no association organized under ch. 185 or 193, no labor organization,
3 and no federally recognized American Indian Tribe may make a contribution to a
4 committee, other than an independent expenditure committee or referendum
5 committee, but may make a contribution to a segregated fund as provided under s.
6 11.1104 (6).

7 **11.1113 Sole proprietors, partnerships, and limited liability**
8 **companies.** (1) A contribution made to a committee by a sole proprietorship is
9 considered a contribution made by the individual who is the sole proprietor and
10 subject to the limits under this subchapter.

11 (2) A contribution made to a committee by a partnership is considered a
12 contribution made by each of the contributing partners and subject to the limits
13 under this subchapter. A partnership that makes a contribution to a committee shall
14 provide to the committee the names of the contributing partners and the amount of
15 the individual contribution made by each partner. For purposes of determining the
16 individual contribution amounts made by each partner, the partnership shall
17 attribute the individual contributions according to each partner's share of the
18 partnership's profits, unless the partners agree to apportion the contribution in a
19 different manner.

20 (3) LIMITED LIABILITY COMPANIES. (a) A contribution made to a committee by a
21 limited liability company treated as a partnership by the federal internal revenue
22 service pursuant to 26 CFR 301.7701-3 is considered a contribution made by each
23 of the contributing members and subject to the limits under this subchapter. A
24 limited liability company that makes a contribution under this paragraph shall
25 affirm to the candidate committee that it is treated as a partnership for federal tax

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1 purposes and eligible to make the contribution. The company shall provide to the
2 committee the names of the contributing members and the amount of the individual
3 contribution made by each member. For purposes of determining the individual
4 contribution amounts made by each member, the company shall attribute the
5 individual contributions according to each member's share of the company's profits,
6 unless the members agree to apportion the contribution in a different manner.

7 (b) A contribution made to a candidate committee by a single-member limited
8 liability company in which the sole member is an individual is considered a
9 contribution made by that individual and subject to the individual limits under s.
10 11.1101 (1). A limited liability company that makes a contribution under this
11 paragraph shall affirm to the candidate committee that it is a single-member limited
12 liability company in which the sole member is an individual and eligible to make the
13 contribution.

14 **11.1114 Two candidate committees.** (1) If a candidate establishes a 2nd
15 candidate committee under s. 11.0202 (2) to pursue a state or local office for which
16 the contribution limit under this subchapter is higher than the contribution limit for
17 the office that the candidate originally sought, the 2nd candidate committee may
18 accept contributions up to the higher limit, but shall take into account the amount
19 of any contributions transferred from the first candidate committee to the 2nd
20 candidate committee to determine whether the 2nd candidate committee has
21 reached or exceeded the higher limits.

22 (2) If a candidate establishes a 2nd candidate committee under s. 11.0202 (2)
23 to pursue a state or local office for which the contribution limit under this subchapter
24 is lower than the contribution limit for the office that the candidate originally sought,
25 the first candidate committee may transfer its contributions to the 2nd candidate

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1 committee in an amount not to exceed the contribution limits applicable to the 2nd
2 candidate committee.

3 (3) Upon termination of a 2nd candidate committee, the 2nd candidate
4 committee may transfer any of its remaining funds to the first candidate committee
5 in amounts not to exceed the contribution limits applicable to the persons who
6 contributed to the first candidate committee.

7 SUBCHAPTER XII

8 PROHIBITED PRACTICES

9 **11.1201 False reports and statements.** No person may prepare or submit
10 a false report or statement to a filing officer under this chapter.

11 **11.1202 Earmarking.** (1) The treasurer of a candidate committee may agree
12 with a prospective contributor that a contribution is received to be used for a specific
13 purpose not prohibited by law. That purpose may not include a disbursement to a
14 committee to support or oppose another candidate.

15 (2) When a contribution is made to a committee other than a candidate
16 committee, the contributor may not direct the committee to make a disbursement to
17 a committee to support or oppose another candidate.

18 (3) Except for transfers of membership-related moneys between committees
19 of the same political party, no committee may transfer to another committee the
20 earmarked contributions of others. Transfers of membership-related moneys
21 between political parties shall be treated in the same manner as other transfers.

22 **11.1203 Coordination.** (1) No person may make an expenditure for express
23 advocacy that is coordinated with a candidate, candidate committee, candidate's
24 agent, the legislative campaign committee of the candidate's party, or a political

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1 party in excess of the contribution limits under s. 11.1101 or in violation of the source
2 restrictions under s. 11.1112.

3 (2) (a) For purposes of this section, an expenditure for express advocacy is
4 coordinated if any of the following apply:

5 1. The expenditure is made at the request or suggestion of the candidate or
6 candidate's agent.

7 2. The candidate exercises control over the expenditure.

8 3. The candidate engages in substantial discussions or negotiations with the
9 person making the expenditure regarding any of the following:

10 a. The communication's content.

11 b. The communication's timing.

12 c. The location, form, or intended audience of the communication.

13 d. The number or frequency of communications.

14 (b) If an expenditure for express advocacy is coordinated but is not in violation
15 of sub. (1), all of the following apply:

16 1. The person making the expenditure shall report the expenditure as a
17 disbursement if the person is a committee subject to the reporting requirements
18 under this chapter.

19 2. The candidate committee shall report the expenditure as a contribution.

20 **11.1204 Unlawful political contributions.** (1) Subject to sub. (2), no person
21 may, directly or indirectly, make any contribution other than from funds or property
22 belonging to the person. No person may, directly or indirectly, give funds or property
23 to another person for the purpose of making a contribution in other than the first
24 person's name.

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1 (2) A conduit releasing a contribution of money in the manner prescribed in s.
2 11.0704 does not violate sub. (1).

3 (3) No person may intentionally receive or accept any contribution made in
4 violation of this chapter.

5 **11.1205 Use of government materials by candidates.** (1) (a) Except as
6 provided in sub. (2), no person elected to state or local office who becomes a candidate
7 for national, state, or local office may use public funds for the cost of materials or
8 distribution for 50 or more pieces of substantially identical material distributed
9 after:

10 1. In the case of a candidate who is nominated by nomination papers, the first
11 day authorized by law for circulation of nomination papers as a candidate.

12 2. In the case of a candidate who is nominated at a primary election by write-in
13 votes, the day the board of canvassers issues its determination that the person is
14 nominated.

15 3. In the case of a candidate who is nominated at a caucus, the date of the
16 caucus.

17 4. In the case of any other candidate who is nominated solely by filing a
18 declaration of candidacy, the first day of the month preceding the month which
19 includes the last day for filing the declaration.

20 (b) This subsection applies until after the date of the election or after the date
21 of the primary election if the person appears as a candidate on a primary election
22 ballot and is not nominated at the primary election.

23 (2) This section does not apply to use of public funds for the costs of the
24 following:

25 (a) Answers to communications of constituents.

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1 (b) Actions taken by a state or local government administrative officer
2 pursuant to a specific law, ordinance or resolution which authorizes or directs the
3 actions to be taken.

4 (c) Communications between members of the legislature regarding the
5 legislative or deliberative process while the legislature is in session.

6 (d) Communications not exceeding 500 pieces by members of the legislature
7 relating solely to the subject matter of a special session or extraordinary session,
8 made during the period between the date that the session is called or scheduled and
9 14 days after adjournment of the session.

10 **11.1206 Travel by public officers. (1)** No person may use any vehicle or
11 aircraft owned by the state or by any local governmental unit for any trip which is
12 exclusively for the purposes of campaigning to support or oppose any candidate for
13 national, state, or local office, unless use of the vehicle or aircraft is required for
14 purposes of security protection provided by the state or local governmental unit.

15 **(2)** No person may use any vehicle or aircraft owned by the state or by any local
16 governmental unit for purposes that include campaigning to support or oppose any
17 candidate for national, state, or local office, unless the person pays to the state or
18 local governmental unit a fee which is comparable to the commercial market rate for
19 the use of a similar vehicle or aircraft and for any services provided by the state or
20 local governmental unit to operate the vehicle or aircraft. If a trip is made in part
21 for a public purpose and in part for the purpose of campaigning, the person shall pay
22 for the portion of the trip attributable to campaigning, but in no case less than 50
23 percent of the cost of the trip. The portion of the trip attributable to campaigning
24 shall be determined by dividing the number of appearances made for campaign
25 purposes by the total number of appearances. Fees payable to the state shall be

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1 prescribed by the secretary of administration and shall be deposited in the account
2 under s. 20.855 (6) (h). Fees payable to a local governmental unit shall be prescribed
3 by the governing body of the governmental unit.

4 **11.1207 Political solicitation involving public officials and employees**
5 **restricted.** (1) (a) Except as provided in par. (b), no person may solicit or receive
6 from any state officer or employee or from any officer or employee of the University
7 of Wisconsin Hospitals and Clinics Authority any contribution during established
8 hours of employment or while the officer or employee is engaged in his or her official
9 duties.

10 (b) Paragraph (a) does not apply to communications about a referendum.

11 (2) No person may solicit or receive from any officer or employee of a political
12 subdivision of this state any contribution during established hours of employment
13 or while the officer or employee is engaged in his or her official duties.

14 (3) Every person who has charge or control in a building, office, or room
15 occupied for any purpose by this state, by any political subdivision thereof, or by the
16 University of Wisconsin Hospitals and Clinics Authority shall prohibit the entry of
17 any person into that building, office, or room for the purpose of making or receiving
18 a contribution.

19 (4) No person may enter or remain in any building, office, or room occupied for
20 any purpose by the state, by any political subdivision thereof or by the University of
21 Wisconsin Hospitals and Clinics Authority or send or direct a letter or other notice
22 thereto for the purpose of requesting or collecting a contribution.

23 (5) This section does not apply to a response by a legal custodian or subordinate
24 of the custodian to a request to locate, reproduce, or inspect a record under s. 19.35

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1 if the request is processed in the same manner as the custodian or subordinate
2 responds to other requests to locate, reproduce, or inspect a record under s. 19.35.

3 **11.1208 Unlawful political disbursements and obligations.** (1) No
4 person may intentionally receive or accept anything of value, or any promise or
5 pledge thereof, constituting a disbursement made or obligation incurred contrary to
6 law.

7 (2) (a) Except as provided in pars. (b) and (c), a committee may not make a
8 disbursement or incur an obligation for the committee's or an individual's strictly
9 personal use.

10 (b) A committee may accept contributions and make disbursements from a
11 campaign depository account for any of the following:

12 1. For the purpose of making disbursements in connection with a campaign for
13 national office.

14 2. For payment of civil penalties incurred by the committee under this chapter
15 but not under any other chapter.

16 3. For the purpose of making a donation to a charitable organization or the
17 common school fund.

18 4. For payment of the expenses of nonpartisan campaigns to increase voter
19 registration or participation.

20 (c) A candidate committee may accept contributions and make disbursements
21 from a campaign depository account for payment of inaugural expenses of an
22 individual who is elected to state or local office. Inaugural expenses paid from
23 contributions made to the campaign depository account are reportable under s.
24 11.0204 (1) as disbursements and are subject to the limits under s. 11.1101.

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1 **(3)** No contributions to or disbursements from a committee's depository
2 account may be invested for the purpose of producing income unless the investment
3 is in direct obligations of the United States and of agencies and corporations wholly
4 owned by the United States, commercial paper maturing within one year from the
5 date of investment, preferred shares of a corporation, or securities of an investment
6 company registered under the federal investment company act of 1940 (15 USC 80a)
7 and registered for public offer and sale in this state of the type commonly referred
8 to as a "money market fund".

9 SUBCHAPTER XIII

10 ADMINISTRATION

11 **11.1301 Defense fund authorized.** (1) Any candidate or public official who
12 is being investigated for, charged with, or convicted of a criminal violation of this
13 chapter or ch. 12, or whose agent is so investigated, charged, or convicted, may
14 establish a defense fund for disbursements supporting or defending the candidate,
15 official, or agent, or any dependent of the candidate, official, or agent, while that
16 person is being investigated for, or while the person is charged with or convicted of
17 a criminal violation of this chapter or ch. 12.

18 **(2)** No person may use a contribution received from a contributor to a candidate
19 committee fund for a purpose for which a defense fund is authorized under sub. (1)
20 unless the person obtains the contributor's authorization. Notwithstanding s.
21 11.1202 (3), any contributor may authorize the transfer of all or part of a contribution
22 from a campaign fund to a defense fund.

23 **11.1302 Donations to charitable organizations or school fund.** Any
24 committee may make a donation to a charitable organization or the common school
25 fund from the committee's depository account. No later than 5 days after a committee

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1 makes a donation to a charitable organization or the common school fund from the
2 committee's depository account, the committee shall notify the committee's filing
3 officer in writing of the name of the donee and the date of the donation, and shall
4 provide an explanation for not retaining the amount donated in the committee's
5 depository account.

6 **11.1303 Attribution of political contributions, disbursements and**
7 **communications.** (1) No disbursement may be made anonymously and no
8 contribution or disbursement may be made in a fictitious name or by one person or
9 organization in the name of another.

10 (2) (a) Every printed advertisement, billboard, handbill, sample ballot,
11 television or radio advertisement, or other communication containing express
12 advocacy which is paid for by any contribution or disbursement shall clearly identify
13 its source.

14 (b) Every communication described under par. (a) the cost of which is paid for
15 or reimbursed by a committee, or for which a committee assumes responsibility,
16 whether by accepting a contribution or making a disbursement, shall identify its
17 source by the words "Paid for by" followed by the name of the committee making the
18 payment or reimbursement or assuming responsibility for the communication and
19 may include the name of the treasurer or other authorized agent of the committee.

20 (c) Every communication for express advocacy the cost of which exceeds \$2,500
21 and is paid for or reimbursed by any person, other than a committee, shall identify
22 its source by the words "Paid for by" followed by the name of the person.

23 (d) In addition to the requirements of pars. (a) to (c), a person required to submit
24 an affirmation under oath, as provided under s. 11.0505 (1) (b) 6., 11.0605 (1) (b) 6.,
25 or 11.1001 (1) (b) 6. shall also include the words "Not authorized by any candidate

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1 or candidate's agent or committee" in every communication containing express
2 advocacy.

3 (e) Communications described in par. (a) to (c) and made by a candidate
4 committee may identify the name of the candidate committee except that no
5 abbreviation may be used to identify the committee.

6 (em) Each printed advertisement, billboard, handbill, paid television or radio
7 advertisement, or other communication made for the purpose of influencing the
8 recall from or retention in office of an individual holding a state or local office shall
9 clearly identify its source in the manner prescribed in pars. (b) and (c).

10 (f) This subsection does not apply to communications containing express
11 advocacy printed on small items on which the information required by this
12 subsection cannot be conveniently printed, including text messages, social media
13 communications, and certain small advertisements on mobile phones. The board
14 may, by rule, specify small items or other communications to which this subsection
15 shall not apply.

16 (g) The attributions required by this subsection in written communications
17 shall be readable, legible, and readily accessible.

18 **(3)** Whenever any person receives payment from another person, in cash or
19 in-kind, for the direct or indirect cost of conducting a poll concerning support or
20 opposition to a candidate, political party, or referendum, the person conducting the
21 poll shall, upon request of any person who is polled, disclose the name and address
22 of the person making payment for the poll and, in the case of a committee, the name
23 of the treasurer of the committee making payment.

24 **11.1304 Duties of the government accountability board.** The board shall:

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1 **(1)** Prescribe forms for making the reports, statements, and notices required
2 by this chapter. The board shall make the forms available free of charge on the
3 board's Internet site and shall distribute or arrange for the distribution of all forms
4 for use by other filing officers.

5 **(2)** Upon request, transmit a form described under sub. (1), free of charge, by
6 facsimile or by 1st class mail.

7 **(3)** (a) Prepare and publish for the use of persons required to file reports and
8 statements under this chapter a manual setting forth simply and concisely
9 recommended uniform methods of bookkeeping and reporting.

10 (b) Prepare, publish, and revise as necessary a manual simply and concisely
11 describing the filing and registration requirements established in this chapter in
12 detail, as well as other major provisions of this chapter and ch. 12.

13 **(4)** Develop a filing, coding, and cross-indexing system consonant with the
14 purposes of this chapter.

15 **(5)** Assign an identification number to each committee for whom the board acts
16 as a filing officer under s. 11.0102 (1) and to each conduit.

17 **(6)** (a) Except as provided in par. (b), require each committee for whom the
18 board serves as filing officer under s. 11.0102 (1) to file each campaign finance report
19 that is required to be filed under this chapter in an electronic format. The board shall
20 permit an authorized individual to provide at the time of filing an electronic
21 signature, as defined in s. 137.11 (8), that is subject to a security procedure, as
22 defined in s. 137.11 (13). A committee that files a report under this subsection in an
23 electronic format may file with the board that portion of the report signed by an
24 authorized individual rather than submit the electronic signature of that individual.

ENGROSSED ASSEMBLY BILL 387**SECTION 24**

1 The board shall provide complete instructions to any committee that files a report
2 under this subsection.

3 (b) Permit a committee that accepts contributions in a total amount or value
4 of \$1,000 or less during a campaign period to opt out of the requirement to file a
5 campaign finance report in an electronic format as specified in par. (a). In this
6 paragraph, the campaign period of a candidate committee begins and ends as
7 provided under s. 11.1103, and the campaign period of any other committee begins
8 on January 1 of each odd-numbered year and ends on December 31 of the following
9 year.

10 (7) Compile and maintain on an electronic system a current list of all reports
11 and statements received by or required of and pertaining to each committee
12 registered under this chapter.

13 (8) Maintain a duplicate record of any statement submitted by a political action
14 committee under s. 11.0505 or by an independent expenditure committee under s.
15 11.0605 or by a person under subchapter X together with the record of each candidate
16 to whom it relates.

17 (9) Determine whether each report or statement required to be filed under this
18 chapter has been filed in the form and by the time prescribed by law, and whether
19 it conforms on its face to the requirements of this chapter.

20 (10) Immediately send to any committee or conduit which is delinquent in
21 filing, or which has filed otherwise than in the proper form, a notice that the
22 committee or conduit has failed to comply with this chapter. Whenever a candidate
23 committee has appointed an individual other than the candidate as campaign
24 treasurer, the board shall send the notice to both the candidate and the treasurer of
25 the candidate committee.

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1 **(11)** Receive and maintain in an orderly manner all reports and statements
2 required to be filed with the state under the federal election campaign act. The board
3 shall:

4 (a) Preserve such reports and statements for a period of 6 years from date of
5 receipt.

6 (b) Compile and maintain a current list of all reports and statements pertaining
7 to each candidate who is required to file a report or statement under the federal
8 election campaign act.

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

14 **(12)** Make the reports and statements filed under this chapter, including those
15 reports and statements filed under sub. (11), available on the board's Internet site
16 for public inspection and copying, commencing as soon as practicable but not later
17 than the end of the 2nd day following the day during which they are received. No
18 information copied from such reports and statements may be sold or utilized by any
19 person for any commercial purpose.

20 **(13)** Upon the request of any person, permit copying of any report or statement
21 described under sub. (12) by hand or by duplicating machine at cost.

22 **(14)** Include in its biennial report under s. 15.04 (1) (d) compilations of any of
23 the following in its discretion:

24 (a) Total reported contributions, disbursements, and incurred obligations for
25 all committees registered and reporting under this chapter during the biennium.

ENGROSSED ASSEMBLY BILL 387**SECTION 24**

1 (b) Total amounts contributed during the biennium, reported by contribution
2 amounts as determined by the board, to each type of committee registered and
3 reporting under this chapter.

4 (c) Total amounts expended during the biennium, reported by disbursement
5 amounts as determined by the board, by each type of committee registered and
6 reporting under this chapter.

7 (d) Total amounts expended for influencing nominations and elections
8 whenever separate information is reported.

9 (e) Aggregate amounts contributed by any contributors shown to have
10 contributed more than \$100.

11 **(15)** Prepare and publish from time to time special reports comparing the
12 various totals and categories of contributions and disbursements made with respect
13 to preceding elections.

14 **(16)** Make available a list of delinquents for public inspection.

15 **(17)** Promulgate rules to administer this chapter.

16 **SUBCHAPTER XIV**

17 **PENALTIES**

18 **11.1400 Civil penalties. (1)** Any person who violates this chapter may be
19 required to forfeit not more than \$500 for each violation.

20 **(2)** In addition to the penalty under sub. (1), any person who is delinquent in
21 filing a report required by this chapter may be required to forfeit not more than \$50
22 or one percent of the annual salary of the office for which the candidate is being
23 supported or opposed, whichever is greater, for each day of delinquency.

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1 **(3)** Notwithstanding sub. (1), any person who makes any contribution in
2 violation of this chapter may be required to forfeit treble the amount of the
3 contribution or portion of that contribution which is illegally contributed.

4 **(4)** Notwithstanding sub. (1), any person who is subject to a requirement to pay
5 a filing fee under s. 11.0102 and who fails to pay that fee within the time prescribed
6 in that section shall forfeit \$500 plus treble the amount of the fee payable by that
7 person.

8 **(5)** Except as otherwise provided in ss. 5.05 (2m) (c) 15. and 16. and (h), 5.08,
9 and 5.081, actions under this section may be brought by the board or, upon the board's
10 determination of probable cause, by the district attorney for the county where the
11 defendant resides or, if the defendant is a nonresident, by the district attorney for the
12 county where the violation is alleged to have occurred. For purposes of this
13 subsection, a person other than an individual resides within a county if the person's
14 principal place of operation is located within that county.

15 **(6)** Any elector may file a verified petition with the board requesting that civil
16 action under this chapter be brought against any person or committee. The petition
17 shall allege such facts as are within the knowledge of the petitioner to show probable
18 cause that a violation of this chapter has occurred.

19 **(7)** When a candidate committee treasurer or candidate's agent incurs an
20 obligation or makes a disbursement, that action by the treasurer or agent is imputed
21 to the candidate for purposes of civil liability under this subchapter.

22 **(8)** In civil actions under this chapter the acts of every member of a candidate
23 committee are presumed to be with the candidate's knowledge or approval until
24 clearly proven otherwise.

ENGROSSED ASSEMBLY BILL 387**SECTION 24**

1 **11.1401 Criminal penalties; prosecution.** (1) (a) Whoever intentionally
2 violates s. 11.1204 or any registration or reporting requirement under this chapter
3 is guilty of a Class I felony.

4 (b) Whoever intentionally violates subch. XI or s. 11.1201, 11.1208, or 11.1303
5 is guilty of a Class I felony if the intentional violation does not involve a specific figure
6 or if the intentional violation concerns a figure which exceeds \$100 in amount or
7 value.

8 (c) Whoever intentionally violates any of the following may be fined not more
9 than \$1,000 or imprisoned not more than 6 months or both:

10 1. Any provision of this chapter other than those provided in par. (a).

11 2. Any provision under par. (b) if the violation concerns a specific amount or
12 value not exceeding \$100.

13 **(2)** Except as otherwise provided in ss. 5.05 (2m) (c) 15. and 16. and (i), 5.08,
14 and 5.081, and only after the board has determined probable cause, all prosecutions
15 under this section shall be conducted by the district attorney for the county where
16 the defendant resides or, if the defendant is a nonresident, by the district attorney
17 for the county where the violation is alleged to have occurred. For purposes of this
18 subsection, a person other than an individual resides within a county if the person's
19 principal place of operation is located within that county.

20 **(3)** (a) If a successful candidate for public office, other than a candidate for the
21 legislature, is adjudged guilty in a criminal action of any violation of this chapter
22 under sub. (1) (a) or (b), or of any violation of ch. 12 under s. 12.60 (1) (a) committed
23 during his or her candidacy, the court shall after entering judgment enter a
24 supplemental judgment declaring a forfeiture of the candidate's right to office. The
25 supplemental judgment shall be transmitted to the officer or agency authorized to

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1 issue the certificate of nomination or election to the office for which the person
2 convicted is a candidate. If the candidate's term has not yet begun, the candidate
3 shall not take office. If the candidate's term has begun, the office shall become
4 vacant. The office shall then be filled in the manner provided by law.

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

10 **SECTION 25.** 12.07 (4) of the statutes is amended to read:

11 12.07 (4) No person may, directly or indirectly, cause any person to make a
12 contribution or provide any service or other thing of value to or for the benefit of a
13 ~~candidate, political party or registrant~~ committee registered under s. 11.05 chapter
14 11, with the purpose of influencing the election or nomination of a candidate to
15 national, state or local office or the passage or defeat of a referendum by means of the
16 denial or the threat of denial of any employment, position, work or promotion, or any
17 compensation or other benefit of such employment, position or work, or by means of
18 discharge, demotion or disciplinary action or the threat to impose a discharge,
19 demotion or disciplinary action. This subsection does not apply to employment by
20 a ~~candidate, political party or other registrant~~ committee registered under s. 11.05
21 chapter 11 in connection with a campaign or political party activities. This
22 subsection also does not apply to information provided by any person that expresses
23 that person's opinion on any candidate or committee, any referendum or the possible
24 effects of any referendum, or the policies advocated by any candidate or committee.

25 **SECTION 26.** 12.08 of the statutes is amended to read:

ENGROSSED ASSEMBLY BILL 387**SECTION 26**

1 **12.08 Denial of government benefits.** No person may, directly or indirectly,
2 cause any person to make a contribution or provide any service or other thing of value
3 to or for the benefit of a ~~candidate, political party or registrant~~ committee registered
4 under ~~s. 11.05~~ chapter 11, with the purpose of influencing the election or nomination
5 of a candidate to national, state, or local office or the passage or defeat of a
6 referendum by means of the denial or threat of denial of any payment or other benefit
7 of a program established or funded in whole or in part by this state or any local
8 governmental unit of this state, or a program which has applied for funding by this
9 state or any local governmental unit of this state.

10 **SECTION 27.** 12.13 (3) (h) of the statutes is amended to read:

11 12.13 (3) (h) Deface, destroy or remove any legally placed election campaign
12 advertising poster with intent to disrupt the campaign advertising efforts of any
13 ~~candidate, or of any committee, group or individual~~ committee registered under ch.
14 11, or alter the information printed thereon so as to change the meaning thereof to
15 the disadvantage of the candidate or cause espoused. Nothing in this paragraph
16 restricts the right of any owner or occupant of any real property, or the owner or
17 operator of any motor vehicle, to remove campaign advertising posters from such
18 property or vehicle.

19 **SECTION 28.** 12.60 (4) of the statutes is amended to read:

20 12.60 (4) Prosecutions under this chapter shall be conducted in accordance
21 with s. ~~11.61~~ 11.1401 (2).

22 **SECTION 29.** 13.62 (5g) of the statutes is amended to read:

23 13.62 (5g) "Candidate" has the meaning given under s. ~~11.01(1)~~ 11.0101 (1).

24 **SECTION 30.** 13.62 (5j) of the statutes is created to read:

25 13.62 (5j) "Candidate committee" has the meaning given in s. 11.0101 (2).

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1 **SECTION 31.** 13.62 (5r) of the statutes is amended to read:

2 13.62 (5r) “Communications media” has the meaning given under s. 11.01 (5)
3 means newspapers, periodicals, commercial billboards and radio and television
4 stations, including community antenna television stations.

5 **SECTION 32.** 13.62 (5u) of the statutes is created to read:

6 13.62 (5u) “Contribution” has the meaning given in s. 11.0101 (8).

7 **SECTION 33.** 13.62 (11t) of the statutes is repealed.

8 **SECTION 34.** 13.625 (1) (b) (intro.) of the statutes is amended to read:

9 13.625 (1) (b) (intro.) ~~Furnish~~ Give to any agency official or legislative employee
10 of the state or to any elective state official or candidate for an elective state office, or
11 to the ~~official’s, employee’s or candidate’s personal campaign~~ candidate committee of
12 the official, employee, or candidate:

13 **SECTION 35.** 13.625 (1) (b) 3. of the statutes is amended to read:

14 13.625 (1) (b) 3. Food, meals, beverages, money or any other thing of pecuniary
15 value, except that a lobbyist may deliver a contribution or make a campaign personal
16 contribution to a partisan elective state official or candidate for national, state or
17 local office or to the ~~official’s or candidate’s personal campaign~~ candidate committee
18 of the official or candidate; but a lobbyist may make a personal contribution to which
19 ~~par. (e) sub. (1m)~~ applies only as authorized in ~~par. (e) sub. (1m).~~

20 **SECTION 36.** 13.625 (1) (c) (intro.) of the statutes is renumbered 13.625 (1m) (a)
21 (intro.) and amended to read:

22 13.625 (1m) (a) (intro.) Except as permitted provided in this subsection,
23 ~~personally make par. (b), a lobbyist may not do any of the following:~~

ENGROSSED ASSEMBLY BILL 387**SECTION 36**

1 1. Make a campaign personal contribution, as defined in s. 11.01 (6), to a
2 partisan elective state official for the purpose of promoting the official's election to
3 any national, state, or local office; ~~or,~~

4 2. Make a personal contribution to a candidate for a partisan elective state
5 office to be filled at the general election or a special election; ~~or,~~

6 3. Make a personal contribution to the ~~official's or candidate's~~ personal
7 campaign candidate committee of a partisan elective state official or candidate for
8 partisan state elective office.

9 (b) A lobbyist may personally make a campaign personal contribution to a
10 partisan elective state official or candidate for partisan elective state office or to the
11 ~~personal campaign candidate~~ candidate committee of the official or candidate in the year of a
12 ~~candidate's election~~ between the first day authorized by law for the circulation of
13 nomination papers as a candidate at a general election or special election and the day
14 of the general election or special election, except that:

15 **SECTION 37.** 13.625 (1) (c) 1. of the statutes is renumbered 13.625 (1m) (b) 1.
16 and amended to read:

17 13.625 (1m) (b) 1. A ~~campaign~~ contribution to a candidate for legislative office
18 may be made during that period only if the legislature has concluded its final
19 floorperiod, and is not in special or extraordinary session.

20 **SECTION 38.** 13.625 (1) (c) 2. of the statutes is renumbered 13.625 (1m) (b) 2.
21 and amended to read:

22 13.625 (1m) (b) 2. A ~~campaign~~ contribution by a lobbyist to the lobbyist's
23 campaign candidate committee for partisan elective state office may be made at any
24 time.

25 **SECTION 39.** 13.625 (2) of the statutes is amended to read:

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1 13.625 **(2)** No principal may engage in the practices prohibited under ~~sub.~~ subs.
2 (1) (b) and ~~(e)~~ (1m). This subsection does not apply to the furnishing of
3 transportation, lodging, food, meals, beverages, or any other thing of pecuniary value
4 which is also made available to the general public.

5 **SECTION 40.** 13.625 (3) of the statutes is amended to read:

6 13.625 **(3)** No candidate for an elective state office, elective state official, agency
7 official, or legislative employee of the state may solicit or accept anything of
8 pecuniary value from a lobbyist or principal, except as permitted under subs. (1) (b)
9 3. and ~~(e)~~, (1m), (2), (4), (5), (6), (7), (8) and (9). No ~~personal-campaign~~ candidate
10 committee of a candidate for state office may accept anything of pecuniary value from
11 a lobbyist or principal, except as permitted for such a candidate under subs. (1) (b)
12 3. and ~~(e)~~, (1m), (2), and (6).

13 **SECTION 41.** 13.625 (6r) of the statutes is amended to read:

14 13.625 **(6r)** Subsections (1) (b) and ~~(e)~~, (1m), and (3) do not apply to the
15 furnishing of anything of pecuniary value by a lobbyist or principal to an employee
16 of that lobbyist or principal who is a legislative official or an agency official solely
17 because of membership on a state commission, board, council, committee or similar
18 body if the thing of pecuniary value is not in excess of that customarily provided by
19 the employer to similarly situated employees and if the legislative official or agency
20 official receives no compensation for his or her services other than a per diem or
21 reimbursement for actual and necessary expenses incurred in the performance of his
22 or her duties, nor to the receipt of anything of pecuniary value by that legislative
23 official or agency official under those circumstances.

24 **SECTION 42.** 13.69 (6) of the statutes is amended to read:

ENGROSSED ASSEMBLY BILL 387**SECTION 42**

1 13.69 (6) Any candidate for an elective state office, elective state official, agency
2 official, or legislative employee of the state who, or any ~~personal campaign~~ candidate
3 committee which, violates s. 13.625 (3) may be required to forfeit not more than
4 \$1,000.

5 **SECTION 43.** 13.695 (4) of the statutes is amended to read:

6 13.695 (4) No officer or employee of an agency who is identified in a statement
7 filed under this section may engage in the prohibited practices set forth in s. 13.625
8 (1) (a) or (d), or use state funds to engage in the practices set forth in s. 13.625 (1) (b)
9 or to make ~~campaign contributions as defined in s. 11.01 (6)~~ a contribution. This
10 subsection does not prohibit an agency official who is identified in a statement filed
11 under this section from authorizing salaries and other payments authorized by law
12 to be paid to state officers, employees, consultants, or contractors, or candidates for
13 state office, or from authorizing property or services of the agency to be provided for
14 official purposes or other purposes authorized by law, whenever that action is taken
15 in the normal course of affairs.

16 **SECTION 44.** 13.75 (intro.) of the statutes is renumbered 13.75 (1g) (intro.).

17 **SECTION 45.** 13.75 (1r) of the statutes is created to read:

18 13.75 (1r) The board may accept payment under this section by credit card,
19 debit card, or other electronic payment mechanism, and may charge a surcharge to
20 recover the actual cost associated with the acceptance of that electronic payment.

21 **SECTION 46.** 15.60 (5) of the statutes is amended to read:

22 15.60 (5) No member, for one year immediately prior to the date of nomination
23 may have been, or while serving on the board may become, a member of a political
24 party, an officer or member of a committee in any partisan political club or

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1 organization, or an officer or employee of a ~~registrant~~ committee registered under s.
2 ~~11.05~~ ch. 11.

3 **SECTION 47.** 15.60 (6) of the statutes is amended to read:

4 15.60 (6) No member, while serving on the board, may become a candidate, as
5 defined in s. ~~11.01 (1)~~ 11.0101 (1), for state office or local office, as defined in s. 5.02.

6 **SECTION 48.** 15.60 (7) of the statutes is amended to read:

7 15.60 (7) No member, while serving on the board, may make a contribution, as
8 defined in s. ~~11.01 (6)~~ 11.0101 (8), to a candidate, as defined in s. ~~11.01 (1)~~ 11.0101
9 (1), for state office or local office, as defined in s. 5.02. No individual who serves as
10 a member of the board, for 12 months prior to beginning that service, may have made
11 a contribution, as defined in s. ~~11.01 (6)~~ 11.0101 (8), to a candidate for a partisan state
12 or local office, as defined in s. 5.02.

13 **SECTION 49.** 15.79 (2) (b) of the statutes is amended to read:

14 15.79 (2) (b) Directly or indirectly solicit or receive any contribution, as defined
15 in s. ~~11.01 (6)~~, for any political purpose, as defined in s. ~~11.01 (16)~~ 11.0101 (8), from
16 any person within or outside of the state.

17 **SECTION 50.** 19.42 (3m) of the statutes is amended to read:

18 19.42 (3m) "Candidate," except as otherwise provided, has the meaning given
19 in s. ~~11.01 (1)~~ 11.0101 (1).

20 **SECTION 51.** 19.45 (13) of the statutes is amended to read:

21 19.45 (13) No state public official or candidate for state public office may,
22 directly or by means of an agent, give, or offer or promise to give, or withhold, or offer
23 or promise to withhold, his or her vote or influence, or promise to take or refrain from
24 taking official action with respect to any proposed or pending matter in consideration
25 of, or upon condition that, any other person make or refrain from making a political

ENGROSSED ASSEMBLY BILL 387**SECTION 51**

1 contribution, or provide or refrain from providing any service or other thing of value,
2 to or for the benefit of a candidate, a political party, any person who is subject to a
3 ~~registration requirement~~ committee registered under ~~s. 11.05~~ ch. 11, or any person
4 making a communication that contains a reference to a clearly identified state public
5 official holding an elective office or to a candidate for state public office.

6 **SECTION 52.** 19.579 (1) of the statutes is amended to read:

7 19.579 (1) Except as provided in sub. (2), any person who violates this
8 subchapter may be required to forfeit not more than \$500 for each violation of s.
9 19.43, 19.44, or 19.56 (2) or not more than \$5,000 for each violation of any other
10 provision of this subchapter. If the court determines that the accused has realized
11 economic gain as a result of the violation, the court may, in addition, order the
12 accused to forfeit the amount gained as a result of the violation. In addition, if the
13 court determines that a state public official has violated s. 19.45 (13), the court may
14 order the official to forfeit an amount equal to the amount or value of any political
15 contribution, service, or other thing of value that was wrongfully obtained. If the
16 court determines that a state public official has violated s. 19.45 (13) and no political
17 contribution, service, or other thing of value was obtained, the court may order the
18 official to forfeit an amount equal to the maximum contribution authorized under s.
19 ~~11.26~~ 11.1101 (1) for the office held or sought by the official, whichever amount is
20 greater. The attorney general, when so requested by the board, shall institute
21 proceedings to recover any forfeiture incurred under this section which is not paid
22 by the person against whom it is assessed.

23 **SECTION 53.** 19.59 (1) (br) of the statutes is amended to read:

24 19.59 (1) (br) No local public official or candidate for local public office may,
25 directly or by means of an agent, give, or offer or promise to give, or withhold, or offer

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1 or promise to withhold, his or her vote or influence, or promise to take or refrain from
2 taking official action with respect to any proposed or pending matter in consideration
3 of, or upon condition that, any other person make or refrain from making a political
4 contribution, or provide or refrain from providing any service or other thing of value,
5 to or for the benefit of a candidate, a political party, any person who is subject to a
6 registration requirement committee registered under s. ~~11.05~~ ch. 11, or any person
7 making a communication that contains a reference to a clearly identified local public
8 official holding an elective office or to a candidate for local public office.

9 **SECTION 54.** 19.59 (7) (b) of the statutes is amended to read:

10 19.59 (7) (b) Any person who violates sub. (1) may be required to forfeit not
11 more than \$1,000 for each violation, and, if the court determines that a local public
12 official has violated sub. (1) (br) and no political contribution, service or other thing
13 of value was obtained, the court may, in addition, order the accused to forfeit an
14 amount equal to the maximum contribution authorized under s. ~~11.26~~ 11.1101 (1) for
15 the office held or sought by the official, whichever amount is greater.

16 **SECTION 55.** 20.511 (1) (a) of the statutes is amended to read:

17 20.511 (1) (a) *General program operations; general purpose revenue.*
18 Biennially, the amounts in the schedule for general program operations of the board,
19 including the printing of forms, materials, manuals, and election laws under ss. 7.08
20 (1) (b), (3), and (4) and ~~11.21~~ 11.1304 (3) and (14), and the training of election officials
21 under s. 5.05 (7).

22 **SECTION 56.** 20.511 (1) (i) of the statutes is amended to read:

23 20.511 (1) (i) *Elections administration; program revenue.* The amounts in the
24 schedule for the administration of chs. 5 to 12. All moneys received from fees imposed
25 under s. ~~11.055~~ (1) 11.0102 (2) shall be credited to this appropriation account.

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1 **SECTION 57.** 20.511 (1) (j) of the statutes is amended to read:

2 20.511 (1) (j) *Electronic filing software.* All moneys received from registrants
3 who purchase software to be utilized for electronic filing of campaign finance reports
4 under s. ~~11.21 (16)~~ 11.1304 (6), for the purpose of providing that software.

5 **SECTION 58.** 20.855 (6) (h) of the statutes is amended to read:

6 20.855 (6) (h) *Vehicle and aircraft receipts.* The amounts in the schedule for
7 the purpose of subsidizing the cost of operation, maintenance, and depreciation of the
8 vehicles and aircraft. All moneys received by state agencies under ss. ~~11.37~~ 11.1206
9 and 20.916 (7) for political and other personal uses of state-owned vehicles and
10 aircraft shall be credited to this appropriation. The department of administration
11 may transfer moneys from this appropriation to the proper appropriation of any state
12 agency from which state vehicle and aircraft costs are financed.

13 **SECTION 59.** 36.11 (1) (cm) of the statutes is amended to read:

14 36.11 (1) (cm) The board shall promulgate rules under ch. 227 prescribing the
15 times, places, and manner in which political literature may be distributed and
16 political campaigning may be conducted in state-owned residence halls. No such
17 rule may authorize any activity prohibited under s. ~~11.36 (3)~~ 11.1207 (3) or (4).

18 **SECTION 60.** 111.365 (3) (a) of the statutes is amended to read:

19 111.365 (3) (a) The application of s. ~~11.36~~ 11.1207.

20 **SECTION 61.** 120.06 (6) (b) 5. of the statutes is amended to read:

21 120.06 (6) (b) 5. If a candidate has not filed a registration statement under s.
22 ~~11.05~~ 11.0202 (1) (a) by the time he or she files a declaration of candidacy, the
23 candidate shall file the statement with the declaration. A candidate shall file an
24 amended declaration under oath with the school district clerk in the event of a
25 change in any information provided in the declaration as provided in s. 8.21.

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1 **SECTION 62.** 185.03 (10) (e) of the statutes is amended to read:

2 185.03 **(10)** (e) The cooperative dedicates any funds remaining unclaimed after
3 the date specified in par. (b) to educational purposes, limited to providing
4 scholarships or loans to students, or to charitable purposes, as the board determines,
5 within one year after the date the funds are declared forfeited under par. (a). ~~In this~~
6 ~~paragraph, educational purposes does not include political purposes as defined in s.~~
7 ~~11.01 (16).~~

8 **SECTION 63.** 202.12 (5) (a) 2. of the statutes is amended to read:

9 202.12 **(5)** (a) 2. A candidate for national, state, or local office or a political party
10 or other committee or group required to file financial information with the federal
11 elections commission or a filing officer under s. ~~11.02~~ 11.0102 (1).

12 **SECTION 64.** 341.14 (6r) (fm) 1. b. of the statutes is amended to read:

13 341.14 **(6r)** (fm) 1. b. The group or organization is not a ~~political~~ committee, as
14 ~~defined in s. 11.01 (4), or a political group, as defined in s. 11.01 (10)~~ 11.0101 (6).

15 **SECTION 65.** 346.94 (16) (b) 2. of the statutes is amended to read:

16 346.94 **(16)** (b) 2. The operator of a vehicle of a public utility, ~~as defined in s.~~
17 ~~11.40 (1) (a).~~ In this paragraph, public utility means any corporation, company,
18 individual, or association which furnishes products or services to the public, and
19 which is regulated under ch. 195 or 196, including railroads, telecommunications or
20 telegraph companies and any company furnishing or producing heat, light, power or
21 water.

22 **SECTION 66.** 349.135 (2) (b) of the statutes is amended to read:

23 349.135 **(2)** (b) The operator of a vehicle of a public utility, ~~as defined in s. 11.40~~
24 ~~(1) (a).~~ In this paragraph, public utility means any corporation, company, individual
25 or association which furnishes products or services to the public, and which is

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1 regulated under ch. 195 or 196, including railroads, telecommunications or
2 telegraph companies and any company furnishing or producing heat, light, power or
3 water.

4 **SECTION 67.** 563.907 (3) (b) of the statutes is amended to read:

5 563.907 (3) (b) A political party, as defined in s. 5.02 (13), except a state
6 committee political party registered under s. ~~11.05~~ and ~~organized exclusively for~~
7 ~~political purposes~~ subch. III of ch. 11 under whose name candidates appear on a
8 ballot at any election.

9 **SECTION 68.** 630.05 (intro.) of the statutes is amended to read:

10 **630.05 Political contributions.** (intro.) Section ~~11.38~~ 11.1112 applies to:

11 **SECTION 69.** 755.01 (4) of the statutes is amended to read:

12 755.01 (4) Two or more cities, towns or villages of this state may enter into an
13 agreement under s. 66.0301 for the joint exercise of the power granted under sub. (1),
14 except that for purposes of this subsection, any agreement under s. 66.0301 shall be
15 effected by the enactment of identical ordinances by each affected city, town or
16 village. Electors of each municipality entering into the agreement shall be eligible
17 to vote for the judge of the municipal court so established. If a municipality enters
18 into an agreement with a municipality that already has a municipal court, the
19 municipalities may provide by ordinance or resolution that the judge for the existing
20 municipal court shall serve as the judge for the joint court until the end of the term
21 or until a special election is held under s. 8.50 (4) (fm). Each municipality shall adopt
22 an ordinance or bylaw under sub. (1) prior to entering into the agreement. The
23 contracting municipalities need not be contiguous and need not all be in the same
24 county. Upon entering into or discontinuing such an agreement, the contracting
25 municipalities shall each transmit a certified copy of the ordinance or bylaw effecting

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1 or discontinuing the agreement to the appropriate filing officer under s. ~~11.02 (3e)~~
2 11.0102 (1) (c) and to the director of state courts. When a municipal judge is elected
3 under this subsection, candidates shall be nominated by filing nomination papers
4 under s. 8.10 (6) (bm), and shall register with the filing officer specified in s. ~~11.02~~
5 ~~(3e)~~.

6 **SECTION 70.** 758.13 (3) (g) 1. a. of the statutes is amended to read:

7 758.13 (3) (g) 1. a. "Candidate" has the meaning given in s. ~~11.01~~ 11.0101 (1).

8 **SECTION 71.** 758.13 (3) (g) 1. b. of the statutes is amended to read:

9 758.13 (3) (g) 1. b. "Contribution" has the meaning given in s. ~~11.01 (6)~~ 11.0101
10 (8).

11 **SECTION 72.** 946.11 (2) (b) of the statutes is renumbered 946.11 (2) (b) (intro.)
12 and amended to read:

13 946.11 (2) (b) (intro.) "~~Privilege~~" ~~has the meaning designated under s. 11.40;~~
14 means anything of value not available to the general public, but does not include
15 compensation or fringe benefits provided as a result of employment by a public utility
16 to a regular employee or pensioner when the following conditions are satisfied:

17 **SECTION 73.** 946.11 (2) (b) 1. and 2. of the statutes are created to read:

18 946.11 (2) (b) 1. The regular employee or pensioner is not compensated
19 specifically for services performed for a purpose related to the election or nomination
20 for election of an individual to state or local office, the recall from or retention in office
21 of an individual holding a state or local office, or for the purpose of payment of
22 expenses incurred as a result of a recount at an election.

23 2. The regular employee or pensioner is not compensated in excess of that
24 provided to other regular employees or pensioners of like status.

25 **SECTION 74. Nonstatutory provisions.**

ENGROSSED ASSEMBLY BILL 387**SECTION 74**

1 (1) RULE AND OPINION REVIEW. The government accountability board shall
2 review all of the administrative rules currently in force promulgated by the board
3 and any advisory opinions issued by the board affected by the provisions of this act.
4 Beginning on the effective date of this subsection, any administrative rule that the
5 board finds to be inconsistent with this act may not be enforced and any advisory
6 opinion that the board finds to be inconsistent with this act is invalid.

7 (1m) RECONCILIATION PROVISION. If 2015 Assembly Bill 388 or 2015 Senate Bill
8 294 is enacted into law, the legislative reference bureau shall, when preparing the
9 statutes for publication, change the term “government accountability board” to
10 “ethics commission”; substitute “commission” for “board”; and make other changes
11 necessary to effect the terminology change in chapter 11 of the statutes. The
12 legislative reference bureau shall also identify and incorporate other changes that
13 are necessary to effect the reconciliation of this act and 2015 Assembly Bill 388 or
14 2015 Senate Bill 294.

15 **SECTION 75. Effective date.**

16 (1) This act takes effect on the first day of the first full reporting period
17 following publication.

18 (END)