CHAPTER 11

CAMPAIGN FINANCING

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SUBCHAPTER I

GENERAL PROVISIONS

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

History: 2015 a. 117.

Campaign finance in Wisconsin after *Buckley.* 1976 WLR 816.

11.0101 Definitions. In this chapter:

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

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

1. Files nomination papers with the appropriate filing officer.

2. Is nominated as a candidate for state or local office by a caucus under s. 8.05 (1) or by a political party and the nomination is certified to the appropriate filing officer.

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

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

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

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

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

(4) "Charitable organization" means any organization described in section 170 (c) (2) of the Internal Revenue Code.

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

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

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

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

(5m) "Commission" means the ethics commission.

NOTE: Sub. (5m) was created as s. 11.01 (4m) by 2015 Wis. Act 118 and renumbered to s. 11.0101 (5m) by the legislative reference bureau under s. 13.92 (1) (bm) 2.

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

(7) "Conduit" means a person other than an individual that receives a contribution of money, deposits the contribution in an account held by the person, and releases the contribution to a candidate committee, legislative campaign committee, political party, or political action committee at the direction of the contributor.

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

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

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

3. A transfer of funds between committees.

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

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

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

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

3. The costs of preparing and transmitting personal correspondence.

4. Interest earned on an interest−bearing account.

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

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

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

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

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

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

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

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

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

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

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

(9) "Corporation" includes a foreign limited liability company, as defined in s. 183.0102 (8) and a limited liability company, as defined in s. 183.0102 (10), if the foreign limited liability company or the limited liability company elect to be treated as a corporation by the federal internal revenue service, pursuant to 26 CFR 301.7701−3, or if the foreign limited liability company or the limited liability company has publicly traded shares.

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

1. An expenditure by a committee from the committee's depository account.

2. The transfer of tangible personal property or services by a committee.

3. A transfer of funds between committees.

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

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

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

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

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

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

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

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

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

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

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

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

(a) "Vote for".

(b) "Elect".

(c) "Support".

(d) "Cast your ballot for".

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

(f) "Vote against".

(g) "Defeat".

(h) "Reject".

(i) "Cast your ballot against".

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

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

(14) "Filing officer" means the commission, board of election commissioners, or official assigned to a committee or conduit under s. 11.0102.

(15) "General election" means the election held in even−numbered years on the Tuesday after the first Monday in November to elect United States senators, representatives in congress, presidential electors, state senators, representatives to the assembly, district attorneys, state officers other than the state superintendent and judicial officers, and county officers other than supervisors and county executives.

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

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

(a) It has the major purpose of making independent expenditures, as specified in the person's organizational or governing documents, the person's bylaws, resolutions of the person's governing body, or registration statements filed by the person under this chapter.

NOTE: Par. (a) was created as subd. 1. by 2015 Wis. Act 117 and renumbered to par. (a) by the legislative reference bureau under s. 13.92 (1) (bm) 2.

(b) It 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. In this subdivision, total spending does not include a committee's fundraising or administrative expenses.

NOTE: Par. (b) was created as subd. 2. by 2015 Wis. Act 117 and renumbered to par. (b) by the legislative reference bureau under s. 13.92 (1) (bm) 2.

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

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

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

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

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

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

(a) A loan or loan guarantee.

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

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

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

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

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

2. It 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. In this subdivision, total spending does not include a committee's fundraising or administrative expenses.

(b) "Political action committee" does not include a candidate committee, legislative campaign committee, political party, or recall committee.

(26) (a) "Political party" means all of the following:

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

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

(b) "Political party" does not include a legislative campaign committee.

(27) "Recall committee" means a committee formed for the purpose of supporting or opposing the recall of any of the following:

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

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

(28) "Referendum committee" means an entity that satisfies all of the following:

(a) It satisfies either of the following:

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

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

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

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

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

(30) "Special primary" means the primary held 4 weeks before the special election, except as follows:

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

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

(31) "Sponsoring organization" means an entity that establishes, administers, or financially supports a political action committee or an independent expenditure committee.

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

(33) "Spring primary" means the nonpartisan primary held on the 3rd Tuesday in February to nominate nonpartisan candidates to be voted for at the spring election.

(34) "Treasurer" means the individual who registers a committee with a filing officer and who makes reports on behalf of the committee.

History: 2015 a. 117 ss. 24, 74 (1m); 2015 a. 118 s. 121; s. 13.92 (1) (bm) 2.

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

(a) The following shall file with the commission:

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

2. A conduit.

3. A legislative campaign committee.

4. A political action committee.

4m. An independent expenditure committee.

5. A political party.

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

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

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

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

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

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

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

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

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

(b) A committee that is subject to par. (a) shall pay the fee specified in par. (a) together with the report filed by that committee on the 15th day of the month of January in each year. If a committee that is subject to par. (a) registers under this chapter or changes status so that par. (a) becomes applicable to the committee during a calendar year, the committee shall pay the fee for that year with the filing of the committee's registration statement or at any time before the change in status becomes effective.

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

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

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

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

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

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

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

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

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

(e) Notify the commission, in writing, of any facts within the filing officer's knowledge or evidence in the officer's possession, including errors or discrepancies in reports or statements and delinquencies in filing which may be grounds for civil action or criminal prosecution. The commission may transmit a copy of the notification submitted under this paragraph to the district attorney.

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

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

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

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

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

NOTE: The correct term is shown in brackets. Corrective legislation is pending.

History: 2015 a. 117 ss. 24, 74 (1m).

11.0103 Reporting; general. (1) REPORT MUST BE COMPLETE. (a) Each committee and conduit required to register under this chapter shall be subject to the reporting requirements applicable to that committee or conduit. Each committee and conduit

required to file a report under this chapter shall make a good faith effort to obtain all required information.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

b. Except as provided in subd. 2., a committee that makes or accepts a contribution, makes a disbursement, or incurs an obligation to support or oppose a candidate at an election during the period covered by the report that follows the preelection report, but does not engage in such activity during the period covered by the preelection report, is not required to file a preelection report.

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

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

History: 2015 a. 117 ss. 24, 74 (1m).

A minor political party that historically has been the object of harassment by government officials and private parties cannot be required to disclose the identities of contributors and recipients of campaign disbursements. Brown v. Socialist Workers '74 Campaign Comm. 459 U.S. 87 (1982).

See also Wisconsin Socialist Workers. 1976 Campaign Committee v. McCann, 433 F. Supp. 540.

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

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

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

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

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

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

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

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

History: 2015 a. 117.

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

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

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

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

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

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

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

History: 2015 a. 117.

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

History: 2015 a. 117.

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

History: 2015 a. 117.

SUBCHAPTER II

CANDIDATE COMMITTEES

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

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

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

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

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

History: 2015 a. 117.

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

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

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

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

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

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

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

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

History: 2015 a. 117.

11.0203 Registration; required information. (1) REQUIRED INFORMATION. The candidate committee shall indicate on the registration statement that it is registering as a candidate committee and shall include all of the following, where applicable, on the registration statement:

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

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

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

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

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

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

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

History: 2015 a. 117 ss. 24, 74 (1m).

11.0204 Reporting. (1) CONTRIBUTIONS AND DISBURSEMENTS. (a) Each candidate, through his or her candidate committee, shall make full reports, upon a form prescribed by the commission and certified as required under s. 11.0103 (3) (c), of all contributions, disbursements, and obligations received, made, and incurred by the candidate committee. The candidate committee shall include in each report the following information, covering the period since the last date covered on the previous report:

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

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

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

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

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

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

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

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

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

c. The date and amount of the loan.

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

e. The original amount guaranteed by each guarantor.

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

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

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

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

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

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

(2) REPORTS; CANDIDATES AT SPRING PRIMARY. A candidate committee of a candidate at a spring primary or of a candidate at a special primary held to nominate nonpartisan candidates to be voted for at a special election held to fill a vacancy in one or more of the nonpartisan state or local offices voted for at the spring election shall do all of the following:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

History: 2015 a. 117 ss. 24, 74 (1m).

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

History: 2015 a. 117.

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

History: 2015 a. 117.

11.0207 Continuing compliance. An individual does not cease to be a candidate for purposes of compliance with this chapter or ch. 12 after the date of an election and no candidate or candidate committee is released from any requirement or liability otherwise imposed under this chapter or ch. 12 simply because the election date has passed.

History: 2015 a. 117.

SUBCHAPTER III

POLITICAL PARTIES

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

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

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

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

History: 2015 a. 117.

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

History: 2015 a. 117.

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

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

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

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

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

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

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

History: 2015 a. 117 ss. 24, 74 (1m).

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

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

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

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

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

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

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

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

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

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

c. The date and amount of the loan.

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

e. The original amount guaranteed by each guarantor.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

History: 2015 a. 117 ss. 24, 74 (1m).

SUBCHAPTER IV

LEGISLATIVE CAMPAIGN COMMITTEES

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

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

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

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

History: 2015 a. 117.

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

History: 2015 a. 117.

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

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

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

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

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

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

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

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

History: 2015 a. 117 ss. 24, 74 (1m).

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

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

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

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

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

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

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

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

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

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

c. The date and amount of the loan.

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

e. The original amount guaranteed by each guarantor.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

History: 2015 a. 117 ss. 24, 74 (1m).

SUBCHAPTER V

POLITICAL ACTION COMMITTEES

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

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

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

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

(5) No person may register more than one political action committee under this subchapter, except that a person may register both a political action committee under this subchapter and an independent expenditure committee under subchapter VI.

History: 2015 a. 117.

11.0502 Registration; timing. (1) Every political action committee that makes or accepts contributions, makes disbursements, or incurs obligations to support or oppose a candidate in a calendar year in an aggregate amount in excess of $2,500 shall file a registration statement giving the information required by s. 11.0503.

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

History: 2015 a. 117.

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

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

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

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

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

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

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

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

History: 2015 a. 117 ss. 24, 74 (1m).

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

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

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

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

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

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

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

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

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

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

c. The date and amount of the loan.

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

e. The original amount guaranteed by each guarantor.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

History: 2015 a. 117 ss. 24, 74 (1m).

11.0505 Reporting; specific express advocacy. **(1)** DISBURSEMENTS. (a) A political action committee spending $2,500 or more in the aggregate on express advocacy shall submit statements to the commission under par. (b) if the express advocacy is made during the period beginning on the day that is 60 days prior to the day of the primary or election involving the candidate identified under par. (b) 5. and ending on the day of the primary or election involving that candidate.

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

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

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

3. The purpose for making the disbursements.

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

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

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

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

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

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

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

2. A communication made exclusively between an organization and its members. In this subdivision, a member of an organization means a shareholder, employee, or officer of the organi-

zation, or an individual who has affirmatively manifested an interest in joining, supporting, or aiding the organization.

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

History: 2015 a. 117 ss. 24, 74 (1m).

SUBCHAPTER VI

INDEPENDENT EXPENDITURE COMMITTEES

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

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

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

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

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

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

History: 2015 a. 117.

11.0602 Registration; timing. **(1)** Every independent expenditure committee that makes or accepts contributions, makes disbursements, or incurs obligations to support or oppose a candidate in a calendar year in an aggregate amount in excess of $2,500 shall file a registration statement giving the information required by s. 11.0603.

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

History: 2015 a. 117.

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

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

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

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

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

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

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

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

History: 2015 a. 117 ss. 24, 74 (1m).

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

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

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

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

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

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

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

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

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

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

c. The date and amount of the loan.

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

e. The original amount guaranteed by each guarantor.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

History: 2015 a. 117 ss. 24, 74 (1m).

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

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

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

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

3. The purpose for making the disbursements.

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

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

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

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

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

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

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

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

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

History: 2015 a. 117 ss. 24, 74 (1m).

SUBCHAPTER VII

CONDUITS

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

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

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

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

History: 2015 a. 117.

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

History: 2015 a. 117.

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

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

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

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

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

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

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

History: 2015 a. 117 ss. 24, 74 (1m).

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

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

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

(b) A conduit releasing a contribution of money to the recipient shall, in writing at the time the contribution is released, identify itself to the recipient as a conduit and report to the recipient the following information about each contribution released by it:

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

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

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

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

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

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

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

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

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

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

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

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

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

History: 2015 a. 117 ss. 24, 74 (1m).

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

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

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

(b) Either of the following apply:

1. The conduit has, over the 24−month period described in par. (a), attempted in good faith to contact the individual that made the contribution at least 5 times, and has documented each such attempt, but has been unable to make contact with the individual. A conduit may satisfy the requirement to contact the individual by telephoning the individual at the last−known telephone number; by sending a text message to the individual at the last−known cellular telephone number or pager number capable of receiving text messages; by sending a facsimile transmission to the individual at the last−known facsimile transmission number; by sending a letter or postcard to the individual by U.S. mail; by sending a message by electronic mail; or by any combination of the foregoing. A conduit may not satisfy the requirement to attempt in good faith to contact the individual at least 5 times if all 5 attempted contacts occur within a period of 30 consecutive days.

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

History: 2015 a. 117.

SUBCHAPTER VIII

REFERENDUM COMMITTEES

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

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

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

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

History: 2015 a. 117.

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

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

History: 2015 a. 117.

11.0803 Registration; required information. (1) REQUIRED INFORMATION. The referendum committee shall indicate on the registration statement that it is registering as a referendum committee and shall include all of the following on the registration statement:

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

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

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

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

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

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

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

History: 2015 a. 117 ss. 24, 74 (1m).

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

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

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

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

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

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

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

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

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

c. The date and amount of the loan.

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

e. The original amount guaranteed by each guarantor.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(5) REPORTS IN SUPPORT OF OR OPPOSITION TO A REFERENDUM AT GENERAL ELECTION. A referendum committee making or accepting contributions, making disbursements, or incurring obligations to support or oppose a referendum appearing on a general election ballot shall do all the following:

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

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

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

History: 2015 a. 117 ss. 24, 74 (1m).

Limitations on contributions to committees formed to support or oppose referenda are discussed. Citizens Against Rent Control v. Berkeley, 454 U.S. 290 (1981).

SUBCHAPTER IX

RECALL COMMITTEES

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

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

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

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

History: 2015 a. 117.

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

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

History: 2015 a. 117.

11.0903 Registration; required information. (1) REQUIRED INFORMATION. The recall committee shall indicate on the registration statement that it is registering as a recall committee and shall include all of the following on the registration statement:

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

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

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

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

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

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

History: 2015 a. 117 ss. 24, 74 (1m).

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

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

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

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

4. An itemized statement of each contribution made anonymously to the recall committee. If the contribution exceeds $10, the recall committee shall specify whether the committee donated the contribution to the common school fund or to a charitable

organization, and shall include the full name and mailing address of the donee.

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

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

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

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

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

c. The date and amount of the loan.

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

e. The original amount guaranteed by each guarantor.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

History: 2015 a. 117 ss. 24, 74 (1m).

SUBCHAPTER X

OTHER PERSONS

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

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

1. The dates on which the person made the disbursements.

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

3. The purpose for making the disbursements.

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

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

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

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

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

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

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

2. A communication made exclusively between an organization and its members. In this subdivision, a member of an organization means a shareholder, employee, or officer of the organi-

zation, or an individual who has affirmatively manifested an interest in joining, supporting, or aiding the organization.

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

History: 2015 a. 117 ss. 24, 74 (1m).

SUBCHAPTER XI

CONTRIBUTIONS

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

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

(b) Candidates for state senator, $2,000.

(c) Candidates for representative to the assembly, $1,000.

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

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

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

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

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

1. Five hundred dollars.

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

(2) CANDIDATE COMMITTEES. A candidate committee may contribute to another candidate committee no more than the following amounts specified for the candidate whose nomination or election the committee supports [See Figure 11.1101 following]:

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

(b) Candidates for state senator, $2,000.

(c) Candidates for representative to the assembly, $1,000.

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

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

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

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

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

1. Five hundred dollars.

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

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

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

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

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

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

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

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

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

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

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

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

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

1. Four hundred dollars.

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

(4) OTHER PERSONS. A person, other than a person subject to sub. (1), (2), or (3) or s. 11.1112, may contribute to a candidate committee no more than the following amounts specified for the candidate whose nomination or election the committee supports:

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

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

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

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

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

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

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

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

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

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

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

1. Four hundred dollars.

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

Figure 11.1101:

	INDIVIDUAL CONTRIBUTORS	CANDIDATE COMMITTEE CONTRIBUTORS	POLITICAL ACTION COMMITTEE CONTRIBUTORS
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 SUPERINTENDENT	$20,000	$20,000	$18,000
JUSTICE	$20,000	$20,000	$18,000
STATE SENATOR	$2,000	$2,000	$2,000
ASSEMBLY REPRESENTATIVE	$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
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

History: 2015 a. 117, 261.

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

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

History: 2015 a. 117.

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

(1) Contributions to a political action committee.

(2) Contributions transferred between political action committees.

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

(b) A political action committee or a person subject to the limits under s. 11.1101 (4) may contribute no more than $12,000 in any calendar year to a legislative campaign committee.

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

(b) A political action committee or a person subject to the limits under s. 11.1101 (4) 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 or making disbursements for express advocacy, except that a political action committee or a person subject to s. 11.1101 (4) may contribute no more than $12,000 in any calendar year to such a fund.

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

(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 under s. 9.01.

(10) Contributions used to pay legal fees and other expenses incurred in connection with or in response to circulating, offering to file, or filing a petition to recall an office holder prior to the time

that a recall primary or election is ordered, or after that time if incurred to contest or defend the order.

(11) Contributions to a recall committee.

(12) Contributions to a referendum committee.

(13) Contributions to an independent expenditure committee.

History: 2015 a. 117, 261.

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

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

History: 2015 a. 117.

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

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

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

History: 2015 a. 117.

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

History: 2015 a. 117.

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

History: 2015 a. 117.

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

History: 2015 a. 117.

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

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

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

History: 2015 a. 117.

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

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

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

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

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

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

(c) "Results" means computer output or a written or verbal analysis.

(d) "Voter survey" includes acquiring information that identifies voter attitudes concerning candidates or issues.

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

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

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

(5) If a person contributes opinion poll or voter survey results to more than one committee, the person shall apportion the value of the poll or survey to each committee receiving the results by one of the following methods and shall provide the apportioned values to the committees:

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

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

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

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

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

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

(7) A person who contributes opinion poll or voter survey results shall maintain records sufficient to support the contribu-

tion's value and shall provide the contribution's value to the recipient.

History: 2015 a. 117.

11.1112 Corporations, cooperatives, and tribes. No foreign or domestic corporation, no association organized under ch. 185 or 193, no labor organization, and no federally recognized American Indian Tribe may make a contribution to a committee, other than an independent expenditure committee or referendum committee, but may make a contribution to a segregated fund as provided under s. 11.1104 (6) in amounts not to exceed $12,000 in the aggregate in a calendar year.

History: 2015 a. 117.

The government may regulate corporate political speech through disclaimer and disclosure requirements, but it may not suppress that speech altogether. Federal law prohibiting corporations and unions from using their general treasury funds to make independent expenditures for speech defined as an "electioneering communication" or for speech expressly advocating the election or defeat of a candidate is unconstitutional. Citizens United v. Federal Election Commission, 558 U.S. 310, 130 S. Ct. 876, 175 L. Ed. 2d 753 (2010).

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

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

(3) LIMITED LIABILITY COMPANIES. (a) A contribution made to a committee by a limited liability company treated as a partnership by the federal internal revenue service pursuant to 26 CFR 301.7701−3 is considered a contribution made by each of the contributing members and subject to the limits under this subchapter. A limited liability company that makes a contribution under this paragraph shall affirm to the candidate committee that it is treated as a partnership for federal tax purposes and eligible to make the contribution. The company shall provide to the committee the names of the contributing members and the amount of the individual contribution made by each member. For purposes of determining the individual contribution amounts made by each member, the company shall attribute the individual contributions according to each member's share of the company's profits, unless the members agree to apportion the contribution in a different manner.

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

History: 2015 a. 117.

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

(2) If a candidate establishes a 2nd candidate committee under s. 11.0202 (2) to pursue a state or local office for which the contribution limit under this subchapter is lower than the contribution limit for the office that the candidate originally sought, the first candidate committee may transfer its contributions to the 2nd candidate committee in an amount not to exceed the contribution limits applicable to the 2nd candidate committee.

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

History: 2015 a. 117.

SUBCHAPTER XII

PROHIBITED PRACTICES

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

History: 2015 a. 117.

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

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

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

History: 2015 a. 117.

11.1203 Coordination. (1) No political action committee, independent expenditure committee, other person required to report under s. 11.1001, or individual may make an expenditure for express advocacy for the benefit of a candidate that is coordinated with that candidate, candidate's committee, or candidate's agent, nor with any legislative campaign committee of the candidate's political party, or a political party, in violation of the contribution limits under s. 11.1101 or the source restrictions under s. 11.1112.

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

1. The candidate, candidate's agent, legislative campaign committee of the candidate's political party, or the candidate's political party communicates directly with the political action committee, independent expenditure committee, other person, or individual making the expenditure to specifically request that the political action committee, independent expenditure committee, other person, or individual make the expenditure that benefits the candidate and the political action committee, independent expenditure committee, other person, or individual explicitly assents to the request before making the expenditure.

2. The candidate, candidate's agent, legislative campaign committee of the candidate's political party, or the candidate's political party exercises control over the expenditure or the content, timing, location, form, intended audience, number, or frequency of the communication.

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

1. The political action committee or independent expenditure committee making the expenditure shall report the expenditure as required under this chapter.

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

(3) None of the following are considered coordinated communications prohibited under this section:

(a) Candidates endorsing and soliciting contributions for other candidates.

(b) Candidates, candidate committees, legislative campaign committees, and political parties responding to inquiries about a candidate's or political party's position on legislative or policy issues.

(c) Using publicly available information to create, produce, or distribute a communication if sub. (2) does not apply to such use.

History: 2015 a. 117.

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

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

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

History: 2015 a. 117.

The unit of prosecution under s. 11.24 (1), 1977 stats., is every transfer of funds to another person accompanied by the false listing of any single contributor. An individual illegally furnishing funds from a corporate account may be convicted under s. 11.24 (1), 1977 stats. State v. Dreske, 88 Wis. 2d 60, 276 N.W.2d 324 (Ct. App. 1979).

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

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

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

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

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

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

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

(a) Answers to communications of constituents.

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

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

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

History: 2015 a. 117.

Section 11.33, 1979 stats., applies to persons elected to state office who are seeking reelection or election to a different office and to the use of public funds for political purposes. 69 Atty. Gen. 259.

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

(2) No person may use any vehicle or aircraft owned by the state or by any local governmental unit for purposes that include campaigning to support or oppose any candidate for national, state, or local office, unless the person pays to the state or local governmental unit a fee which is comparable to the commercial market rate for the use of a similar vehicle or aircraft and for any services provided by the state or local governmental unit to operate the vehicle or aircraft. If a trip is made in part for a public purpose and in part for the purpose of campaigning, the person shall pay for the portion of the trip attributable to campaigning, but in no case less than 50 percent of the cost of the trip. The portion of the trip attributable to campaigning shall be determined by dividing the number of appearances made for campaign purposes by the total number of appearances. Fees payable to the state shall be prescribed by the secretary of administration and shall be deposited in the account under s. 20.855 (6) (h). Fees payable to a local governmental unit shall be prescribed by the governing body of the governmental unit.

History: 2015 a. 117.

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

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

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

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

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

(5) This section does not apply to a response by a legal custodian or subordinate of the custodian to a request to locate, reproduce, or inspect a record under s. 19.35 if the request is processed in the same manner as the custodian or subordinate responds to other requests to locate, reproduce, or inspect a record under s. 19.35.

History: 2015 a. 117.

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

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

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

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

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

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

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

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

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

(4) No person may make or accept a contribution, make a disbursement, make an expenditure, or incur an obligation in violation of 11 CFR 110.20 and 52 USC 30121.

History: 2015 a. 117.

SUBCHAPTER XIII

ADMINISTRATION

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

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

History: 2015 a. 117.

11.1302 Donations to charitable organizations or school fund. Any committee may make a donation to a charitable organization or the common school fund from the committee's depository account. No later than 5 days after a committee makes a donation to a charitable organization or the common school fund from the committee's depository account, the committee shall notify the committee's filing officer in writing of the name of the donee and the date of the donation, and shall provide an explanation for not retaining the amount donated in the committee's depository account.

History: 2015 a. 117.

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

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

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

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

(d) In addition to the requirements of pars. (a) to (c), a person required to submit an affirmation under oath, as provided under s. 11.0505 (1) (b) 6., 11.0605 (1) (b) 6., or 11.1001 (1) (b) 6. shall also include the words "Not authorized by any candidate or candidate's agent or committee" in every communication containing express advocacy.

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

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

(f) This subsection does not apply to communications containing express advocacy printed on small items on which the information required by this subsection cannot be conveniently printed, including text messages, social media communications, and certain small advertisements on mobile phones. The commission may, by rule, specify small items or other communications to which this subsection shall not apply.

(g) The attributions required by this subsection in written communications shall be readable, legible, and readily accessible.

(3) Whenever any person receives payment from another person, in cash or in−kind, for the direct or indirect cost of conducting a poll concerning support or opposition to a candidate, political party, or referendum, the person conducting the poll shall, upon request of any person who is polled, disclose the name and address of the person making payment for the poll and, in the case of a committee, the name of the treasurer of the committee making payment.

History: 2015 a. 117 ss. 24, 74 (1m); s. 35.17 correction in (2) (e).

11.1304 Duties of the ethics commission. The commission shall:

(1) Prescribe forms for making the reports, statements, and notices required by this chapter. The commission shall make the forms available free of charge on the commission's Internet site and shall distribute or arrange for the distribution of all forms for use by other filing officers.

(2) Upon request, transmit a form described under sub. (1), free of charge, by facsimile or by 1st class mail.

(3) (a) Prepare and publish for the use of persons required to file reports and statements under this chapter a manual setting forth simply and concisely recommended uniform methods of bookkeeping and reporting.

(b) Prepare, publish, and revise as necessary a manual simply and concisely describing the filing and registration requirements established in this chapter in detail, as well as other major provisions of this chapter and ch. 12.

(4) Develop a filing, coding, and cross−indexing system consonant with the purposes of this chapter.

(5) Assign an identification number to each committee for whom the commission acts as a filing officer under s. 11.0102 (1) and to each conduit.

(6) (a) Except as provided in par. (b), require each committee for whom the commission serves as filing officer under s. 11.0102 (1) to file each campaign finance report that is required to be filed under this chapter in an electronic format. The commission shall permit an authorized individual to provide at the time of filing an electronic signature, as defined in s. 137.11 (8), that is subject to a security procedure, as defined in s. 137.11 (13). A committee that files a report under this subsection in an electronic format may file with the commission that portion of the report signed by an authorized individual rather than submit the electronic signature of that individual. The commission shall provide complete instructions to any committee that files a report under this subsection.

(b) Permit a committee that accepts contributions in a total amount or value of $1,000 or less during a campaign period to opt out of the requirement to file a campaign finance report in an electronic format as specified in par. (a). In this paragraph, the campaign period of a candidate committee begins and ends as provided under s. 11.1103, and the campaign period of any other committee begins on January 1 of each odd−numbered year and ends on December 31 of the following year.

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

(8) Maintain a duplicate record of any statement submitted by a political action committee under s. 11.0505 or by an independent expenditure committee under s. 11.0605 or by a person under subch. X together with the record of each candidate to whom it relates.

(9) Determine whether each report or statement required to be filed under this chapter has been filed in the form and by the time prescribed by law, and whether it conforms on its face to the requirements of this chapter.

(10) Immediately send to any committee or conduit which is delinquent in filing, or which has filed otherwise than in the proper form, a notice that the committee or conduit has failed to comply with this chapter. Whenever a candidate committee has appointed an individual other than the candidate as campaign treasurer, the commission shall send the notice to both the candidate and the treasurer of the candidate committee.

(11) Receive and maintain in an orderly manner all reports and statements required to be filed with the state under the federal election campaign act. The commission shall:

(a) Preserve such reports and statements for a period of 6 years from date of receipt.

(b) Compile and maintain a current list of all reports and statements pertaining to each candidate who is required to file a report or statement under the federal election campaign act.

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

(12) Make the reports and statements filed under this chapter, including those reports and statements filed under sub. (11), available on the commission's Internet site for public inspection and copying, commencing as soon as practicable but not later than the end of the 2nd day following the day during which they are received. No information copied from such reports and statements may be sold or utilized by any person for any commercial purpose.

(13) Upon the request of any person, permit copying of any report or statement described under sub. (12) by hand or by duplicating machine at cost.

(14) Include in its annual report under s. 19.47 (5) compilations of any of the following in its discretion:

(a) Total reported contributions, disbursements, and incurred obligations for all committees registered and reporting under this chapter during the biennium.

(b) Total amounts contributed during the biennium, reported by contribution amounts as determined by the commission, to each type of committee registered and reporting under this chapter.

(c) Total amounts expended during the biennium, reported by disbursement amounts as determined by the commission, by each type of committee registered and reporting under this chapter.

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

(e) Aggregate amounts contributed by any contributors shown to have contributed more than $100.

(15) Prepare and publish from time to time special reports comparing the various totals and categories of contributions and disbursements made with respect to preceding elections.

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

(17) Promulgate rules to administer this chapter.

History: 2015 a. 117 ss. 24, 74 (1m).

SUBCHAPTER XIV

PENALTIES

11.1400 Civil penalties. (1) Any person who violates this chapter may be required to forfeit not more than $500 for each violation.

(2) In addition to the penalty under sub. (1), any person who is delinquent in filing a report required by this chapter may be required to forfeit not more than $50 or one percent of the annual salary of the office for which the candidate is being supported or opposed, whichever is greater, for each day of delinquency.

(3) Notwithstanding sub. (1), any person who makes any contribution in violation of this chapter may be required to forfeit treble the amount of the contribution or portion of that contribution which is illegally contributed.

(4) Notwithstanding sub. (1), any person who is subject to a requirement to pay a filing fee under s. 11.0102 and who fails to pay that fee within the time prescribed in that section shall forfeit $500 plus treble the amount of the fee payable by that person.

(5) Except as otherwise provided in ss. 19.49 (2) (b) 13. and 14. and (g) and 19.554, actions under this section may be brought by the commission or, upon the commission's determination of probable cause, by the district attorney for the county where the defendant resides or, if the defendant is a nonresident, by the district attorney for the county where the violation is alleged to have occurred. For purposes of this subsection, a person other than an individual resides within a county if the person's principal place of operation is located within that county.

(6) Any elector may file a verified petition with the commission requesting that civil action under this chapter be brought against any person or committee. The petition shall allege such facts as are within the knowledge of the petitioner to show probable cause that a violation of this chapter has occurred.

(7) When a candidate committee treasurer or candidate's agent incurs an obligation or makes a disbursement, that action by the treasurer or agent is imputed to the candidate for purposes of civil liability under this subchapter.

(8) In civil actions under this chapter the acts of every member of a candidate committee are presumed to be with the candidate's knowledge or approval until clearly proven otherwise.

History: 2015 a. 117 ss. 24, 24g, 74 (1m).

Section 11.60, 1977 stats., is a civil penalty section even though some violations of it involve intent. State v. Dreske, 88 Wis. 2d 60, 276 N.W.2d 324 (Ct. App. 1979).

In a forfeiture action against a committee, assets of the committee, but not of its members, are reachable. Elections Board v. Ward, 105 Wis. 2d 543, 314 N.W.2d 120 (1982).

11.1401 Criminal penalties; prosecution. (1) (a) Whoever intentionally violates s. 11.1204 or any registration or reporting requirement under this chapter is guilty of a Class I felony.

(b) Whoever intentionally violates subch. XI or s. 11.1201, 11.1208, or 11.1303 is guilty of a Class I felony if the intentional violation does not involve a specific figure or if the intentional violation concerns a figure which exceeds $100 in amount or value.

(c) Whoever intentionally violates any of the following may be fined not more than $1,000 or imprisoned not more than 6 months or both:

1. Any provision of this chapter other than those provided in par. (a).

2. Any provision under par. (b) if the violation concerns a specific amount or value not exceeding $100.

(2) Except as otherwise provided in ss. 19.49 (2) (b) 13. and 14. and (h) and 19.554, and only after the commission has determined probable cause, all prosecutions under this section shall be conducted by the district attorney for the county where the defendant resides or, if the defendant is a nonresident, by the district attorney for the county where the violation is alleged to have occurred. For purposes of this subsection, a person other than a individual resides within a county if the person's principal place of operation is located within that county.

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

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

History: 2015 a. 117 ss. 24, 24h, 74 (1m).

Section 11.61 (1) (a), 1977 stats., does not require the state to prove that the defendant had actual knowledge of the violated statute. State v. Dreske, 88 Wis. 2d 60, 276 N.W.2d 324 (Ct. App. 1979).